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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Correction Affecting Calendar Number 554-44-A.

Rules—Extracts From the Administrative Code of the City of New York, Relating to Refrigerating systems.

Use of Methyl Chloride in Class B and C Refrigerating Systems, Rules for.

COURT DECISION

WHERE MORE THAN FIVE MOTOR VEHICLES ARE PLACED ON A LOT IN A BUSINESS USE DISTRICT BY THEIR RESPECTIVE OWNERS FOR SAFEKEEPING AND A REGULAR FEE OR CHARGE IS MADE ON THE BASIS OF A DAY, WEEK OR MONTH, THE USE OF THE PREMISES IS STORAGE AND NOT PARKING AND SUCH USE HAS BEEN UNLAWFUL SINCE JUNE 1928.

In the Matter of Glicker v. Board:—Mr. Justice Hammer, at Special Term, Supreme Court, Bronx County, affirmed the action of the Board of July 28, 1942 under Cal. No. 1098-41-A, in revoking a Certificate of Occupancy as unlawfully issued and dismissed the certiorari proceeding.

The premises are at 2050-2066 White Plains avenue, Bronx, and are located in a business use district. The Board granted an appeal of an adjoining owner who claimed that a Certificate of Occupancy had been unlawfully issued on the strength of the decision by the Court of Appeals in the case of *Boardwalk & Seashore Corporation* v. *Murdock* (268 N. Y. 494). The court found the facts in the current case not analogous to those in the *Boardwalk and Seashore* case.

The court reviewed the history of the use of the lot since 1934 and declared, in part, that "when during sporadic periods from and after June 1935 . . . the premises were in use, the business therein constituted *storage* of more than five motor vehicles as distinguished from *parking*"; . . . "that the motor vehicles on the premises were placed there by their respective owners for safekeeping and a regular fee or charge was made on the basis of a day, week or month and signs on said premises advertised that the business being conducted was a *storage* lot for motor vehicles, one sign containing the legend: 'attractive monthly rates';" and "nor was the use, if parking, continuously maintained during the period in question. The record discloses beyond a doubt that the use of the premises was storage and not parking and such a use has been unlawful since 1928."

The court found that the hearing before the Board was full and complete and denied a new hearing before an official referee.

The lengthy and detailed opinion of the court appears in the New York Law Journal, December 23, 1944, page 1813.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to December 26, 1944.

Cal. No. Dept. *Premises Affected*

737-44-A—F.D.—62-88 (62-160) Scott avenue, northeast corner of Meserole street (1st floor); (Block 2972B, Lot 1), Borough of Brooklyn, 96995-LC and Decision.

738-44-SA—Hevi Duty Gas Atmosphere Preparation Unit, Appliance.

739-44-A—F.D.— 11 East 17th street, north side, 225 ft. east of 5th avenue (Block 846, Lot 11), Borough of Manhattan, 32617-LF.

740-44-A—F.D.—161-167 6th avenue, west side, from Spring street to Van Dam street, 223-229 Spring street and 12-16 Van Dam street (3rd, 5th and part of 9th floors); (Block 505, Lot 31), Borough of Manhattan, Decision.

741-44-A—F.D.—502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn, Decision re 97328-LC.

742-44-SM—Porex Slabs, size 80 in. x 20 in. x 1¾ in., manufactured by Porete Manufacturing Co., Material.

743-44-A—H.B.B.—1-11 Wyckoff avenue and 418-424 Jefferson street, southeast corner (Block 3177, Lots 4, 7 and 8), Borough of Brooklyn, Decision re Alt. 3042-44 and P. and D. 2278 44.

744-44-A—H.B.Bx—2592 Bruckner (Eastern) boulevard, [illegible] side, 447.84 ft. east of Brush avenue (Block 5541, Lot 61), Borough of The Bronx, F.P. 70-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

		Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec.	28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar.	7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Nov.	14, 1944—Vol. 29, No. 45
Fire Retarding Rules for Garages, etc.	Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec.	28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Jan.	2, 1945—Vol. 30, No. 1
Oil Burner Rules	Dec.	28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr.	11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Dec.	12, 1944—Vol. 29, No. 49
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
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Refrigerating Systems, Extract A.C.	Jan.	2, 1945—Vol. 30, No. 1
Smoking in Factories, Rules for	Dec.	19, 1944—Vol. 29, No. 50
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

JANUARY 3, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, January* 3, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

268-44-BZ—Application, May 5, 1944, under section 7e of the zoning resolution, of Herman Kron, applicant, on behalf of Ruth Katz, owner, to permit in a residence use district, for a temporary period of two years, the change of occupancy of a garage for more than five motor vehicles to a factory for wood working; premises 334-344 Cleveland street, west side, 100 ft. north of Liberty street (Block 3968, Lot 29), Borough of Brooklyn.

33-20-BZ—Application of Joseph Lau, applicant on behalf of Eugene F. Nolan, owner, reopened October 6, 1942, under section 7c of the zoning resolution, to permit partly in a business use district and partly in an unrestricted use district, the change of occupancy from oil storage in the cellar and ice storage on the 1st floor (previously granted by the Board) to dead storage of autos in the cellar and a garage for more than five motor vehicles on the 1st floor; premises 245 West Fordham road, northeast corner of Cedar avenue (Block 3235, Lots 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx.

599-44-BZ—Application, October 20, 1944, under sections 7c and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory; premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

670-44-BZ—Application, November 15, 1944 under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one family

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residential development not conforming to the area district requirements; premises East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

718-44-BZ—Application, December 11, 1944, under section 7e of the zoning resolution, of Harry M. Prince, applicant, on behalf of 39 Park Avenue Corporation, owner (Philip E. Wilcox, lessee), to permit in a residence use district, the temporary use of a portion of an existing residence building for conference room, professional office, drafting room, storage and file room; premises 39 Park avenue, northeast corner of East 36th street (Block 892, Lot 1), Borough of Manhattan.

699-44-BZ—Application, December 4, 1944, under section 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Ten Fifth Avenue Corporation, owner, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot; premises 10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

Appeals from Administrative Decisions

695-44-A—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.

727-44 A—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, January* 3, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

667-44-A—184-02 Jamaica avenue, south side, 330.58 ft. east of 183rd street (Building 3); (Block 10352, Lot 66), Jamaica, Borough of Queens.

654-44-A—878-880 Prospect avenue, east side, 112 ft. north of Prospect avenue and 845-847 Westchester avenue (2nd and 3rd floors); (Block 2690, Lot 4), Borough of The Bronx.

658-44-A—1343 Inwood avenue, west side, 345 ft. south of West 170th street (2nd floor); (Block 2864, Lot 21), Borough of The Bronx.

656-44-A—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

720-44-A—434-436 East 18th street, south side, 94 ft. west of Avenue A (Block 949, Lot 33), Borough of Manhattan.

725-44-A—41-03 Broadway and 31-89 41st street, northeast corner (Block 679, Lot 7), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

449-44-BZ—Application, July 20, 1944, under sections 7a and 21 of the zoning resolution, of Philip Freshman, applicant, on behalf of Peter Hartmann, owner, to permit in a business use district, the reconstruction of three (3) buildings, two (2) of which are two stories in height occupied as garages for more than five motor vehicles and one (1) one story in height occupied as a garage for five motor vehicles, into one (1) building one story in height to be occupied as a garage for more than five motor vehicles; premises 238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

414-41-BZ—Application of John J. Beatty, applicant, on behalf of Thomas F. Martin Realty Company, owner (Louis Theil, lessee); reopened November 21, 1944, for consideration as to extension of permit (expired by limitation) re—Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, for a term of two years, permitting partly in a business use and partly in a residence use district, the parking of more than five motor vehicles; premises 2918-2926 West 17th street, west side, 170 ft. north of Surf avenue (Block 7061, Lot 16), Borough of Brooklyn.

991-40-BZ—Application of William J. Minogue, applicant, on behalf of Unexcelled Manufacturing Co., Inc., owner, reopened May 26, 1942, for consideration as to extension of permit (expired by limitation) re—Application, previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the erection and maintenance of twenty-six (26) buildings for fireworks; premises 1144-1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1665, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond.

319-44-BZ—Application, May 31, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Joseph Newman, owner, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores and residence for one family; premises 8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

284-36-BZ—Application of W. T. McCarthy, applicant, on behalf of The House of St. Giles the Cripple, owner; reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution; premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

Appeal from Administrative Decision

700-44-A—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

Material for Approval

548-44-SM—Sloan V-200 3/8" and 1/2" IPS Vacuum Breaker.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JANUARY 9, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 9, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

343-43-A—93-101 Lexington avenue, north side, 275 ft. east of Classon avenue (Block 1967, Lots 64 and 66), Borough of Brooklyn (reopened and restored to calendar, November 21, 1944; previously withdrawn).

496-43-A—425 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens (under section 35, General City Law re bed of mapped street—Barbadoes drive).

HARRIS H. MURDOCK. *Chairman.*

JANUARY 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 16, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

192-38-BZ—Application of Power and Hopkins, applicants, on behalf of Walter W. Welton, et al, owners, reopened December 19, 1944, for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, for a term of two years, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx.

220-44-BZ—Application, April 13, 1944, under sections 7c and 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of D'Abramo Realty Corporation, owner, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage to a garage for more than five (5) motor vehicles and motor vehicle repair shop and without complying with yard and area requirements for a new building; premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

512-40-BZ—Application of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, reopened November 28, 1944, under section 7i of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the maintenance of a motor vehicle repair shop, previously granted by the Board for a term of two years; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue and 1409 Blondell avenue (Block 4074, Lot 22), Borough of The Bronx.

515-29-BZ—Application of Henry Nordheim, applicant, on behalf of Nicola Latini, owner, reopened October 17, 1944, under section 7c of the zoning resolution, to permit in a residence use district, the further extension to the 2nd story of a business use (undertaking establishment) previously granted by the Board for the 1st story; premises 711 Tilden street, north side, 72 ft. east of Gunhill road (Block 4659, Lot 85), Borough of The Bronx.

Appeal from Administrative Decision.

558-44-A—711 Tilden street, north side, 72 ft. east of Gunhill road (1st and 2nd floors); (Block 4659, Lot 85), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit—Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the regular meeting of December 19, 1944 at 2 P. M.)

614-44-A

APPLICANT—Jacob W. Sherman, for Congregation B'nai Jacob, owner.

SUBJECT—Application for consideration—restoration to calendar for rehearing on a new proposal and new decision—re Appeal from a decision of the borough superintendent (previously denied).

PREMISES AFFECTED—3015 Glenwood road, north side, 60 ft. west of East 31st street (1st floor); (Block 5005, Lot 4), Borough of Brooklyn.

APPEARANCES—
For Applicant: Jacob W. Sherman and Marvin Berger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (614-44-BZ)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 3015 Glenwood road, north

side, 60 ft. west of 31st street (1st floor); (Block 5005, Lot 4), Borough of Brooklyn, was denied by the Board on November 8, 1944; and

WHEREAS, the applicant requested a restoration to the calendar and rehearing of the appeal, based on a new decision and on alleged new proposal; and

WHEREAS, the Board deemed that there was no basis for rehearing the appeal, even with the changes proposed, which the Board would have required had the appeal been deemed meritorious at the original hearing.

Resolved, that the request to reopen, be and it hereby is *denied.*

655-44-A

APPLICANT—Harry A. Yarish, for Midwood Patriotic Memorial, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1472 Ocean avenue, west side, 150 ft. north of Avenue J (Block 6712, Lot 88), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish and Lester D. Volk.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn by applicant after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

662-44-A

APPLICANT—Lama and Proskauer, for George C. Tilyou and George C. McCullough, et al., owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1501 Bowery walk and 3002-3024 West 15th street, northwest corner (1st floor); (Block 7074, part of Lot 170), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn by applicant after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

693-44-A

APPLICANT—Henry G. Harrington, for 735-741 65th Street Realty Corporation, owner (Danish Athletic Club, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—735-743 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington, Carl J. Vollertson, Svend J. Fast and Arthur R. Koch (Amicus Curiae).

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn by applicant, without prejudice to restoration to the calendar.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

496-43-A

APPLICANT—Clayton G. Shirkey, for Rosina and Dominick Zafonti, and Guiseppe and Mary Zafonti, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—425 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens. (Under Section 35, General City Law—re bed of mapped street—Barbadoes drive).

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 9, 1945, at 2 P.M. pending Court decision.

ZONING CASES

926-28-BZ

APPLICANT—L. A. Kiesewetter for The Texas Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the extension of an accessory building (for lubritory use) and also the rearrangement of pumps on an existing gasoline service station, which was previously acted upon by the Board.

PREMISES AFFECTED—2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block 7381, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (926-28-BZ)

WHEREAS, this application, to permit in a residence district, under section 21 of the zoning resolution, the erection and maintenance of a gasoline service station, affecting premises 2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block 7381, Lot 1), Borough of Brooklyn, was denied by the Board on May 7, 1929; the action of Board was reversed by the Supreme Court, and a gasoline service station erected; a request for reopening was denied by the Board on February 9, 1937, as it appeared that this station, as erected, did not conform to the plans filed with the Board and part of the record before the Court; and

WHEREAS, on order of the Court, this application was reopened by the Board on January 25, 1938, and granted on condition; and

WHEREAS, this application was reopened on December 16, 1941, under section 7c of the zoning resolution and the resolution of January 25, 1938 was amended on November 24, 1942 and on December 21, 1943, time was extended to obtain permits and complete the work; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 25, 1938, as amended through December 21, 1943, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that all permits for such extension shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

28-40-BZ

APPLICANT—Reginald S. Hardy, for 42 South 11th Avenue Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a business use district the reconstruction and rearrangement of existing gasoline service station and accessory building.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block 4697, Lots 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—
For Applicant: Reginald S. Hardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (28-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto-laundry and auto-repair shop, affecting premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block 4697, Lots 15 and 18), Whitestone, Borough of Queens, was granted by the Board May 28, 1940 on certain conditions, time extended February 3, 1942, December 15, 1942 and December 21, 1943 and the applicant requested a further extension of time to obtain permits and complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 28, 1940, as amended through December 21, 1943, only in so far as it has reference to obtaining permits and completion of the work so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended* resolution (N.B. applic. 8544-39)."

452-41-BZ

APPLICANT—L. A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district the construction of a new accessory building on an existing gasoline service station.

PREMISES AFFECTED—406 Bay street, northwest corner of Clinton street (Block 505, Lot 18), Tompkinsville, Borough of Richmond.

APPEARANCES—
For Applicant: Joseph B. Lynch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (452-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the construction of a new accessory building on an extisting gasoline service station, affecting premises 406 Bay street northwest corner of Clinton street (Block 505, Lot 18), Tompkinsville, Borough of Richmond, was granted by the Board September 16, 1941, on certain conditions, resolution amended June 9, 1942, time to obtain permits and complete the work, extended on October 6, 1942, May 4, 1943 and June 27, 1944; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 16, 1941, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"In view of statement by applicant that all permits have been obtained, and approximately 90% of the work completed, that all work shall be completed within 6 months from the date of this *amended* resolution."

363-42-BZ

APPLICANT—Henry Nordheim, for Clifford A. Adee, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block 4338, Lots 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (363-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than three (3) motor vehicles, affecting premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block 4338, Lots 12, 20, 22, 24, 27, 29, 31 and 33) Borough of The Bronx, was granted by the Board on December 8, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 8, 1942,

only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than three (3) motor vehicles, *on condition* * * * *and that a certificate of occupancy shall be obtained."*

578-42-BZ

APPLICANT—Philip Silver, for Buoniello Holding Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years the parking and storage of more than five motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars.

PREMISES AFFECTED—6802-6810 Ft. Hamilton parkway, southwest corner of 68th street (Block 5771, Lot 6), Borough of Brooklyn.

APPEARANCES—
For Applicant: Philip Silver and John Buoniello.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (578-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars, affecting premises 6802-6810 Ft. Hamilton parkway, southwest corner of 68th street (Block 5771, Lot 6), Borough of Brooklyn, was granted by the Board on December 22, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 22, 1942, only so far as it has reference to the term of permit, so as amended, this portion of the resolution shall read:

"Granted under Section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles on the vacant portion of the lot west of the existing one story building, *on condition,* etc. *and that a certificate of occupancy shall be obtained.*

192-38-BZ

APPLICANT—Power and Hopkins, for Walter W. Welton, et al., owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx.

APPEARANCES—
For Applicant: John T. Power.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 16, 1945 at 10 A. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 12, 1944, as they appeared in Bulletin No. 50, Vol. 29, are hereby corrected to read as follows:

554-44-A

APPLICANT—L. E. Driver, for New York Dock Co., owner (Atlantic Basin Iron Works, Inc., lessee).

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—East side of Conover street, 345 ft. south of Reid street (Block 611, part of Lot 1), Pier 45, East River, Borough of Brooklyn.

APPEARANCES—
For Applicant: L. E. Driver and C. E. Hicks.
For Administration: T. A. Wilson and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (554-44-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner (Atlantic Basin Iron Works, Inc., lessee), filed September 29, 1944, an appeal from an order and decision of the fire commissioner, affecting Pier 45, East side of Conover street, 345 ft. south of Reid street (Block 611, part of Lot 1), East River, Borough of Brooklyn; and

WHEREAS, order 8936-LF, issued by the fire commissioner, June 8, 1942 and referred to in a decision of the fire commissioner dated September 1, 1944, reads:

"6. Provide 10" x 10" hose openings in every bay at intervals of 25' in the pier floor properly protected by a hinge cover, equivalent in strength to floor of the pier, or any approved form of fire extinguishment in the substructure. C19-161.0 Adm. Code."

and

WHEREAS, the applicant states that the pier is 1 story (30 ft.) in height, 50 ft. by 632 ft. in area, of class 5 construction, erected in 1918, located in an unrestricted use, A area district and used for the repair and servicing of vessels —100 persons; and

WHEREAS, the applicant contends as to item 6 of the fire commissioner's order, that this requirement is one part of specifications which have been devised for construction and protection of piers by fire prevention authorities; that the deck holes constitute but a part of a complete arrangement which include fire walls, fire stops, fire hatches, etc.; that the requirement for the installation of fire stops has been rescinded for the duration of the war, because of the strategic value of materials required; that since these and other component installations have been deferred, it seems futile to require installation of deck openings at this time; that in connection with the deck hole installations, the maintenance of an elaborate aisle space arrangement would be required, with a consequent reduction of storage space; that the reduction of usable deck space on a pier which would result from the installation as required, would make

the pier practically useless for repair and storage purposes; that in addition, if these openings are provided with hinged covers, they will be difficult to maintain, easily opened, and when missing, will constitute a source of accidents and a means of spreading fire between the substructure and the superstructure; that the alternate offered by the fire commissioner's order of an approved fire extinguishing system leaves only the special monorail system which is a patented expensive installation; that even with such an installation, there appears to be no sound reason why each pier owner should be required to do more than install the rails necessary for its operation, since the nozzles should be part of the Fire Department equipment.

Resolved, that the *order* of the *fire commissioner,* acting on Order 8936-LF, Objection 6, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

Correction—The words "decision of the borough superintendent" changed to "order of the fire commissioner" as indicated in italics in the resolution.

NOTICE

RESOLUTION RELATING TO APPROVAL OF SITES FOR BUS STATIONS ADOPTED BY THE BOARD OF ESTIMATE FEBRUARY 1, 1940 (CALENDAR NO. 15).

Whereas, The existence and operation of bus stations is a matter of vital public interest affecting the welfare of the City and, in particular, street vehicular and pedestrian traffic as well as bus passengers; and

Whereas, The existence and operation of bus stations create unique street problems; and

Whereas, The special nature of such problems requires that no new bus station be constructed or operated except by and with the consent of the Board of Estimate after reports by the City Planning Commission, the President of the Borough affected, the Police Commissioner, the Art Commission and the Department of Housing and Buildings if curb cuts are involved; now, therefore, be it

Resolved, That the following be and hereby are adopted as the rules and regulations for the handling of applications to the Board for its consent to the construction and operation of bus stations:

1. No new bus station shall hereafter be constructed or operated in the city of New York except by and with the consent of the Board.

2. Any person, firm or corporation desiring to construct or operate a bus station shall present to the Board a duly verified petition, plus 25 copies, setting forth, among other things, the following information in regard to the proposed bus station: Exact location and size; design; preliminary building plans or sketches including lane layouts and approaches; facilities for storing or handling of laid-over buses; maximum number of buses to use the entrance to and exit from the station during each 15 minute period on week days, Saturdays, Sundays and holidays.

3. (a) The petition shall be referred to the following agencies for report and recommendation: The City Planning Commission and the President of the Borough in which the proposed station is to be located for a general report: the Police Commissioner for report as to the adequacy of the approaches and the traffic conditions on the streets which would be traversed by buses using the proposed station, and the maximum number of buses that such streets can reasonably accommodate throughout each day; the Art Commission for report as to the design; if curb cuts are involved, the Department of Housing and Buildings for report as to whether or not there are objections to the proposed curb cuts.

(b) The Borough President, the Police Commisisoner, the Art Commission and the Department of Housing and Buildings shall, within fifteen days after receipt of the petition, render their reports, in writing, to the City Planning Commission. The City Planning Commission shall, within thirty days after receipt of the petition, render its report and recommendations to the Board, approving or disapproving the petition, to which there shall be annexed a copy of all of the reports which the City Planning Commission received from the other agencies. The City Planning Commission shall transmit to the Board a copy of its findings and decision.

4. In the event the City Planning Commission does not approve the petition the Board may approve it by a three-fourths vote. If the Board determines to approve the petition it shall impose such terms and conditions as will best serve public convenience.

5. The fee for filing each application for the Board's consent to a bus station shall be one hundred and twenty-five dollars ($125.00), payable to the Treasurer of the City of New York. No application may be placed on the Board's calendar unless it is accompanied by a receipt issued by the Treasurer certifying that such fee has been paid.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0 Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl^2F^2 also dichlorotetrafluoroethane ("F-114") $C^2Cl^2F^4$ and monofluorotrichloromethane ("F-11") CFC^3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit system containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.
4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	¼	1	6
	50	250	⅓	1½	12
	100	400	½	2	16
	150	550	⅔	2½	19
	200	680	⅔	3	25
	250	800	1	3½	29
	300	900	1	4	32
	400	1,100	1¼	4½	38
	500	1,275	1¼	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0 Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1 High Pressure Side	Col. 2 Low Pressure Side With Safety Valves	Col. 3 Low Pressure Side Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane, No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons	1—½"	1—½"
30 to 60 tons	1—½"	1—¾"
60 to 100 tons	1—½"	1—1"
100 to 175 tons	1—½"	1—1¼"
175 to 250 tons	1—¾"	1—1½"
250 to 450 tons	1—1"	1—2"
450 to 900 tons	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO^2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

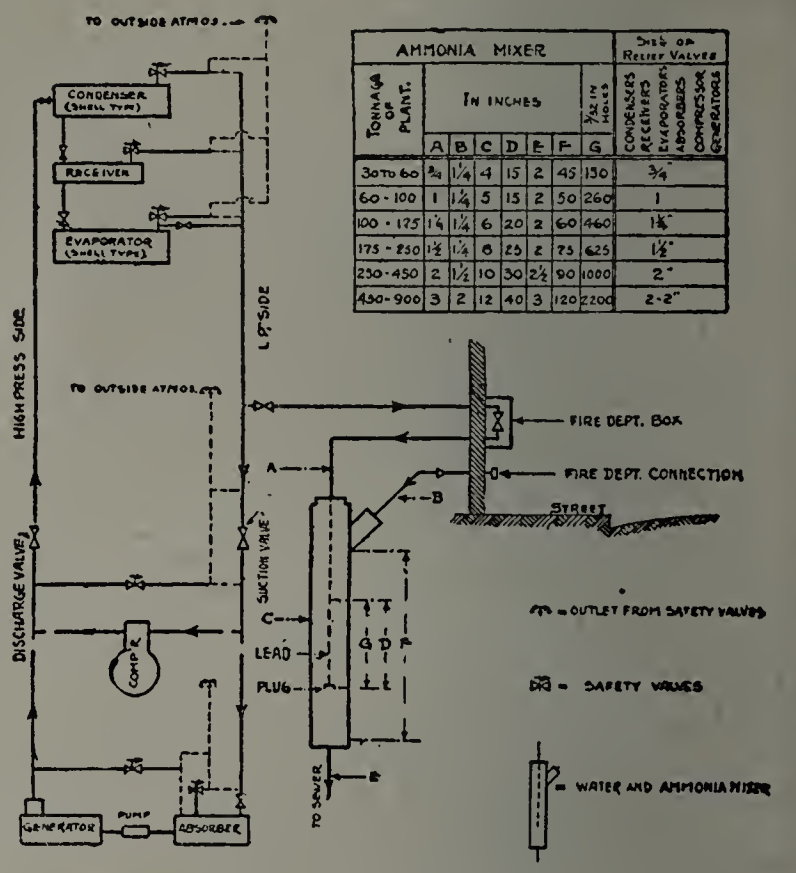
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

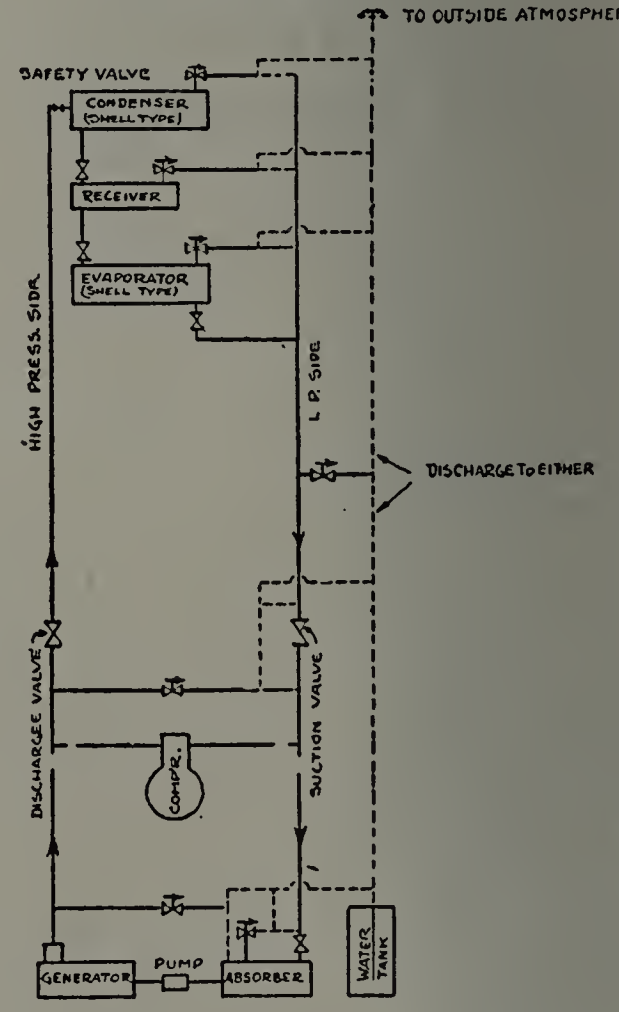
§C19-152.0. Violations.

Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.



AMMONIA MIXER								Size of Relief Valves
Tonnage of Plant.	In Inches						⅜ Inch Holes	Condensers Receivers Evaporators Absorbers Compressor Generators
	A	B	C	D	E	F	G	
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT SECTION C19-107.0

RULES

RULES FOR USE OF METHYL CHLORIDE IN CLASS B AND C REFRIGERATING SYSTEMS.

Adopted by the Board of Standards and Appeals June 23, 1944, effective July 17, 1944.

(Cal. 333-44-SR.)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *Par.* 2 *of the Charter of the City of New York and Section* C19-98.0 *of the Administrative Code.*

SCOPE:

These rules are supplementary and additional to the requirements of C19-98.0 providing for the use of methyl chloride in class B and class C refrigerating systems.

The promulgation of these rules has become necessary because of the military requirements for Freon (F12). Methyl chloride, while not permitted to be used in class A systems, is permissively allowed in class B and C systems. However, when used in refrigerating systems which formerly used Freon, additional precautions and safeguards are necessary to adapt the refrigerating equipment for use with methyl chloride.

NOTE: References given herein preceded by C19- or C26- refer to specific sections of the Administrative Code. Wherever decimal numbers occur, such system of numbering refers to these rules.

C19-96.0 Permits—a. Except as provided in this article, it shall be unlawful to maintain or operate a refrigerating system without a permit.

b. A permit will not be required for a class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house, or a business building.

c. It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the commissioner necessary in the interest of public safety.

d. A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

e. Only the refrigerant specified in the permit shall be used in the system.

f. Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the commissioner.

C19-97.0 Classifications.—a. The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

b. A class A system is a system containing one thousand pounds or over of refrigerants, or capable of thirty tons capacity or over.

c. A class B system is a system capable of less than thirty tons capacity, or containing less than one thousand pounds of refrigerant and more than the amounts provided for in a class C system.

d. A class C system is a system containing not more than twenty pounds of refrigerant.

C19-98.0 Permissible locations.—a. It shall be unlawful to install any class A or class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, or no refrigerant shall be placed in the system until a permit has been obtained from such commissioner.

b. The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room; except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings when the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building in which a non-irritant and non-inflammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to the thirteenth day of December, nineteen hundred twenty-seven.

c. It shall be unlawful to use brine in any brine circulating system that will generate inflammable vapor at a temperature below one hundred degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

d. It shall be unlawful to install or maintain a class A system using ammonia in any building above the first floor level unless such building is exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to the thirteenth day of December, nineteen hundred twenty-seven.

e. Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten pounds of refrigerant.

f. It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits, or auditoriums of any building;

2. Dance halls, courtrooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre or where persons are detained or confined;

5. A school, unless the refrigerating system is used exclusively for instruction or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment, or are helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction. The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight fitting, solid self-closing doors, and located in a room having a window to the outside air.

g. An intermittent absorption type of refrigerating machine shall not be permitted in a class A system. Such type of machine shall be permitted in a class B system only when a heating medium of low pressure steam is used in its operation.

h. The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant is not permitted in class A system.

i. A class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches of brick or six inches of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing fireproof doors.

RULE 1.0 Prohibited Uses of Methyl Chloride Refrigerant.

1.1 No direct system or indirect open spray system of air conditioning employing methyl chloride shall be permitted in a public building as defined in C26-235.0.

1.2 The direct method of refrigeration may be permitted when the installation satisfies the requirements of Section C19-98.0 and only when the percentage of methyl chloride to the volume of conditioned space is not over .7 of 1 per cent. (Methyl chloride to equal 8.0 cubic feet per lb.)

RULE 2.0 Requirements, for Permissible Uses of Methyl Chloride Refrigerant in Class B and C Refrigerating Systems.

2.1 That the refrigerating equipment room shall be isolated from human occupancies by reasonably gas tight opening closures.

2.2 A mechanical exhaust system with a capacity of ten changes of air per hour shall be provided for the refrigeration equipment room and so controlled electrically and automatically that it shall start with the refrigerating system and be kept running while the system is in operation; that an independent switch remotely located and labeled shall be provided for the mechanical exhaust system so that such ventilating system may operate independently if it should become necessary to stop the refrigerating system during an emergency; that the intake to the exhaust fan shall be located as near the floor as practicable. The capacity of such ventilating system shall in no event be less than the requirements in Section C19-99.b,3.

2.3 That the service company making the conversion shall check with the manufacturer of the specific equipment and certify in writing that conversion to methyl chloride can be safely made and shall list the changes in the system and controls as recommended by the manufacturer to make the equipment suitable for use with methyl chloride. The service company shall, after complying with the recommended changes by the manufacturer, certify to the Fire Commissioner that such recommended changes have been made and shall certify that all the requirements of these rules have been complied with.

2.3.1 The system shall be completely purged of all freon and the lubricating oil replaced with fresh oil suitable for use in refrigeration.

2.3.2 The system shall be thoroughly cleansed, dehydrated and tested for tightness and leaks by pressure immediately after methyl chloride is added. After the system has been purged as provided in Rule 2.3.1 and before methyl chloride is added, special tubes shall be attached on the feed side of the line, containing either silica gel (high test solid material specifically designed for refrigerant drying), activated alumina or suitable drying agent to insure thorough dryness of the refrigerant.

2.3.3 Expansion valves shall be reset or replaced as required.

2.3.4 Relief valves and pressure limiting device shall be reset to conform to the Administrative Code requirements.

2.3.5 All gaskets in the system shall be replaced with gaskets suitable for use with methyl chloride.

2.3.6 Only the exact amount of methyl chloride shall be charged into the system. Capacities shall be measured on the basis of weight of the refrigerant and not volume. Under no circumstances shall external heat, steam, open flame, or otherwise, be applied to the cylinder containing the refrigerant and only the exact amount of refrigerant required for charging shall be permitted to be delivered to the premises. After charging the cylinder shall be immediately disconnected and removed. No reserve storage of methyl chloride shall be permitted nor shall there be any open flames in the same room with the refrigeration equipment.

2.3.7 Before charging any refrigeration system with methyl chloride, all parts which are in contact with the refrigerant and are composed of aluminum, magnesium, zinc or their alloys, shall be replaced with parts made of suitable metals.

2.3.8 Upon completion of the conversion from freon to methyl chloride, and before the equipment is put in operation, the service company shall make a complete check for leaks using a Halide torch and immediately remedy any leaks.

2.3.9 A mask or helmet as approved by the Bureau of Mines of the U. S. Dept. of Interior for use with methyl chloride shall be provided in a suitable wall cabinet located immediately outside the equipment room.

2.3.10 A weekly inspection by the person holding a certificate of fitness to supervise refrigerating equipment as provided in C26-214.0 shall be made of the refrigeration equipment and all piping and connections for leakage.

2.3.11 Refrigeration equipment within the purview of these rules shall bear a metal sign reading: "Caution: Methyl Chloride Refrigerant, Guard against Leaks."

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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COURT DECISION

Court of Appeals approves decision of the Board that where a frame building was not lawfully occupied under Section 31 of the Tenement House Law prior to 1929, it acquired no vested right under Section 56 of the Multiple Dwelling Law. This decision can be taken as superseding the decision of Special Term Supreme Court in *People (Louis H. Pink as Superintendent of Insurance) vs. Murdock* (N. Y. Law Journal, November 27, 1937), 166 Misc. 124, 300 N. Y. S. 1250, also reported in Volume 15A of McKinney's Laws of New York, titled "Multiple Dwelling Law" under Section 56 (p. 24 of the 1942 Annotation):

Matter of Marie Ramundo vs. Murdock, et al—On July 6, 1939, the Board denied an appeal from an order of the Borough Superintendent, Department of Housing and Buildings; Cal. No. 474-39-A; premises 1711 Taylor Avenue, W.S., 95.01 ft. north of Van Nest Avenue, Borough of The Bronx.

By order of the Court, the appeal was restored to Calendar for additional testimony.

On July 1, 1941, the Board received additional testimony, indicating that prior to April 18, 1929, the building was not occupied by 3 families, in accordance with definition of a family in the Multiple Dwelling Law, etc., etc.; Board denied request to restore to Calendar.

Mr. Justice McGeehan at Special Term, Supreme Court reversed Board and annulled the order of Borough Superintendent, Department of Housing and Buildings (N.Y.L.J. March 7, 1942).

The building is a two-story frame structure, erected in 1903 for two families and located in a residence use district. Affidavits filed alleged that the building had been occupied for three families without legal sanction prior to 1929. The Borough Superintendent issued a permit for alterations to accommodate three families (Alteration Application 963-37) under the authority of the decision at Special Term, Supreme Court by Mr. Justice Peter Smith in re *People (Louis H. Pink as Superintendent of Insurance) vs. Murdock* (N. Y. Law Journal November 27, 1937), 166 Misc. 124, 300 N. Y. S. 1250. Later, the approval of plans was rescinded and a Certificate of Occupancy refused. Upon appeal to the Board, the action of Borough Superintendent was affirmed, holding that neither the Borough Superintendent nor the Board had any jurisdiction to vary the Multiple Dwelling Law, and that the alteration is not permissible so as to increase the number of families under Section 56 of the Multiple Dwelling Law.

Upon review of the decision of Special Term, reversing the action of the Board, Supreme Court, Appellate Division, First Department, unanimously restored the decision of the Board, stating *per curiam:*

> "The determination of the Board of Standards and Appeals to the effect that petitioner's premises were not used as a three-family dwelling on and before April 18, 1929, is amply supported by the evidence. The Board was warranted in sustaining the orders of the Bronx Borough Superintendent of Housing and Buildings dated March 15, 1939, which ordered a revocation of permits for alterations and directed petitioner to remove violations arising out of the alterations thus made. Misrepresentations as to the material facts in the application on which the permit and approval were based were adequately established. Upon discovery thereof, the Building Superintendent had express power to revoke the permit theretofore issued. (See Sec. C26-180.0 Administrative Code, Sec. 300 Multiple Dwelling Law.) Petitioner obtained no rights under the invalid permit. (Matter of Durning v. Reville, 137 Misc. 173, 176, 177, aff'd. 232 App. Div. 790.)
>
> The order should be reversed with $20. costs and disbursements and the motion to dismiss the order of certiorari and to confirm the determination of the Board of Standards and Appeals granted." (N. Y. Law Journal February 27, 1943.)

Affirmed by Court of Appeals without opinion (N. Y. Law Journal January 3, 1945, page 24).

CALENDAR

DOCKET

New Cases Filed up to January 2, 1945.

Cal. No. Dept. Premises Affected.

745-44-A—H.B.B.—3042-3060 West 23rd street (3050-3060 displayed), west side, 99 ft. north of Boardwalk (Block 7070, Lots 142, 143, 144, 145 and 155), Borough of Brooklyn, Alt. 1930-44.

746-44-A—H.B.M.—709-715 8th avenue and 300 West 45th street, southwest corner (Block 1035, Lot 36), Borough of Manhattan, Amendment to Alt. 940-44.

747-44-BZ—H.B.M.—68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan, Alt. 1231-44 and Alt. 1232-44.

748-44-A—H.B.M.—68 and 70 Irving place, east side, 27 ft. north of East 18th street (Basement and 1st floors); (Block 874, Lots 21 and 22), Borough of Manhattan, Alt. 1231-44 and Alt. 1232-44.

749-44-BZ—H.B.M.—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan, Amendment to Alt. 1029-44.

750-44-A—H.B.M.—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan, Amendment to Alt. 1029-44.

751-44-A—F.D.—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn, 98343-LC.

752-44-A—H.B.M.—9 West 19th street, north side, 195 ft. west of 5th avenue (2nd, 3rd, 4th and 5th floors); (Block 821, Lot 33), Borough of Manhattan, Decision.

753-44-BZ—H.B.R.—140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond, N.B. 106-44.

1-45-A—H.B.B.—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn, Alt. 3547-44.

Restored to Calendar.

1366-17-BZ—H.B.Q.—1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens, Alt. 642-44.

442-42-BZ—H.B.B.—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn, Amendment to N.B. 49-42.

558-43-A—F.D.—177-183 Lewis street, west side, 102 ft. north of East 4th street (Block 360, Lot 19 and part of Lot 30), Borough of Manhattan, 19447-LF and 19448-LF.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
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Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

JANUARY 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 9*, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

449-44-BZ—Application, July 20, 1944, under sections 7a and 21 of the zoning resolution, of Philip Freshman, applicant, on behalf of Peter Hartmann, owner, to permit in a business use district, the reconstruction of three (3) buildings, two (2) of which are two stories in height occupied as garages for more than five motor vehicles and one (1) one story in height occupied as a garage for five motor vehicles, into one (1) building one story in height to be occupied as a garage for more than five motor vehicles; premises 238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn.

CALENDAR

268-44-BZ—Application, May 5, 1944, under section 7e of the zoning resolution, of Herman Kron, applicant, on behalf of Ruth Katz, owner, to permit in a residence use district, for a temporary period of two years, the change of occupancy of a garage for more than five motor vehicles to a factory for wood working; premises 334-344 Cleveland street, west side, 100 ft. north of Liberty street (Block 3968, Lot 29), Borough of Brooklyn.

718-44-BZ—Application, December 11, 1944, under section 7e of the zoning resolution, of Harry M. Prince, applicant, on behalf of 39 Park Avenue Corporation, owner (Philip E. Wilcox, lessee), to permit in a residence use district, the temporary use of a portion of an existing residence building for conference room, professional office, drafting room, storage and file room; premises 39 Park avenue, northeast corner of East 36th street (Block 892, Lot 1), Borough of Manhattan.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

414-41-BZ—Application of John J. Beatty, applicant, on behalf of Thomas F. Martin Realty Company, owner (Louis Theil, lessee); reopened November 21, 1944, for consideration as to extension of permit (expired by limitation) re—Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, for a term of two years, permitting partly in a business use and partly in a residence use district, the parking of more than five motor vehicles; premises 2918-2926 West 17th street, west side, 170 ft. north of Surf avenue (Block 7061, Lot 16), Borough of Brooklyn.

991-40-BZ—Application of William J. Minogue, applicant, on behalf of Unexcelled Manufacturing Co., Inc., owner, reopened May 26, 1942, for consideration as to extension of permit (expired by limitation) re—Application, previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the erection and maintenance of twenty-six (26) buildings for fireworks; premises 1144-1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1665, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond.

319-44-BZ—Application, May 31, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Joseph Newman, owner, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores and residence for one family; premises 8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

284-36-BZ—Application of W. T. McCarthy, applicant, on behalf of The House of St. Giles the Cripple, owner; reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution; premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

Appeals from Administrative Decisions

700-44-A—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

591-44-A—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens.

Material for Approval

548-44-SM—Sloan V-200 ⅜" and ½" IPS Vacuum Breaker.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 9, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

343-43-A—93-101 Lexington avenue, north side, 275 ft. east of Classon avenue (Block 1967, Lots 64 and 66), Borough of Brooklyn (reopened and restored to calendar, November 21, 1944; previously withdrawn).

496-43-A—425 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens (under section 35, General City Law re bed of mapped street—Barbadoes drive).

HARRIS H. MURDOCK. *Chairman.*

JANUARY 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 16, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

192-38-BZ—Application of Power and Hopkins, applicants, on behalf of Walter W. Welton, et al, owners, reopened December 19, 1944, for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, for a term of two years, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx.

670-44-BZ—Application, November 15, 1944 under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one family residential development not conforming to the area district requirements; premises East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

220-44-BZ—Application, April 13, 1944, under sections 7c and 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of D'Abramo Realty Corporation, owner, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage to a garage for more than five (5) motor vehicles and motor vehicle repair shop and without complying with yard and area requirements for a new building; premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

CALENDAR

512-40-BZ—Application of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, reopened November 28, 1944, under section 7i of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the maintenance of a motor vehicle repair shop, previously granted by the Board for a term of two years; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue and 1409 Blondell avenue (Block 4074, Lot 22), Borough of The Bronx.

515-29-BZ—Application of Henry Nordheim, applicant, on behalf of Nicola Latini, owner, reopened October 17, 1944, under section 7c of the zoning resolution, to permit in a residence use district, the further extension to the 2nd story of a business use (undertaking establishment) previously granted by the Board for the 1st story; premises 711 Tilden street, north side, 72 ft. east of Gunhill road (Block 4659, Lot 85), Borough of The Bronx.

Appeal from Administrative Decision.

558-44-A—711 Tilden street, north side, 72 ft. east of Gunhill road (1st and 2nd floors); (Block 4659, Lot 85), Borough of The Bronx.

Material for Approval.

616-44-SM—Pittsburgh Welded Wire Reinforcement.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 23, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

699-44-BZ—Application, December 4, 1944, under section 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Ten Fifth Avenue Corporation, owner, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot; premises 10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

1366-17-BZ—Application of Saul Goldsmith, applicant, on behalf of 1920 Harman Street Corporation, owner, reopened January 3, 1945 for consideration re amendment of resolution as to occupancy of 2nd floor—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the change of use from a factory for manufacture of hospital furniture permitted by the Board to paper box manufacturing and knitwear; premises 1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens.

442-42-BZ—Application of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, reopened January 3, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution permitting in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district, the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

Appeals from Administrative Decisions

695-44-A—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.

727-44 A—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 23, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

656-44-A—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit—Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

599-44-BZ—Application, October 20, 1944, under sections 7c and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory; premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JANUARY 3, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board, held on Tuesday morning, December 19, 1944, and Tuesday afternoon, December 19, 1944, were approved, as printed in Bulletin No. 51, Volume 29.

ZONING CASES

268-44-BZ

APPLICANT—Herman Kron, for Ruth Katz, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, for a temporary period of two years, the change of occupancy of a garage for more than five motor vehicles to a factory for wood working.

PREMISES AFFECTED—334-344 Cleveland street, west side, 100 ft. north of Liberty avenue (Block 3968, Lot 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron and J. Steinberg.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 9, 1945 at 10 A. M., for decision.

599-44-BZ

APPLICANT—Paul Friedman, for Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee).

SUBJECT—Application (decision of the acting borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory.

PREMISES AFFECTED—85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Samuel Gardstein, Isser Einhorn and Sophie Emmen.
For Opposition: Emily L. Skerrett, Hedwig Puleo, Edward F. Morton, Flora De Martin, Frances M. Hamilton, May Beck and Max Shlivek.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Laid over to January 30, 1945 at 10 A. M., for inspection by a committee of the Board. No further argument.

606-44-BZ

APPLICANT—Albert E. Wheeler, for Marie P. Campagna, owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 21-C of the zoning resolution, to permit in an F area district, a one and two family residential development not conforming to the area district requirements.

PREMISES AFFECTED—South side of West 249th street (Spauldings Lane), between Henry Hudson parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert E. Wheeler, Anthony Campagna and Stanley M. Moffat (Amicus Curiae).
For Opposition: Charles G. Witherspoon and Thomas A. Diskin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1945 at 10 A. M., for further consideration.

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 21-C of the zoning resolution, to permit in a C and F area district, a one family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert E. Wheeler, Robert C. Weinberg and Mr. Robbins.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings, Gustav Goldman, Board of Education and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Laid over to January 16, 1945 at 10 A. M., for further consideration.

699-44-BZ

APPLICANT—Sidney L. Strauss, for Ten Fifth Avenue Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot.

PREMISES AFFECTED—10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss and others.
For Opposition: Edward G. Steinert.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M., on request of applicant.

718-44-BZ

APPLICANT—Harry M. Prince, for 39 Park Avenue Corporation, owner (Philip E. Wilcox, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the temporary use of a portion of an existing residence building for conference room, professional office, drafting room, storage and file room.

PREMISES AFFECTED—39 Park avenue, northeast corner of East 36th street (Block 892, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry M. Prince, Philip E. Wilcox and John P. Fox.
For Opposition: Dr. J. Kunstler, Walter Keane and Julius Perbinder.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Laid over to January 9, 1945 at 10 A. M. for decision by the Board. Applicant to file revised plans.

1366-17-BZ

APPLICANT—Saul Goldsmith, for 1920 Harman Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the change of use from a factory for manufacture of hospital furniture (permitted by the Board) to paper box and knitwear manufacturing.

PREMISES AFFECTED—1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith and Jeannette Pulver.

For Opposition: Sidney S. Levine.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to calendar and set for hearing on January 23, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

33-20-BZ

APPLICANT—Juseph Lau, for Eugene F. Nolan, owner.

SUBJECT—Application reopened October 6, 1942, re (decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use district and partly in an unrestricted use district, the change of occupancy from oil storage in the cellar and ice storage on the 1st floor (previously granted by the Board) to dead storage of autos in the cellar and a garage for more than five motor vehicles on the first story.

PREMISES AFFECTED—245 West Fordham road, northeast corner of Cedar avenue (Block 3235, Lots 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Lau.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (33-20-BZ)

WHEREAS, this application, permitting partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an ice storage plant and garage for more than five motor vehicles, affecting premises 245 West Fordham road, northeast corner of Cedar avenue (Block 3235, Lots 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx, was granted by the Board on February 3, 1920, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution relative to the change of occupancy to dead storage of autos in the cellar and a garage for more than five motor vehicles on the first story; and

WHEREAS, this case was reopened by vote of the Board on October 6, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 3, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West Fordham road is in a business use, B area and 1½ times height district; Cedar avenue is in a business residence and unrestricted use, B area and 1½ times height district; Landing road is in an unrestricted use, B area and ½ times height district; and

WHEREAS, the decision of the borough superintendent, dated May 26, 1944, re amendment to Alt. App. 490-42, reads:

"Amendment disapproved with the following objection:

3. Proposed occupancy of this building, which is as follows:

Cellar—Dead storage of motor vehicles
1st fl.—Garage for more than 5 motor vehicles
2nd fl.—Garage for more than 5 motor vehicles.

is contrary to the resolution approved by the Board of Standards and Appeals under Cal. #33.20-BZ, which is as follows:

Cellar—Ice Storage—1st Floor—Ice Plant—
2nd floor—Garage for more than 5 motor vehicles."

and

WHEREAS, the applicant states the premises consist of a plot, 165.85 ft., irregular in frontage, by 195.38 ft., irregular, in depth, on which is located a 2-story building occupying the entire plot, of class 1 construction, except roof of 2nd story; that it is proposed to change the occupancy from ice storage and ice plant to dead storage of automobiles in cellar and garage for more than five motor vehicles above; and

WHEREAS, the applicant contends that the building was erected in 1920 to be used as an ice manufacturing plant and later in 1920 as ice manufacturing plant and garage; that this usage was approved under Cal. 33-20-BZ; that the building has never actually been used as an ice plant and during all these years, has been vacant and used only for storage; that the original loading entrance on Fordham road had been left open and only boarded up within the last few years, by order of the Fire and Police Departments; that since the present owner took over the property, he has closed this opening with masonry walls and windows and fixed up all old windows which were broken and boarded them up; that the building now looks far better than at any time since its erection; that Certificate of Occupancy 439, indicates that the first floor is to be used for truck storage and machinery; that this was old ice plant machinery which was never installed, and since removed; that the second floor indicates the use as a garage; that nothing is mentioned ni the certificate about the lowest story or cellar; that the latter is included in this appeal for modification of resolution of Cal. 33-20-BZ, to include its use for dead storage of motor vehicles; that this portion of the building is in the unrestricted use district, which runs 100 ft. southerly from landing place and 100 ft. easterly from Cedar avenue, the remainder of plot being in the business use district; that the property is under one ownership and the increase of 25 feet into the business district leaves over 90% of the plot in an unrestricted area; that the owner has improved the appearance of the property and eliminated many hazards of old areaways, which were only fenced in, but are now filled in and made safe for children and people using these sidewalks; that the only portion of the building which is nonfireproof is the roof and a standpipe system is installed on 2nd floor with three stations, 100 feet of hose each, thereby covering entire area of second floor; therefore, it is requested the Board grant the use of the building as is contained in this application; and

WHEREAS, the owner stated in his communication of December 20, 1944, that he intends to use the entire basement and first floor of the building for the dead storage of new and used cars; that this storage space would be used in conjunction with his new car dealer operations; that in normal times the stock of new pleasure cars and trucks is approxi-

mately 150 and in addition, he also has on hand from 100 to 200 used pleasure cars and trucks, all owned by Nolan Motors, Inc.; that it is not his intention to use either of the two stories for the live storage of cars, as they are not adaptable for such storage, as they are not heated, are crowded with concrete pillars and have four different floor levels; and

WHEREAS, the Board deemed that this application for change of occupancy for a portion of this building is justified under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on February 3, 1920, by adding thereto:

"* * * that the lower two stories of the building, formerly proposed to be occupied as an ice plant, may be occupied for the dead storage of motor vehicles, as proposed in the letter of the owner, dated December 20, 1944, above quoted; and that in all other respects, the building and occupancy shall comply with the requirements of the resolution adopted February 3, 1920, and with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within six months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS

695-44-A

APPLICANT—William Higginson and Son, for Gair Realty Corporation, owner (Uddeholm Co. of America, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Clarence Higginson and Erik V. Ensvik.

For Administration: Edwin A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M. for inspection by a committee of the Board.

727-44-A

APPLICANT—Federal Telephone and Radio Laboratories, lessee, for International Telephone Building Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street, 2nd floor (Block 29, Lot 70), Borough of Manhattan.

APPEARANCES—

For Applicant: Kenneth Hill, John J. Glauber and W. Boyd.

For Administration: Edwin A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M. for inspection by a committee of the Board.

Adjourned: 2:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, JANUARY 3, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

654-44-A

APPLICANT—Julius Bleich, for B. C. U. Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—878-880 Prospect avenue, east side, 112 ft. north of Westchester avenue and 845-847 Westchester avenue (2nd and 3rd floors): (Block 2690, Lot 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Julius Bleich.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (654-44-A)

WHEREAS, Julius Bleich, for B. C. U. Holding Corporation, owner, filed on November 20, 1944, an appeal from a decision of the borough superintendent, affecting premises 878-880 Prospect avenue, east side, 112 ft. north of Westchester avenue, and 845-847 Westchester avenue (2nd and 3rd floors); (Block 2690, Lot 4), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated November 16, 1944, on Alt. Applic. 569-44, reads:

"1. Exits must comply with Section 270 Labor Law"; and

WHEREAS, the applicant states the building is 3 and 4 stories and pent house (54 ft. 4 in.) in height; 50 ft. by 95 ft. average in area; of Class 1 construction; located in a business use, B area, Class 1½ height district; erected 1928, and used and occupied since erection as follows: Cellar, boiler room, bank vault, stores and storage, 30 persons; 1st floor, bank, 25 persons; 2nd floor, public assembly, 185 persons; 3rd floor, public assembly, 200 persons; pent house, one four-room apartment; proposed to be used and occupied as follows: Cellar, same; 1st floor, same; 2nd floor, office and manufacturing garments, 60 persons; 3rd floor, office, manufacturing garments, show room and storage, 60 persons; 4th floor, one four-room apartment, the percentage of manufacturing not to exceed that allowed by the zoning resolution; that the building is equipped with one 3 ft. 8 in. steel stairs, enclosed in 4 in. terra cotta blocks, plastered both sides, equipped with fireproof self-closing doors and leading from the roof to the street, and one fire escape on Westchester avenue front, leading to the roof by stair and to the street by counterbalanced stair; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the Certificate of Occupancy 1195, issued August 14, 1929, on N.B. Applic. 1169-29, permits the use of the building as stores and public assembly with 120 lbs. live load on all floors and classifies the building as brick construction; and

WHEREAS, the applicant contends that the building is of Class 1 construction, equipped with a fireproof stair from the street to the roof and an exterior fire stairs consisting of balconies, 4 ft. wide with 2 ft. wide connecting stairs at 45 degree angle and terminating in a counterbalanced stairs, hung from the 2nd floor balcony; that while these exits are not strictly in accordance with Section 270 of the Labor Law, they are adequate for the small occupancy proposed on the 2nd and 3rd floors, which floors were formerly approved for 200 persons per floor under N.B. Applic. 1169-29; that the factory work will be limited to the 2nd and 3rd floors, which are within 14 ft. 4 in. of curb on Prospect avenue for the 2nd floor and 26 ft. 6 in. for the 3rd floor; that the building has become economically obsolete for the purpose for which it was erected, as the neighborhood has changed its character; that the upper floors have been va-

cant for years; it is therefore imperative that the use for factory purposes be permitted; that there is a lease pending, conditioned upon the granting of this appeal; that the building is equipped with proper sanitary facilities and will be provided with ample dressing rooms and it is adequately lighted and ventilated; it is therefore requested that the Board grant this appeal based on the facts herein presented.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 569-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the exits shall be arranged as indicated on plans filed with this appeal marked "Received November 20, 1944"; that in addition, a fire passage shall be constructed and maintained from the public hall at the northerly side of the building, leading to the fire escape shown on Westchester avenue; that such passageway shall be constructed on the 2nd and 3rd floors and shall be constructed of 4" T.C. blocks and shall be cut off from the public hall by a fireproof, self-closing door; that an additional door with vestibule shall be provided as a second means of exit from the northerly space on each floor to such passageway; that in addition, there shall be a cross-partition installed in the public hall on the second floor and an additional exit from the front space on the second floor, Prospect avenue side, opening to such public hall to the northerly side of such cross-partition; that a one-source sprinkler system shall be installed and maintained throughout the building or if no sprinkler system is installed, a fire alarm system and fire drills shall be maintained in accordance with the requirements of the Labor Law; that the amount of space occupied for factory work shall not exceed the amount permitted under the zoning resolution; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that the occupancy of each floor shall not exceed a total as may be lawfully permitted by the capacity of the primary means of exit.

658-44-A

APPLICANT—The Firm of Frederick G. Frost, for Emery Thompson Machine and Supply Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—1343 Inwood evenue, west side, 345 ft. south of West 170th street (2nd floor); (Block 2864, Lot 21), Borough of The Bronx.

APPEARANCES—

For Applicant: Barnett Yurdin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (658-44-A)

WHEREAS, the firm of Frederick G. Frost, for Emery Thompson Machine and Supply Company, owner, filed November 21, 1944, an appeal from a decision of the borough superintendent, affecting premises 1343 Inwood avenue, west side, 345 ft. south of West 170th street (2nd floor); (Block 2864, Lot 21), Borough of The Bronx; and

WHEREAS, the decisions of the borough superintendent, dated November 10, 1944, on Alt. Applic. 540-44, reads:

"1. Provide two means of egress from each floor area in accordance with Sec. 270 Labor Law."

and

WHEREAS, the applicant states the building is 2 stories (36 ft.) in height; 112.83 ft. by 177.56 ft. in area at 1st floor; 112.83 ft. by 86 ft. in area at 2nd floor; of Class 1 construction; erected 1920; located in an unrestricted use, B area, Class 1¼ height district, and used and occupied as follows: Cellar, boiler room; 1st floor, high tension switchboard room, mezzanine, toilet rooms; 2nd floor, storage; and proposed to be used and occupied as follows: cellar, boiler room, 1 person; 1st floor, manufacturing blood plasma equipment, 50 persons; mezzanine, toilet rooms, 10 persons; 2nd floor, office and fabrication shop, 8 persons; that the building is equipped with one 3 ft. 8 in. wide steel stairs, enclosed in 8 in. brick walls, equipped with kalamein self-closing doors and extending from the roof bulkhead directly to the yard and thence to the street and one counterbalanced fire escape stair at the southwest end of one story extension roof leading to the yard with egress from the yard to Inwood and Cromwell avenues; that windows and doors on the course of the fire escape are fireproof and self-closing; and

WHEREAS, the applicant contends that as only 8 persons will occupy the 2nd floor, the existing 8 in. brick enclosed fireproof stair will be more than adequate for this occupancy; that a secondary means of egress could be had to the roof area over the extension to an existing counterbalanced steel fire escape stair leading to the yard on the southwest end of the building; that this yard opens to Inwood and Cromwell avenues; that a new kalamein exit door will be installed from the fabrication shop floor area, directly to the fireproof stair enclosure and will make the exit more direct for persons in this part of the building and that in view of the fireproof construction of the building, the existing exit facilities and the low occupancy, it is requested the Board grant a variation of the provisions of Section 270 of the Labor Law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 540-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the primary means of exit shall be maintained, complying with all requirements therefor; that an additional door, as proposed, shall be constructed from the fabricating shop to the primary means of exit, as indicated on plans filed with this appeal marked "Received November 21, 1944;" that the secondary means of exit may consist of a counter-balanced fire escape ladder from the westerly one-story roof to the side yard, leading to Cromwell avenue; that the exit doors, as shown from the 2nd story to roof, shall be maintained and a walk-way shall be constructed from the northerly roof to the southerly roof over the intervening roof monitor; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

667-44-A

APPLICANT—Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corp., lessee, for Defense Plant Corp., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—184-02 Jamaica avenue, south side, 330.58 ft. east of 183rd street (Building No. 3); (Block 10352, Lot 66), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John A. Kibler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (667-44-A)

WHEREAS, Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corp., lessee, for Defense Plant Corporation, owner, filed November 22, 1944, an appeal from a decision of the borough superintendent, affecting premises 184-02 Jamaica avenue, south side, 330.58 ft. east of 183rd street (Building No. 3); (Block 10352, Lot 66), Jamaica, Borough of Queens; and

MINUTES

WHEREAS, the decision of the borough superintendent, dated December 14, 1944, on amendment to Alt. Applic. 205-44, reads:

"1. The use of wood subdividing petitions is contrary to Section 270 of paragraph 6 of Labor Law.

2. Change in number of occupants on second floor is contrary to number of persons mentioned in appeal to Board of Standards and Appeals.

3. The use of second floor for factory use is contrary to the decision of Board of Standards and Appeals in Cal. 143-44-A."

and

WHEREAS, the applicant states the building is two stories (40 ft.) in height; 60 ft. by 250 ft. in area; of Class 5 construction; erected 1928; located in an unrestricted use, C area, Class 1 height district, and used and occupied since 1944 for manufacturing of airplane parts, 150 persons on the 1st floor, 10 persons on the 2nd floor, and proposed to be used and occupied as follows: 1st floor, manufacturing airplane parts, 50 persons; 2nd floor, manufacturing airplane parts, 85 persons; that the building is equipped with a two source sprinkler system, and standpipe system; that there are two 3 ft. 8 in. wide fireproof stairs from the 1st to 2nd story and one exterior stairs from the 2nd floor, east side, to a court by a ladder with passage to the street; and

WHEREAS, the applicant contends that the building was acquired in March, 1944, and alterations made for use of the building; that when these alterations were practically completed, it was found that the lessee's requirements were better suited for the use of the second floor for inspection and light manufacturing and the first floor for storage and a small amount of light manufacturing, in lieu of the use of the 2nd floor for storage and 1st floor for inspection and light manufacturing, as previously permitted by the Board under Cal. 143-44-A; that an application has now been made to the borough superintendent, to permit this change in use and occupancy; that the number of occupants on the 2nd floor has been changed from 10 persons to 85 persons, which is within the capacity of the legal exits; that the occupancy of the 1st floor has been decreased from 150 persons to 50 persons and the total occupancy of the building decreased from 160 persons to 135 persons; that the U. S. Army has requested that areas on both floors be separated for storage of vital war materials; that these spaces were separated by wood and wire partitions 7 ft. high, that are constructed as follows: 4 ft. plywood base with wire mesh over to a total height of 7 ft.; 4 ft. plywood base with glass panels over to a total height of 7 ft., or wire mesh partition 7 ft. high on wood studs; and

WHEREAS, the applicant contends that in view of the fact that this building is equipped with a standpipe, sprinkler system, fire alarm system and that the stairs are adequate, it is requested that a variation be granted, to permit the emergency partition construction and the revised occupancy and use as requested herein.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, acting on Alt. App. 205-44, objection 1, and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with the requirements of resolution adopted by the Board under Cal. 143-44-A, under date of March 21, 1944, as amended this day; and that other than as modified therein, that the building shall comply in all other respects with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that the sprinkler and standpipe systems shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner.

720-44-A

APPLICANT—Irving Imre Chairman, for Stuyvesant Town Corp., owner (Isaacs Tanenbaum, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—434-436 East 18th street, south side, 94 ft. west of Avenue A (Block 949, Lot 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving Imre Chairman, Sol. Kinla, Jr. and Isaacs Tannenbaum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (720-44-A)

WHEREAS, Irving Imre, Chairman for Stuyvesant Town Corporation, owner (Isaacs Tanenbaum, lessee), filed December 11, 1944, an appeal from a decision of the borough superintendent, affecting premises 434-436 East 18th street, south side, 94 ft. west of Avenue A (Block 949, Lot 33), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 11, 1944, on amendment to Alt. Applic. 3372-40, reads:

"11. Repeated — reconsideration denied. Second means of exit should be another fireproof stairway as per Section 270, Labor Law.

12. Live load on upper floors should be at least 120 lbs."

and

WHEREAS, the applicant states the building is three stories (36 ft. 5 in.) in height; 50 ft. by 91 ft. 8 in. in area; of Class 3 construction; erected in November, 1913; located in an unrestricted use, B area, Class 1½ height district, and used and occupied since 1943 as follows: 1st floor, manufacture of ships galleys, 30 persons; 2nd floor, office and storage, 9 persons; 3rd floor, storage, 9 persons, and proposed to be used and occupied as follows: 1st floor, same; 2nd floor, manufacture of ships galleys, 5 persons; 3rd floor, manufacture of ships galleys, 5 persons; that the building is equipped with an interior fire alarm system and fire drills are maintained; that there is one 3 ft. 6 in. wide wood fire retarded stairway, enclosed in fireproof partitions, equipped with one hour test self-closing doors and leading directly to the street with access to the roof, therefrom by a ladder and scuttle and one fire escape at the front, which does not extend to the roof and which extends to the street by a counterbalanced ladder; that windows and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends as to Objection 11, that the fire escape at the front of the building is adequate to discharge persons to the street and is better than an additional stairway, which would lead only to the back yard; that the stairway as in use has ample capacity to safeguard the occupants of the building and provide egress to the street in case of fire; that the War Production Board will not issue a priority to permit the construction of an additional stairway; and contends as to Objection 12, that the floor load according to Certificate of Occupancy 19953, issued November 9, 1934, filed with this appeal, is 96 lbs. and that the machinery is so arranged that this live loading will not be exceeded; and

WHEREAS, the applicant further contends that a temporary certificate of occupancy is requested, as the Stuyvesant Town Corporation has acquired this property and the use of the building will be discontinued not later than April 30, 1945; and

WHEREAS, at the time the Board acted on January 21, 1941, on Cal. 1194-40-A, the building was proposed to be occupied as a garage; and

WHEREAS, said Alteration Application 3372-40, has been amended to change the occupancy to that of storage; and

WHEREAS, it is now proposed to occupy it as follows: 1st floor, manufacture of ship galleys, 30 persons; 2nd floor, same, 5 persons; 3rd floor, same, 5 persons; and

MINUTES

WHEREAS, no Certificate of Occupancy was issued for the occupancy proposed in application made to the Board under 1194-40-A.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent and that the appeal be and it hereby is granted as to Alt. Applic. 3372-40. Objection 11, *on condition* that the second means of exit as shown on revised plans marked "Received December 11, 1944" shall be maintained and that the primary means of exit shall be maintained as indicated thereon, *on condition,* however, that the number of persons occupying each of the 2nd and 3rd floors shall not exceed five, and provided that a goose neck ladder is constructed and maintained leading from the highest fire escape balcony to the roof; as to Objection 12, that the floor load of each of the 2nd and 3rd floors shall be not less than 75 lbs. per superficial foot, and the equipment and material stored on the 2nd and 3rd floors shall at no time exceed such loading; that signs, indicating such loading per superficial foot, shall be posted; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 1194-40-A, except that the use of the premises may be as proposed; that the building shall not be increased in height or area; that this variance shall continue for a period of one year from the date of this resolution.

725-44-A

APPLICANT—M. Martin Elkind, for Budget Holding Corp., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—41-03 Broadway and 31-89 41st street, northeast corner (Block 679, Lot 7), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (725-44-A)

WHEREAS, M. Martin Elkind, for Budget Holding Corporation, owner, filed December 13, 1944 an appeal from a decision of the borough superintendent, affecting premises 41-03 Broadway and 31-89 41st street, northeast corner (Block 679, Lot 7), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated December 6, 1944, on amendment to Alt. Applic. 1476-44, reads:

"1. Stair enclosure of combustible material, the omission of concrete arch roof over stairway and the omission of extension of stairhall enclosure above roof level is contrary to Section 270 of the Labor Law.

2. Stairs and doors less than 44 in. in width are contrary to section 270 of the Labor Law.

3. Balcony is required to have two means of exits as required by section 270 Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories, (41 ft.) in height, 55 ft. by 96 ft. in area, of class 3 construction, erected in 1922, located in a business use, B area class 1½ height district and used and occupied since 1923 as follows: cellar—storage and boiler room; 1st floor—store; 2nd floor—club house; number of occupants not stated; mezzanine—auditorium—number of occupants not stated and proposed to be used and occupied as follows: cellar—storage and boiler room—no persons; 1st floor—stock room, manufacturing clothing and office—50 persons; 2nd floor—manufacturing clothing—100 persons; mezzanine—rest room for women—50 persons; that the building is equipped with two iron stairs leading from the second story to the street and from the mezzanine to the street; that one stairway is enclosed in 4 in. terra cotta block enclosure and is 3 ft. 8 in. in width, equipped with 3 ft. 4 in. fireproof, self-closing doors and the other stairway is enclosed in 4 in. terra cotta blocks at 1st floor, equipped with 3 ft. wide fireproof, self-closing door and proposed to be enclosed in wood studs, covered both sides with metal lath and cement plaster, equipped with 3 ft. 8 in. self-closing doors at 2nd floor and mezzanine floor levels and to be extended to the roof by a stationery iron ladder and scuttle; that this stairway is to be 3 ft. 8 in. and 6 ft. in width, as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that the north stair is of iron construction, enclosed with 4 in. terra cotta block partition with fireproof, self-closing doors and a stationary iron ladder to a scuttle in the roof; that the south and main stair is constructed of steel and extends from 1st floor to 2nd floor mezzanine and is enclosed only on the 1st story with 4 in. terra cotta; that it is proposed to complete the enclosure from 1st floor to roof with 2 in. by 4 in. wood studs, covered with metal lath and ¾ in. cement plaster both sides and to provide a stationery iron ladder to a scuttle in the roof; that acceptance is requested of the existing and proposed conditions as herein described, without requiring stair enclosures to extend 3 ft. above the roof and without the installation of concrete slabs at stairhall roofs; that the south stair is 5 ft. 6 in. minimum width with a 6 ft. 6 in. hall width on 1st floor and three 3 ft. doors leading to the street; that the main factory floor is only 1 story—12 ft. above street level; that the net 2nd floor factory area is only 4100 sq. ft.; that the height of the building is only 41 ft. from curb to high point of the roof; that two interior stairs will provide exit from 2nd floor; and

WHEREAS, the applicant contends as to objection 2, that at the north stairway, existing doors from 1st and 2nd floors to stairs are 3 ft. 4 in. wide; that the door from the stairhall to the street is 3 ft. 2 in. wide; that at the front stairs, the door from 1st floor to stairhall is 3 ft. wide; that acceptance is requested to accept these existing conditions, as the present door widths of 3 ft. 4 in. are only 4 in. short of the requirements; that the 1st floor has in addition to the exit through the north stairway, two other exits, one 3 ft. and the other two 3 ft. doors; that in addition to the 3 ft. 2 in. door leading to the street from stairhall, there is also another 3 ft. 2 in. door from the stairhall to the side yard, six steps below the first floor level; that this side yard leads directly to the street; that at front or south stair, while door from the 1st floor to the stairhall is not 3 ft. 8 in., but is 3 ft., there are two other direct means of egress to the street, one being a pair of 3 ft. doors and the other being a 3 ft. 4 in. door to the rear stairhall; as to objection 3, that the balcony has a net area of only 1300 sq. ft. and will be used only for rest and lounge room; that the stair from this floor is of ample width consisting of two 3 ft. 8 in. stairs, merging into a 6 ft. stair; that stairs and stairhalls, as indicated on plans filed with this appeal, are capable of accommodating 120 persons, based on the following computation:

Main (south) stair:	
15 persons per 22 in. width. For 66 in. wide stair	45
(credit taken for floor height over 10 ft.)	
2nd floor landing 69 sq. ft. div. by 5 sq. ft. per person	13
Intermed. landing 58 sq. ft. div. by 5 sq. ft. per person	11
1st floor hallway 130 sq. ft. div. by 5 sq. ft. per person	26
Rear Stair:	
15 persons per 22 in. width	15
2nd floor landing 28 sq. ft. div. by 5 sq. ft. per person	5
Intermed. landing 28 sq. ft. div. by 5 sq. ft. per person	5
Total persons	120

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1476-44, objections 1, 2 and 3, and that the appeal be and it hereby is *granted on condition* that the primary and second means of exit as indicated on plans filed September 9, 1944, shall be maintained and enclosed as proposed and shown; that the doors leading thereto shall comply with the requirements therefor, except the doors to the secondary means of exit may be 3 ft. 4 in. on the second floor and the exit at the street from this stair may be 3 ft. 2 in.; that the existing balcony on the easterly side of the building, formerly used in conjunction with the public occupancy, shall be retained with at least one door opening to same from the second story; that other doors may be changed to windows as proposed; that the balcony shall not be used other than for women's rest room, as proposed, and no subdividing partitions constructed therein; that a second door, leading to the stairhall at the balcony level, shall be constructed on the westerly side of such stair enclosure; that the hand-rail above the proposed false floor shall not be less than 4 ft. 6 in. in height; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the building shall not be increased in height or area; that the amount of space occupied for manufacturing shall not exceed that permitted under the zoning resolution; and that in all other respects, the building and occupancy shall comply with all rules, laws and regulations applicable thereto.

558-43-A

APPLICANT—W. G. Storch, for New York City Housing Authority, owner; (Horowitz Brothers and Margareten, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from orders of the fire commissioner. (previously dismissed for lack of prosecution).

PREMISES AFFECTED—177-183 Lewis street, west side, 102 ft. north of East 4th street (Block 360, Lot 19 and part of Lot 30), Borough of Manhattan.

APPEARANCES—
For Applicant: Randell Henderson.

ACTION OF BOARD—Appeal reopened, restored to calendar and denied.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (558-43-A)

WHEREAS, Horowitz Brothers and Margareten, as owners, filed on November 16 1943, an appeal from orders of the fire commissioner, affecting premises 177-183 Lewis street, west side, 102 ft. north of East 4th street (Block 360, Lot 19 and part of Lot 30), Borough of Manhattan; and

WHEREAS, said appeal was subsequently amended by W. G. Storch, applicant for New York City Housing Authority, owner, Horowitz Brothers and Margareten, lessee, on November 28, 1944; and

WHEREAS, this appeal was dismissed for laek of prosecution, on December 5, 1944, and the applicant requested a reopening and restoration to the calendar; and

WHEREAS, Order 19447-LF, affecting 177 Lewis street, issued by the fire commissioner on October 13, 1943, reads:

"1. Properly scrape and paint with two coats of paint the fire escapes on front of building. Sections 273-274 of the Labor Law.

2. Repair or replace the (defective) shutters with proper iron shutters at all openings in the exterior wall above the 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south side of building or other approved protection. Section 491-A-2.2. Adm. Code.

3. Properly paint iron shutters on windows on south side of building. Section 491-A2-2.—Adm. Code."

and

WHEREAS, Order 19448-LF, affecting 179-183 Lewis street, issued by the fire commissioner on October 13, 1943, reads:

"1. Repair or replace the (defective) shutters with proper iron shutters at all openings in the exterior wall above the 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south-north and west sides of building or other approved protection. Seetion 491-A-2.2.0 Adm. Code.

2. Properly paint iron shutters on windows on south-north and west sides of building. Section 491-A-2-2. Adm. Code.

3. Properly scrape and paint with two coats of paint the fire escapes on rear of building. Sections 273-274 of Labor Law:"

and

WHEREAS, the applicant states that the building is 6 stories (75 ft.) in height; 93 ft. by 76 ft. in area; of Class 3 construction; erected 1884; located in a residence use, D area, of Class 1 height district and used and occupied since 1923 and 1925 as follows: Cellar, wrapping, boiler room and storage, 4 persons; 1st floor, packing, stock and shipping, 17 persons; 2nd floor, packaging department, 16 persons; 3rd floor, dough room, cutting and drying, 4 persons; 4th floor, dough room, mixing and drying, 4 persons; 5th floor, flour storage and mixing room, 1 person; 6th floor, storage, no persons; that the building is equipped with an approved sprinkler system, an interior fire alarm system, but fire drills are not maintained; that there are two 41½ in. wide wood stairs, fire retarded, leading from the roof bulkhead, directly to the street and two fire escapes, one of which leads to the roof by a ladder and the two lead directly to the street, and one to the yard with egress from its termination over roof; that the doors on the course of the fire escape are fireproof, self-closing; that the windows are not fireproof self-closing; and

WHEREAS, the applicant contends that the premises are included in the area of a housing development which was halted only by the outbreak of war; that immediately upon conclusion of the war, the property will be demolished; that under these circumstances, large expenditures should not be made to comply with the requirements of the orders of the fire commissioner; that the buildings are completely sprinklered; that it would be extremely difficult to obtain the materials necessary to comply with the orders.

Resolved, that the orders of the fire commissioner, No. 19447-LF, items 1, 2 and 3 and No. 19448-LF, items 1, 2 and 3 be and they are hereby *affirmed* and that the appeal be and it hereby is *denied.*

690-41-A

APPLICANT—Benjamin Englander, for Carolina Heinlein, owner. (Excelsior Stables, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Appeal from an order and decisions of the fire commissioner, (previously granted on condition).

PREMISES AFFECTED—117-121 West 128th street, north side, 200 ft. west of Lenox avenue (Block 1913, Lots 20, 21 and 22), Borough of Manhattan.

APPEARANCES—
For Applicant: Paul Abrams.

ACTION OF BOARD—Appeal reopened and time extended.

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THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (690-41-A)

WHEREAS, this appeal from an order and decisions of the fire commissioner, affecting premises 117-121 West 128th street, north side, 200 ft. west of Lenox avenue (Block 1913, Lots 20, 21 and 22), Borough of Manhattan, was granted by the Board on April 28, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of time to complete the work, particularly in reference to the installation of the thermostatic alarm system.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 28, 1942, only so far as it has reference to the thermostatic alarm system required by the resolution of the Board, so that as amended, this portion of the resolution shall read:

"* * * that the installation of the thermostatic alarm hereinbefore required, may be postponed for six (6) months from the date of this *amended* resolution, provided that in all other respects, the requirements of this resolution are complied with and the requirements of all other laws, rules and regulations applicable to the building and occupancy are complied with."

143-44-A

APPLICANT—Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corp., lessee, for Defense Plant Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re appeal from a decision of the acting borough superintendent (previously granted on condition).

PREMISES AFFECTED—184-02 Jamaica avenue, south side, 330.58 ft. east of 183rd street (Block 10352, Lots 66 and 70), Hollis, Borough of Queens.

APPEARANCES—
For Applicant: John A. Kibler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (143-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 184-02 Jamaica avenue, south side, 330.58 ft. east of 183rd street (Block 10352, Lots 66 and 70), Hollis, Borough of Queens, was granted by the Board on March 21, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the representative of the Ranger Aircraft Engines Division of Fairchild's Aircraft, as lessee, has stated that the walls of the building and the ceiling of the 2d floor have been surfaced with one-inch Celotex and that such surfacing has been approved by the Department of Housing and Buildings.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 21, 1944, by adding thereto:

"* * * that in the event the owner desires to occupy the 2d floor for factory work; that such occupancy may be permitted, provided the building in all other respects complies with the requirements of all laws, rules and regulations applicable thereto as modified by the Board by resolution adopted March 21, 1944, and under Cal. 667-44-A; and provided that the occupants in the building shall not exceed 50 persons on the 1st floor and 85 on the 2nd floor, and provided the exits as shown shall be maintained, including the exterior ladder to the adjoining side yard to the east, as indicated on plans marked 'Received November 22, 1944' (Alt. Applic. 205-44)."

201-44-A

APPLICANT—The Stein-Davies Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner, previously granted on condition.

PREMISES AFFECTED—11-48 47th road, south side, 90 ft. west of 21st street (Block 59, Lots 23 and 24), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Lawrence Gussman.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLULUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (201-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 11-48 47th road, south side, 90 ft. west of 21st street (Block 59, Lots 23 and 24), Long Island City, Borough of Queens, was granted by the Board on July 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 5, 1944, by adding thereto:

"* * * that the emulsion room may be enclosed within a wall of 6 in. masonry as indicated on plans marked "Received December 12, 1944"; that the exterior window shall be constructed with metal frame and glazed with wire glass and generally be of factory type, with a manually operated pivoted section; that the ventilating system, consisting of a duct not less than 6 in. square, shall be maintained with mechanical ventilation in connection therewith, such duct to be extended from the emulsion room through the wall of the building to a point above the roof; that a concrete sill shall be constructed across the door leading to the emulsion room from the open cellar; that such sill shall be not less than 6 in. in height."

656-44-A

APPLICANT—Morris Whinston, for A. R. R. Realty Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

APPEARANCES—
For Applicant: Morris Whinston.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1945, at 2 P. M. pending an inspection by a committee of the Board.

ZONING CASES

95-40-BZ

APPLICANT—Samuel Rosenblum, for Forty Central Park South, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the

borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—39-51 West 58th street, north side, 120 ft. east of Sixth avenue (Block 1274, Lot 6), Borough of Manhattan.

APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (95-40-BZ)

WHEREAS, this application under Section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 41-49 West 58th street, north side, 141 ft. 8 in. east of Sixth avenue (Block 1274, Lots 6½, 7 and 9), Borough of Manhattan, was granted by the Board on April 23, 1940, on certain conditions; and

WHEREAS, on December 1, 1942, the resolution was amended, permitting the extension of the parking and storage use to affect premises 39-51 West 58th street, north side, 120 ft. east of Sixth avenue (Block 1274, Lot 6), Borough of Manhattan; and

WHEREAS, the applicant requested a further extension of the permit;

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 23, 1940, as amended December 1, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h of the zoning resolution, to permit the premises to be occupied for a temporary term of two (2) years from the date of this *amended* resolution for the parking and storage of more than five (5) motor vehicles, *on condition* * * *."

446-40-BZ

APPLICANT—Arthur H. Haaren, for Kesbec, Inc., owner. (James McAllister, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent)—previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the existing gasoline service station to be occupied also for the parking and storage of motor vehicles, and that the adjoining premises for a frontage of 50 ft. to the south may also be used for parking and storage of motor vehicles for a term of two years under section 7h of the zoning resolution.

PREMISES AFFECTED—4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block 2180, Lots 492 and 494), Borough of Manhattan.

APPEARANCES—
For Applicant: James M. Coker.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (446-40-BZ)

WHEREAS, Arthur H. Haaren, for Kesbec, Inc., owner, filed April 26, 1940, an application under Section 7c of the zoning resolution, to permit in a business use district, the extension of a gasoline service station, so as to include the parking and storage of more than five (5) motor vehicles, affecting premises 4431-4441 Broadway, west side, 108 ft. south of West 190th street (Block 2180, Lots 492 and 494), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on January 21, 1941, on certain conditions, permit extended on January 26, 1943, and applicant requested a further extension of the permit as to parking and storage granted under Section 7h.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 21, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h of the zoning resolution, for a term of two (2) years from the date of this *amended* resolution to permit the parking and storage of more than five motor vehicles, *on condition* * * *."

587-42-BZ

APPLICANT—Louis R. Siegel, for Dorothy A. Siegel, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of part of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—551 East 149th street and 555 St. Ann's avenue, northwest corner (Block 2276, Lot 57), Borough of The Bronx.

APPEARANCES—
For Applicant: Louis R. Siegel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (587-42-BZ)

WHEREAS, this application under Section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of part of an existing building to a motor vehicle repair shop, affecting premises 551 East 149th street and 555 St. Ann's avenue, northwest corner (Block 2276, Lot 57), Borough of The Bronx, was granted by the Board on January 19, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 19, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7i for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied as a motor vehicle repair shop, *on condition* * * *."

274-44-BZ

APPLICANT—A. H. Salkowitz, for Charles Fuchs, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent), previously granted on condition, under section 7c of

MINUTES

the zoning resolution, permitting partly in a business use and partly in a residence use district, the conversion of occupancy of a building from a motion picture theatre (previously acted on by the Board) to a warehouse for the storage of household furniture.

PREMISES AFFECTED—68-10 Woodside avenue, southeast corner of 68th street (Block 1346, Lot 13), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Abraham H. Salkowitz and Charles Fuchs.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (274-44-BZ)

WHEREAS, this application under Section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the conversion of occupancy of a building from a motion picture theatre (previously acted on by the Board) to a warehouse for the storage of household furniture, affecting premises 68-10 Woodside avenue, southeast corner of 68th street (Block 1346, Lot 13), Woodside, Borough of Queens, was granted by the Board on July 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, relative to the entrances to be used for loading and unloading.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 5, 1944, so that as amended, in the respect as requested, the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does here *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e to permit the building, as granted by the Board under Cal. 474-19-BZ, to be occupied as proposed, *on condition* that the building shall not be increased in height or area; that no additional entrances for the purpose as proposed shall be installed; *that for loading and unloading the existing entrances to 68th street and the existing entrances to the alley may be used and no additional loading doors shall be constructed;* that a substantial gate shall be maintained at the building line to close off the alley; that no sign shall be erected on the walls of the building or on the roof other than such signs as may be lawful within the business use area; that the existing marquee shall be removed; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that no new openings on the interior lot lines shall be constructed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution (Alt. Applic. 430-44)."

442-42-BZ

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits and complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, the reconstruction and extension of an existing gasoline service station.

PREMISES AFFECTED—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to calendar and set for hearing on January 23, 1945, 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 5:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse fo rnegleet to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term. "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, laquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an in-

dividual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing, drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1.1 Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustile materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1" of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8" unsanded gypsum plaster or 7/8" of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire-fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each

oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal

of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and pipe protected from the woodwork by at least a 1" blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, flourescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10′) feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10′) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2 Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug where the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully engaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of nonferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinet ventilated to the outer air. Such cabinet to be metal covered on all sides, including the door and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding* 6 *months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule 1.3.4 Heating of Rooms.

Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.

Rule 4.0 Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electric Lighting.

Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule 6. Material, Storage and Mixing.

Rule 7. General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Copies of the Official Directory of the City of New York for the year 1944 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan, New York 7, N. Y. Price 50 cents; by mail, five cents per copy must be added for postage.

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NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

The Hearing Calendar.

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Minutes of Regular Meeting, January 9, 1945, at 2 P. M., Affecting Calendar Numbers 343-43-A, 382-44-A, 511-44-A, 995-41-S, 996-41-A, 484-44-A, 669-44-A, 501-44-A, 681-44-A, 496-43-A, 77-32-BZ, 337-33-BZ, 120-39-BZ, 94-38-BZ, 176-38-BZ, 890-38-BZ and 99-40-BZ.

(Remaining minutes of the meeting of January 9, 1945 will be printed in the Bulletin of January 23, 1945).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to January 9, 1945.

Cal. No. Dept. Premises Affected.

2-45-SA—Asco Valve (Automatic Control for Spray Equipment), Appliance.

3-45-A—F.D.—150-18 to 150-24 Jamaica avenue, southwest corner of 151st (Division) street, (Basement); (Block 10092, Lot 6), Jamaica, Borough of Queens, 98245-C.

4-45-A—H.B.B.—68-94 Sackett street, 89-99 Van Brunt street, southeast corner and 69-87 Union street (Block 335, Lots 1 and 2), Borough of Brooklyn, N.B. 341-44.

5-45-A—H.B.Q.—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens, Alt. 1397-44.

6-45-A—F.D.—174-176 East 104th street, south side, 166.8 ft. west of 3rd avenue (Block 1631, Lot 44), Borough of Manhattan, 18054-LF and Decision.

7-45-A—H.B.B.—1201 Flushing avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn, B.N. 1445-44.

8-45-A—F.D.—20-22 West 39th street, south side, 303 ft. west of 5th avenue (2nd floor); (Block 840, Lot 60), Borough of Manhattan, Decision.

9-45-SA—Coleman Gas Floor Furnace and Coleman Oil Floor Furnace, Appliance.

10-45-A—F.D.—218 Gates avenue, south side, 146.5 ft. east of Classon avenue (Block 1985, Lot 14), Borough of Brooklyn, 14037-LF.

11-45-A—F.D.—2417 Webster avenue, west side, 65.08 ft. north of East 187th street (Basement and 1st floor); (Block 3025, Lot 25), Borough of The Bronx, 39623-LC and Decision.

12-45-A—H.B.B.—917-923 Avenue J (919 displayed) and 986-996 East 10th street, northwest corner (Block 6522, Lot 43), Borough of Brooklyn, Alt. 3338-44.

13-45-A—H.B.B.—487-515 Clermont avenue, east side, 204 ft. north of Atlantic avenue (Basement, Building 5); (Block 2009, Lot 1), Borough of Brooklyn, Amendment to Alt. 3312-44.

Restored to Calendar.

120-39-BZ—H.B.R.—1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond, Decision re Certificate of Occupancy.

337-33-BZ—H.B.Bx—East side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx, Decision.

511-44-A—F.D. & H.B.M.—109-111 West 24th street, north side, 100 ft. west of 6th avenue (Block 800, Lot 33), Borough of Manhattan, Decisions re 20290-LF, 20291-LF and Amendment to Misc. 187-44.

77-32-BZ—H.B.Q.—181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block 7065, Lot 5), Flushing, Borough of Queens, Alt. 1516-44.

995-41-S—H.B.B.—86-96 Hinsdale street, west side, 125 ft. south of Liberty avenue (Block 3698, Lots 19 and 20), Borough of Brooklyn, Alt. 5023-41.

382-44-A—F.D.—105-123 River street, 29-35 Metropolitan avenue, northwest corner and 18-26 North 3rd street (Block 2355, Lots 3 to 10 inclusive), Borough of Brooklyn, 9981-LF and Decision.

501-44-A—H.B.Q.—114-68 Mexico street, northwest corner of 115th avenue (1st and 2nd floor), (Block 10392, Lot 23); St. Albans, Borough of Queens, Alt. 848-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Nov. 14, 1944—Vol. 29, No. 45
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Jan. 2, 1945—Vol. 30, No. 1
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Jan. 9, 1945—Vol. 30, No. 2
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Oct. 24, 1944—Vol. 29, No. 42
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36

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	Last Publication in Bulletin
Refrigerating Systems, Extract A.C..	Jan. 2, 1945—Vol. 30, No. 1
Smoking in Factories, Rules for....	Dec. 19, 1944—Vol. 29, No. 50
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

JANUARY 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 16, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

192-38-BZ—Application of Power and Hopkins, applicants, on behalf of Walter W. Welton, et al, owners, reopened December 19, 1944, for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, for a term of two years, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx.

670-44-BZ—Application, November 15, 1944 under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one family residential development not conforming to the area district requirements; premises East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

220-44-BZ—Application, April 13, 1944, under sections 7c and 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of D'Abramo Realty Corporation, owner, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage to a garage for more than five (5) motor vehicles and motor vehicle repair shop and without complying with yard and area requirements for a new building; premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

512-40-BZ—Application of Henry Nordheim, applicant, on behalf of Salvatore Rullo, owner, reopened November 28, 1944, under section 7i of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the maintenance of a motor vehicle repair shop, previously granted by the Board for a term of two years; premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue and 1409 Blondell avenue (Block 4074, Lot 22), Borough of The Bronx.

515-29-BZ—Application of Henry Nordheim, applicant, on behalf of Nicola Latini, owner, reopened October 17, 1944, under section 7c of the zoning resolution, to permit in a residence use district, the further extension to the 2nd story of a business use (undertaking establishment) previously granted by the Board for the 1st story; premises 711 Tilden street, north side, 72 ft. east of Gunhill road (Block 4659, Lot 85), Borough of The Bronx.

Appeals from Administrative Decisions.

558-44-A—711 Tilden street, north side, 72 ft. east of Gunhill road (1st and 2nd floors); (Block 4659, Lot 85), Borough of The Bronx.

232-44-A—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

619-44-A—92 Greene street, east side, 100 ft. north of Spring street (5th floor); (Block 499, Lot 1), Borough of Manhattan.

668-44-A—34-10 Linden place, west side, 450 ft. north of 35th avenue (1st floor and basement); (Block 783, Lot 82), Flushing, Borough of Queens.

590-44-A—84-40 101st street, northwest corner of 85th road (cellar); (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

Material for Approval.

616-44-SM—Pittsburgh Welded Wire Reinforcement.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 16, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

496-43-A—425 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens (under section 35, General City Law re bed of mapped street—Barbadoes drive).

724-44-A—164-166 Duane street and 21 Hudson street, southwest corner (cellar); (Block 141, Lot 32), Borough of Manhattan.

626-44-A—1582 (1578 displayed) 86th street, southwest corner of 16th avenue (1st floor); (Block 6362, Lot 46), Borough of Brooklyn.

743-44-A—1-11 Wyckoff avenue and 418-424 Jefferson street, southeast corner (Block 3177, Lots 4, 7 and 8), Borough of Brooklyn.

HARRIS H. MURDOCK. *Chairman.*

JANUARY 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 23, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

699-44-BZ—Application, December 4, 1944, under section 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Ten Fifth Avenue Corporation, owner, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot; premises 10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

319-44-BZ—Application, May 31, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Joseph Newman, owner, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores

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and residence for one family; premises 8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

1366-17-BZ—Application of Saul Goldsmith, applicant, on behalf of 1920 Harman Street Corporation, owner, reopened January 3, 1945 for consideration re amendment of resolution as to occupancy of 2nd floor—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the change of use from a factory for manufacture of hospital furniture permitted by the Board to paper box manufacturing and knitwear; premises 1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens.

442-42-BZ—Application of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, reopened January 3, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution permitting in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

Appeals from Administrative Decisions

695-44-A—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.

727-44 A—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 23, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeal from Administrative Decision

656-44-A—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

Material for Approval.

402-44-SM—Western Electric Company's Paint Spray Booths. Models RS-13161 and RS-13162 (Water Impingement Type).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit—Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

599-44-BZ—Application, October 20, 1944, under sections 7c and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory; premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

284-36-BZ—Application of W. T. McCarthy, applicant, on behalf of The House of St. Giles the Cripple, owner; reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution; premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

337-33-BZ—Application of Robert Teichman, applicant, on behalf of City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner, reopened January 9, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the maintenance of a parking space for more than five motor vehicles; premises east side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx.

120-39-BZ—Application of F. D. Kohler Co., Inc., applicant and owner (Horace C. Carter, lessee), reopened January 9, 1945, under section 21 of the zoning resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop (previously granted by the Board for a temporary period of two years); premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond.

749-44-BZ—Application, December 28, 1944, under sections 7A and 21 of the zoning resolution, of Joseph Saravis, applicant, on behalf of The Swinger Realty Corporation, owner, to permit in a retail use district, a manufacturing occupancy of 25% of which more than 5% is not connected with the retail business conducted on the premises; premises 1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

182-44-BZ—Application, March 27, 1944, under section 21 of the zoning resolution, of Frank C. Keller, applicant, on behalf of John Celmer and Stanley Celmer, owners, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard; premises 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

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Appeals from Administrative Decisions.

183-44-A—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street—70th (Edsall) avenue).

750-44-A—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

700-44-A—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

Appeal from Administrative Decision.

610-44-A—372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond (under section 35, General City Law—re proposed widening of avenue—Seaview avenue).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 9, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Wednesday morning, January 3, 1945, and Wednesday afternoon, January 3, 1945, were approved as printed in Bulletin No. 2, Volume 30.

ZONING CASES

284-36-BZ

APPLICANT—W. T. McCarthy, for The House of St. Giles the Cripple, owner.

SUBJECT—Application reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution.

PREMISES AFFECTED—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. T. McCarthy, Albert Hutton.

For Opposition: B. Arnold Chambers, Joseph W. Schwartz, Joseph A. Solovei, Alice Shapiro, Ethan R. Kayes, Ida Feingersch, Mary Regina McNally, Mabel Berman and Byrne Phillips.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 30, 1945 at 10 A. M. for decision without further argument, applicant to file revised plan with the Board.

370-41-BZ

APPLICANT—Ferdinand Savignano, for Sophie Rigler, owner.

SUBJECT—Application reopened December 12, 1944 for consideration as to extension of permit (expired by limitation) Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter L. Siciliano.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1945 at 10 A. M. for further information by the owner.

319-44-BZ

APPLICANT—Lama and Proskauer, for Joseph Newman, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores and residence for one family.

PREMISES AFFECTED—8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Newman.

For Opposition: Hector G. De Meo, Vito Scimeco.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

MINUTES

991-40-BZ

APPLICANT—William J. Minogue, for Unexcelled Manufacturing Co., Inc., owner.

SUBJECT—Application reopened October 31, 1944 for consideration as to extension of permit (expired by limitation)—re Application, previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the erection and maintenance of twenty-six (26) buildings for fireworks.

PREMISES AFFECTED—1144-1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1665, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond.

APPEARANCES—

For Applicant: William J. Minogue.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (991-40-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting the erection and maintenance of twenty-six (26) buildings for fireworks, affecting premises 1144-1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1665, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond, was granted by the Board on June 23, 1942, on certain conditions, for a term of two years; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on October 31, 1944, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 23, 1942, only so far as it has reference to the terms of the permit, so that as amended it shall read:

"* * * *granted* under section 7e thereof for a term of two years from the date of this *amended* resolution, to permit the extension of the proposed use into the more restricted area and the erection of the buildings as proposed, *on condition* that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto; that the buildings and uses proposed therefor, shall be permitted only during the period of the present emergency and shall be completely removed at the termination thereof, if such termination materializes within the term of this permit; otherwise an application may be made for such extension of the permit as the Board may deem proper; that the operation of entire premises shall be maintained to the satisfaction of the fire commissioner and such fire-fighting appliances maintained as he shall direct; that all permits required shall be obtained and all work completed within two (2) months from the date of this *amended* resolution."

414-41-BZ

APPLICANT—John J. Beatty, for Thomas F. Martin Realty Company, owner (Louis Theil, lessee).

SUBJECT—Application reopened November 21, 1944, for consideration as to extension of permit (expired by limitation) re—Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, for a term of two years, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2918-2926 West 17th street, west side, 170 ft. north of Surf avenue (Block 7061, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (414-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2918-2926 West 17th street, west side, 170 ft. north of Surf avenue (Block 7061, Lot 16), Borough of Brooklyn, was granted by the Board on November 12, 1941, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on November 21, 1944, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 12, 1941, only in so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*Granted* for a temporary term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles *on condition* * * *"

268-44-BZ

APPLICANT—Herman Kron, for Ruth Katz, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, for a temporary period of two years, the change of occupancy of a garage for more than five motor vehicles to a factory for wood working.

PREMISES AFFECTED—334-344 Cleveland street, west side, 100 ft. north of Liberty avenue (Block 3968, Lot 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron and Bernard F. Stern.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (268-44-BZ)

WHEREAS, Herman Kron, for Ruth Katz, owner, filed May 5, 1944, an application under section 7e of the zoning resolution, to permit in a residence use district, for a temporary period of two years, the change of occupancy of a garage for more than five motor vehicles, to a factory for wood working, affecting premises 334-344 Cleveland street, west side, 100 ft. north of Liberty avenue (Block 3968, Lot 29), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application

by the Board of Standards and Appeals, at its regular meeting, January 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue and Liberty avenue are in a business use, C area and 1 times height district; Cleveland street is in a residence use, C area and 1 times height district and Ashford street is in a residence use, C area and 1 times height district; and

WHEREAS, the decision of the borough superintendent, dated May 5, 1944, re Alt. Applic. 3703-43, reads:

"3. Proposed change in occupancy from public garage to light manufacturing (woodworking and cabinet maker) in a residential use district, is contrary to Art. II, Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 ft. frontage by 90 ft. in depth, on which is located a one story class 3 constructed building, 100 ft. by 90 ft. in area, occupied as a garage for more than five motor vehicles and it is proposed to change the occupancy to wood working and cabinet making; and

WHEREAS, the applicant contends that the building was erected under N.B. 5677-20 as a garage, facing Cleveland street and running through the block and also facing Ashford street; that before the present owner took possession of the site, the building was divided by the original owner by a wall and the present owner obtained the building facing Cleveland street; that building department records do not show that permit for the above mentioned work was obtained; that as to item 2 of superintendent's objections, the applicant cannot comply, for the reason that he does not represent owner of the building facing Ashford street and therefore cannot file an application with the Department of Buildings for the illegal work previously done; that no certificate of occupancy for the present building was issued by the Building Department; that after the duration, not later than two years, it is proposed to revert the garage to its original use; that no certificate of occupancy was issued, for the reason that the building was altered without a permit; that this application is made necessary by the present war conditions: that the garage could not be used on account of the automobile shortage and was for many months vacant and therefore without the income being aided from the space for shop purposes; that the owner will not be able to pay the taxes and interest on the mortgage and his investment will be in jeopardy; that these premises are being used for a woodworking shop since about the month of April 1944 without a permit; that a violation was issued by the Building Department and no court summons was served on the occupants; that the machinery being used in connection with this woodworking establishment are circulars and bandsaws, planes and also some painting is being done on the mezzanine, which also was erected illegally; that in 1939 the site was changed from unrestricted to residence use; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution; and

WHEREAS, a letter dated January 8, 1945, from the tenants, DeLuxe Crafts, Inc., the present occupants of the building, reads in part as follows:

"We hereby guarantee that immediately upon approval of the Board, we will do the following:

1. A one source sprinkler system will be installed on premises and as directed by the Fire Department.
2. The spraying that is now done on premises must comply with C-19 of the Administrative Code and so approved by the Fire Department.
3. Plans for the mezzanine balcony will be filed with the Building Department for approval.
4. The cyclone exhaust system above the roof will be securely fastened to meet the approval of the Building Department.
5. In the future, the plant will operate in a safe condition.

If the Board is so gracious as to render a decision in our favor, we give our assurance that the above items will be corrected at the earliest possible time."

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7e thereof, for a term of two years from the date of this resolution, to permit the building to be occupied as a woodworking establishment as proposed, *on condition* that the building shall not be increased in height or area; that any tanks or other equipment for the storing or handling of gasoline or oil installed on the premises in connection with the former garage occupancy, shall be entirely removed; that a one source sprinkler system shall be installed; that any spraying carried on shall be separated from the balance of the building by a wall of fire-retarded construction, extending from floor to ceiling with any door therein of fireproof construction; that the ceiling of such room shall be protected in accordance with the requirements of the code for one hour; that all spraying booths and other equipment shall comply with the requirements of the Rules of the Board therefor; that any openings in the floor, opening to the boiler room, shall be permanently closed with fireproof construction; that the boiler room shall be separated from the balance of the building and enterable only from the exterior; that the cyclone and driving equipment shall be made structurally safe to the satisfaction of the borough superintendent; that the existing mezzanine balcony shall not be extended and plans shall be filed and approved by the borough superintendent therefor; that no other intermediate floor construction shall be erected; that no windows or other openings shall be constructed within the side line or rear walls; that no signs shall be erected on the premises other than one sign which may be erected on the front wall not exceeding 15 sq. ft. in area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue under section 7e, only so long as the premises are occupied by the De Luxe Craft Co., Inc., formerly known as the Pollick Construction Co., Inc.

449-44-BZ

APPLICANT—Philip Freshman, for Peter Hartmann, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height occupied as a garage for five motor vehicles, into one (1) building one story in height to be occupied as a garage for more than five motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Freshman.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (449-44-BZ)

WHEREAS, Philip Freshman, for Peter Hartmann, owner, filed July 20, 1944, an application under sections 7c and 21

of the zoning resolution, to permit in a business use district, the reconstruction of three buildings, two of which are 2 stories in height, occupied as garages for more than five (5) motor vehicles, into one building one story in height to be occupied as a garage for more than five motor vehicles; affecting premises 238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that DeKalb avenue and Vanderbilt avenue are in a business use, B area and 1½ times height district; Clinton avenue and Clermont avenue are in a residence use, B area and 1-times height district and Willoughby avenue is in a business and residence use, B area and 1½ times height district; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1944, re Alt. Applic. 1634-44, reads:

> "The proposed extension of a garage for more than five motor vehicles in a business use district, is contrary to the Zoning Resolution, Sect. 4 (a) (15). Denied."

and

WHEREAS, the applicant states the premises consist of a plot, 66 ft. frontage by 100 ft. in depth, on which are located three buildings, one 2-stories in height, 22 ft. by 82 ft. in area, one two-stories in height, 22 ft. by 60 ft. in area, both occupied as garages for 7 cars each, and one 1-story in height, 22 by 60 ft. in area, occupied as a 5-car garage; that it is proposed to reconstruct these buildings into one building, one-story in height, to be occupied as a garage for eighteen (18) motor vehicles; and

WHEREAS, the applicant contends that the premises as it now exists, consists of three separate buildings (one ownership) each on a plot 22 ft. by 100 ft. in area, making a total of 66 ft. by 100 ft. in area; that Building 238 is a two-story brick structure, 22 ft. by 82 ft. occupied on the ground floor as a seven car, non-storage garage and storage purposes on the 2nd or top floor; that Building 240 is one story high, 22 ft. by 60 ft., occupied as a 5-car storage garage, having a 550 gallon gasoline tank and one gasoline pump; that Building 242 is a two-story brick structure, 22 ft. by 60 ft., occupied on the ground floor as a 7-car non-storage garage, and 1 family on the second or top floor, in all making a total of 19 cars for the three units; that premises 240-242 was acquired by this owner in 1939 and 238 was acquired in 1941; that these structures were erected about 1875, as near as available public and private records indicate and were primarily built for private stables, as were many buildings on this block adjacent to this property; that about 1912, these buildings were converted from stables to private garages, which use has continued up to the present time; that the owner is engaged in the business of hiring out cars for funerals and weddings, and the garages are used exclusively for his own fleet of cars; that the type of cars is uniform in appearance and generally Packard sedans with long wheel bases; that because of their use, the cars must be kept highly polished and in clean condition, which necessitates employment of experienced car-washers adapted to this line of work; that under the present arrangement of the buildings, it is a distinct hardship to operate; that each garage is but 20 ft. in width inside, too wide for two cars abreast and yet too narrow for three cars; that the owner was thus forced to rent a garage directly across the street, to relieve the situation; that in order to move cars at the rear of each unit, any cars stored in front have to be driven out and parked alongside the curb on Vanderbilt avenue and then driven back into the building, which impedes the traffic on Vanderbilt avenue, particularly in the morning when it is heavy, and requiring the employment of four or five men which would be obviated if the space were unobstructed; that on many occasions due to lack of required number of men, funerals were held up; that to relieve this condition, the applicant requests permission to remove the interior brick walls dividing these buildings and extend the garage to the rear lot line, removing upper stories and maintaining one center driveway instead of the three existing; that the garage across the street referred to will be vacated; that under the new arrangement, 18 cars will be stored, comprising 14 funeral cars and four hearses, as against 19 cars under the existing conditions; that the proposed improvement will in no way affect light or ventilation of adjoining property, will not detract from present appearance of the street, will relieve traffic congestion and reduce the hazard by having one driveway instead of three; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, to permit the extension and reconstruction of the existing buildings and to permit the occupancy as a storage garage for more than five (5) motor vehicles, *on condition* that the building shall not be increased further in height or area; that the garage shall be used solely for the fleet of motor vehicles operated by the owner; that the existing gasoline pump shall be removed within the building, as shown on plans filed with this application marked "Received July 20, 1944"; that the storage of gasoline shall not exceed one (1) 550 gallon tank; that the boiler room located in the cellar shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that all signs shall be removed from the property and no signs erected, other than a permanent sign attached to the facade of the building advertising the owner's business; that such sign shall not exceed the permitted area therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no windows shall be constructed in the side line or rear walls; that existing curb cuts in the sidewalk shall be restored and one new curb cut may be constructed at the center of the plot not exceeding 20 ft. in width; that the doorways for entrance of cars shown shall be reduced to one toward the center and windows or walls substituted for the other doors shown; that in all other respects, the building and occupancy shall comply with the zoning resolution and all other laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

718-44-BZ

APPLICANT—Harry M. Prince, for 39 Park Avenue Corporation, owner (Philip E. Wilcox, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the temporary use of a portion of an existing residence building for conference room, professional office, drafting room, storage and file room.

PREMISES AFFECTED—39 Park avenue, northeast corner of East 36th street (Block 892, Lot 1), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry M. Prince.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

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THE RESOLUTION (718-44-BZ)

WHEREAS, Harry M. Prince, for 39 Park Avenue Corporation, owner (Philip E. Wilcox, lessee), filed December 11, 1944, an application under section 7e of the zoning resolution, to permit in a residence use district, the temporary use of a portion of an existing residence building for conference room, professional office, drafting room, storage and file room, affecting premises 39 Park avenue, northeast corner East 36th street (Block 892, Lot 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Park avenue, Lexington avenue, East 35th, East 36th and East 37th streets are in a residence use, B area and 1½ times height district; and

WHEREAS, the decision of the borough superintendent, dated November 27, 1944, re Alt. Applic. 1516-44, reads:

"1. Proposed use of building for conference rooms, offices, drafting rooms, storage and file rooms not permitted in a residence district as such use is contrary to Sec. 3 of Art. II of Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot having a frontage of 48¾ ft. and a depth of 105 ft. on which is located a 4-story and pent house building, of Class 3 construction, 38 ft. 4 in. by 88 ft. in area, occupied as a private residence and that it is proposed to occupy the building as a residence and office of a consulting engineer; and

WHEREAS, the applicant contends that the present structure was erected in 1888 as a private residence and has remained as such to this date, although since its purchase by the 39 Park Avenue Corporation, of which Mr. Robert W. Dowling is President, it has remained vacant; that more recently, the owners have also purchased 41 Park avenue adjoining, with the intention of developing this entire plot with a modern residential fireproof structure immediately after the present war emergency and when materials are available; that during the interim, it is proposed to lease this building to a consulting engineer and industrial designer, who now has offices at 1 East 53rd street; that the practice of this engineer is entirely devoted to highly secretive technical phases of professional engineering for the U. S. Navy; that he is the only civilian cleared for naval work of the type on which he is engaged; that it is intended to use this building as a private residence carrying on a professional practice as an accessory use to residence; that no structural or other changes in the building, except one of a very minor character, is contemplated; that the proposed use is for the period of the emergency and a reasonable period thereafter; that this application is made, therefore to the Board of Standards and Appeals to modify the ruling of the Superintendent of Buildings, so as to permit him to accept the proposed use and occupancy for the following reasons: The net useable area on each floor is considerably under 2500 sq. ft., the gross area inside exterior walls being only approximately 2700 sq. ft.; that while the building is 62 ft. 4 in. from curb to roof, the fourth or top floor is not to be occupied; that the height from the curb to the third floor ceiling is only 47 ft. 3 in.; that there are two stairs in the building and an elevator, the stairs having direct egress to the street and yard; that there are to be no signs on the building or any other than that proposed, the building retaining, in every sense, its residential character in appearance; and

WHEREAS, the Board deemed that this is a proper case in which to exercise its discretion to grant a temporary variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7e thereof for a temporary term of two years to permit a portion of the second floor and the entire third floor to be occupied by the lessee of the building, Philip E. Wilcox, as private professional engineering offices, *on condition* that the balance of the building shall be occupied as his personal living quarters; that the top story shall remain vacant and not used; that the building shall not be increased in height and area; that the windows shall be curtained and draped in accordance with applicant's statement dated January 5, 1945; that the enclosed secondary means of exit shall have a sprinkler system installed throughout its height, meeting all requirements for a similar stairway as required in Article VI of the Multiple Dwelling Law; that the stairway from the cellar to the basement shall be closed off with a fireproof, self-closing door; that such portable fire-fighting appliances shall be installed throughout the premises as the fire commissioner shall direct; that no structural changes shall be made to the building, except the removal of one partition on the third floor as proposed and shown on plans filed with this appeal marked "Received December 11, 1944;" that the space to be occupied for living quarters shall be in accordance with the revised plan marked "Received January 5, 1945", showing the basement, first and second floors; that no signs shall be erected on the premises indicating the engineering use, except there may be a plate not over one square foot in area, giving the name of the lessee only and a tablet reading "Bowdoin House"; and that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

700-44-A

APPLICANT—W. T. McCarthy, for House of St. Giles the Cripple, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. T. McCarthy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 30, 1945 at 10 A. M. for decision by Board without further argument.

591-44-A

APPLICANT—Harry A. Zuch, Adjoining Owner.

OWNER OF PREMISES—Caroline Rauh (Dr. Bryant S. Hopper, lessee of 1st floor).

SUBJECT—Appeal from a decision of the acting borough superintendent re Revocation of Certificate of Occupancy #12423.

PREMISES AFFECTED—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Warren J. Heeg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (591-44-A)

WHEREAS, Harry A. Zuch, adjoining owner, filed December 17, 1944 an application for revocation of Certificate of Occupancy affecting premises 107-17 86th avenue, northwest corner of 108th street (1st floor): (Block 9197, (170), Lot 29), Richmond Hill, Borough of Queens; and

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WHEREAS, said premises are owned by Caroline Rauh and leased to Dr. Bryant S. Hopper; and

WHEREAS, the decision of the borough superintendent dated October 2, 1944 reads:

"Your request to this office to revoke Certificate of Occupancy #12423 has been denied."

and

WHEREAS, the applicant states that the building is 2½ stories (approximately 35 ft.) in height, approximately 18 ft. by 35 ft. in area, of class 4 construction, erected in 1912, located in a residence use, C area class 1¼ height district and used and occupied as follows: cellar—boiler room and storage; 1st floor—doctor's office; 2nd floor—dwelling—1 family; attic—dwelling—1 room; and

WHEREAS, the applicant contends that the building is now being occupied contrary to affidavits filed by the owner and lessee, which affidavits state that the doctor resides in the building with his family; that the doctor and his family live only a few blocks away; that the building was not arranged, intended or designed to permit the occupant of the doctor's office to reside on the premises; that the doctor does reside with his family at another location and has not, nor does he intend to remove his family to the present premises; that the credibility of the doctor lessee is challenged, as he is registered for voting as residing at 85-17 108th street and not at 107-17 86th avenue, as his affidavit filed with the borough superintendent indicates; and

WHEREAS, when this case was called for hearing, no one appeared in behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

MATERIAL SUBMITTED FOR APPROVAL

548-44-SM

APPLICANT—Sloan Valve Company, owner.

SUBJECT—Sloan V-200 ⅜" and ½" IPS Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: Philip C. Pleett and Jerome A. Edwards.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (548-44-SM)

WHEREAS, The Sloan Valve Company, owner, filed on September 25, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Sloan V-200 ⅜" and ½" IPS Vacuum Breaker; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT ON COMMITTEE ON TESTS

December 11, 1944

Cal. 548-44-SM

Subject: Sloan V-200 ⅜" and ½" IPS Vacuum Breaker, Approval of.

The Sloan Valve Company, filed an application with the Board of Standards and Appeals for approval of the Sloan V-200 ⅜" and ½" Vacuum Breaker under the provisions of C26-178.0.b for use under C26-1277.0, Administrative Building Code.

The SLOAN V-200-B ⅜" and ½" iron pipe size vacuum breaker is designed to prevent back-syphonage in any fixture or submerged outlet when installed on the discharge side of the control valve above the spill line of the fixture.

The SLOAN V-200-B vacuum breaker consists of a cast brass body with a female iron pipe size inlet at bottom of body; a female iron pipe size outlet on side near the bottom of body. Fitted to top of body is a cover with air opening which is protected with a bell shape brass hood. The cover is screwed to top of body and is fitted with a rubber combination gasket and air valve seat with friction ring. The breaker contains a special design Durez float back-check which has outside vertical ribs to guide motion of float check in body of breaker. This back-check prevents spitting and leaking under low rates of flow—the function of the back-check is to close opening to air in cover. This Durez check is the same check which is used in SLOAN V-100-B ½ and ⅜ inch vacuum breaker which has been approved for use by Board of Standards & Appeals under Calendar 149-40-SM. The bottom, or open end of float check seats down on upper end of raised heavy brass tube which is tapped directly into bottom inlet opening of breaker.

The operation of this breaker is as follows: The water supply enters inlet opening raising float check and seating check against air opening—thus sealing the opening to atmosphere. The water supply passes over center tube and thence out through discharge opening. As soon as flow ceases the back-check drops down over center tube, thus opening breaker to atmosphere. Should a vacuum occur during the flow the check closes opening at top of tube, thereby subjecting the breaker to atmospheric pressure and breaking vacuum.

Test

The unit was tested at the bench of the Department of Water Supply, Gas and Electricity on October 27, 1944, in the presence of the Committee on Tests of the Board and the representatives of the Department of Water Supply, Gas and Electricity and of the manufacturers.

The mechanical principle of the unit tested is that the water is introduced upward through an "L" shaped fitting with an inner tube extending past the horizontal outlet, toward the airport. A plastic cylinder with sealed top is fitted over the outlet end of the inner tube in such a position that when water is introduced through the unit the plastic cylinder rises and is seated against a rubber seat at the airport at the top of the vacuum breaker.

The flow of water in this position is upward through the tube, downward on the inside of the plastic cylinder, and outward horizontally through the outlet end of the vacuum breaker. When a vacuum occurs in the supply pipe which the vacuum breaker is designed to protect, the plastic cylinder falls by gravity away from the rubber seat at the outlet port, and the closed top of the cylinder rests against the upper outlet of the inner tube thus acting as a depression check. In this position atmosphere is freely admitted to the piping on the outlet side of the breaker and the siphonic influence at the inlet side of the vacum breaker is materially checked.

The unit successfully withstood a H.g. vacuum of 29½" and a sustained vacuum for five minutes varying from 5" to 25" H.g. Under these tests, no simulated contaminated water was drawn into the piping through the vacuum breaker at any vacuum to which it was subjected.

The above tests indicate that the Sloan Valve Company V-200 vacuum breaker, S. & A. Cal. 548-44-SM, in ⅜" and ½" I.P.S. warrants approval under the provisions of Section 14.8.2.8 of the Plumbing Code.

Recommendation

On the basis of this inspection and test, the Committee on Tests recommends that the Sloan V-200 ⅜" and ½" I.P.S. Vacuum Breaker be approved under C26-191.0.a for installation in New York City under C26-1277-0.h, provided that the material has a label reading: "Approved by the Board of Standards and

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Appeals for use in New York City under Cal. 548-44-SM" on in lieu thereof a die or stamp with raised legible letters on the body of the vacuum breaker reading within a circle around the periphery at the top the word "approved" along the bottom "B.S.&A.", in the center two lines—the upper line reading "N.Y.C." and the lower line reading "548-44-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Sloan V-200 ⅜" and ½" I.P.S. Vacuum Breaker, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 9, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

343-43-A

APPLICANT—Chauncey A. Pierce, for A. E. MacAdam and Co., Inc., owner.

SUBJECT—Application reopened November 21, 1944—re Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent; previously withdrawn after discussion.

PREMISES AFFECTED—93-101 Lexington avenue, north side, 275 ft. east of Classon avenue (Block 1967, Lots 64 and 66), Borough of Brooklyn.

APPEARANCES—
For Applicant: Chauncey A. Pierce.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (343-43-A)

WHEREAS, Chauncey A. Pierce, for A. E. MacAdam and Co., Inc., owner, filed July 7, 1943, an appeal from an order and decision of the fire commissioner, affecting premises 93-101 Lexington avenue, north side, 275 ft. east of Classon avenue (Block 1967, Lots 64 and 66), Borough of Brooklyn; and

WHEREAS, order 8202-LF, issued by the fire commissioner February 27, 1942, reads:

"1. Install an approved wet automatic sprinkler system in the cellar of premises 93-101 Lexington Ave., Brooklyn, having at least one source of water supply, arranged and equipped as per Sprinkler Rules, Board of Standards and Appeals."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated July 2, 1942; and

WHEREAS, the applicant states that the building is 5 stories in height, 78 ft. by 95 ft. in area, of class 3 construction, erected in 1914, located in an unrestricted use district and occupied as follows: cellar—paper storage—2 persons; 1st floor—shipping and receiving—10 persons; 2nd floor office and warehouse—15 persons; 3rd to 5th floors—warehouse—no persons; that Certificate of Occupancy 2770 issued April 8, 1922, permits the use of the building on the 1st story for a garage and the upper floors for light storage; and

WHEREAS, the applicant contends that when the order was first issued, permission was requested from and presumedly granted by the Fire Department to make temporary alterations for the duration of the war, as shown on plans filed with this appeal, to furnish protection and additional exits from the premises, and it is requested that the Board permit the omission of the sprinkler system for the duration of the war, due to the fact that it is impossible to get the necessary materials and due to the fact that the amount of stock now stored in the building is at a minimum on account of the war, thereby reducing the risk; and

WHEREAS, this appeal was withdrawn July 27, 1943, to permit the applicant to file plans with the Building Department for proposed changes and to request the Fire Department for reconsideration of its order based on the proposed changes; and

WHEREAS, on November 21, 1944, this appeal was reopened by vote of the Board and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated April 4, 1944, on Bldg. Notice 7224-43 reads:

"F.P. 1—Comply with Fire Dept. Order #8202 L.F. provide sprinkler system in Cellar.

Note:—F. Dept. order and Supt's. order under Code 15.43 should be complied with."

and

WHEREAS, the decision of the Fire Commissioner, dated August 23, 1944, reads:

"In response to your letter of August 2nd requesting reconsideration of Order #8202-LF you are advised that no modification may be made of this item. The Order is considered necessary and should be complied with."

and

WHEREAS, the applicant contends that it is still impossible to obtain priorities for the installation of a sprinkler system, as called for by the Fire Department's order; that it is requested the improvements of the exit facilities from the basement of this building be accepted for the duration of the war in lieu of compliance with the Fire Commissioner's order.

Resolved, that the decision of the fire commissioner, acting on Order 8202-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the openings from the cellar to the street, as indicated on plan marked "Received July 7, 1943," shall be made, and the doors in the openings between the cellars shall be protected with self-closing 3 hour fire wall doors; that a dry non-automatic sprinkler system, complying with the requirements therefor, shall be installed throughout the cellar having an approved central station connection.

382-44-A

APPLICANT—Ajax Contracting Co., Inc., for Brooklyn Terminal Stores, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—105-123 River street, 29-35 Metropolitan avenue, northwest corner and 18-26 North 3rd street (Block 2355, Lots 3-10, inclusive), Borough of Brooklyn.

APPEARANCES—
For Applicant: Herman E. Horwood.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (382-44-A)

WHEREAS, Herman E. Horwood, for Brooklyn Terminal Stores Incorporated, owner, filed July 20, 1944, from an order and decision of the fire commissioner, affecting premises 105-123 River street, and 29-35 Metropolitan avenue, northwest corner, and 18-26 North Third street (Block 2355, Lots 3 to 10, inclusive), Borough of Brooklyn; and

WHEREAS, this appeal was withdrawn after discussion, on July 11, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, Order 9981-LF, issued by the fire commissioner January 19, 1943, and referred to in a decision of the fire commissioner dated May 23, 1944, reads:

"1. Place sprinkler system in operating condition. Among the defects noted are: Air compressor and gauges removed. Tanks empty and no water in system. Street main connection valves closed. Piping disconnected. Sprinkler rules of Board of Standards and Appeals."

and

WHEREAS, the decision of the fire commissioner, dated May 23, 1944, reads:

"We regret to note from your communication of May 11th that you have been unable to obtain a priority to carry out the provisions of Order 9981-LF. However, we cannot grant your request for any further extension of time, as the fire commissioner is not empowered to give extensions, this being a function of the Board of Standards and Appeals.

It may interest you to know, however, that it is reported that the situation on priorities for automatic sprinklers and other fire protection seems more favorable than it has been at any time during the war period. You might communicate with Mr. J. A. West, Chairman, Fire Protection Committee, War Production Board, Room 2616, Railroad Retirement Building, Washington, D. C. for further information along this line."

and

WHEREAS, the applicant states that the building is 1, 3, 4 and 8 stories (79 ft.) in height; 203 ft. 2 in. by 66 ft. 3 in. and 87 ft. 4 in. in area; of Class 3 construction; erected about 1898; located in an unrestricted use, B area district and used since 1942 for the storage of general commodities throughout and that the building is equipped with two 3 ft. 8 in. wide wood stairs, unenclosed; and

WHEREAS, the applicant contends that the premises consist of a group of unheated buildings used as a general commodity storage warehouse consisting principally of food stuffs packed in cans, cases and cartons, sugar in bags and cartons, dried soup powders, etc., none of which is of a hazardous nature; that the premises are vacant above the 4th story; that the sprinkler system, which was previously in operation was removed as it interfered with the conduct of the building, so that at the present time there is a very small portion of the piping left; that for a short period, the former owners rented the first floor and basement to a cooperage concern and it was during that time that the fire department issued the order for the sprinkler system; that when this cooperage concern vacated the premises, the former owners did not consider it necessary to ask for a rescindment of the order; that the present owners purchased it in 1942, and although the present use would not call for sprinklers, the Fire Department is still trying to enforce the order, principally on account of the few sections of sprinkler pipe remaining; that there never was any sprinkler in the 3 story building on the corner of River street and North Third street, which is used principally for the storage of steel sheets and tin plates; that there are ample auxiliary fire appliances throughout the premises, consisting of two 250 gallon extinguishers on wheels, 106 fire pails, 12 stirrup pumps and many 2½ gallon chemical extinguishers; that there are only 16 persons employed and only three above the first floor; that there is a watchman on duty during the day, and at night, a watchman with clock and stations throughout the premises; that if this order were to be complied with, it would require a complete new sprinkler system; it is therefore asked that the Board grant permission to remove the existing piping, since no sprinkler would be required, based on the present occupancy; that if the owners were willing to install a new sprinkler system, they could not obtain the necessary materials at this time; that in view of the existing auxiliary fire appliances, the small areas and the fact that the premises are vacant above the fourth floor, it is requested that this appeal be granted.

Resolved, that the decision of the fire commissioner, acting on Order 9981-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system throughout shall be put in proper working order to the satisfaction of the fire commissioner; that the three story building at the southwest corner of north Third street and River avenue shall be separated from all other portions and all other buildings, by fireproof self-closing doors at all openings on all floors as required by the Code; and that, in view of statement that there is no heat in the building, all work shall be completed as soon as the weather conditions permit, but not later than four months from the date of the resolution.

511-44-A

APPLICANT—Sidney L. Strauss, 111 West 24th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from decisions re orders of the fire commissioner.

PREMISES AFFECTED—109-111 West 24th street, north side, 100 ft. west of Sixth avenue (Block 800, Lot 33), Borough of Manhattan.

APPEARANCES—
For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (511-44-A)

WHEREAS, Sidney L. Strauss, for 111 West 24th Street Corporation, owner, filed August 29, 1944, an appeal from decisions re orders of the fire commissioner affecting premises 109-111 West 24th street, north side, 100 ft. West of 6th avenue (Block 800, Lot 33), Borough of Manhattan; and

WHEREAS, this appeal was withdrawn after discussion, on December 12, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, the decision of the fire commissioner, dated August 31, 1944, reads in part as follows:

"Orders 20290-LF and 20291-LF for fire drill and interior alarm system are pending."

and

WHEREAS, the decision of the fire commissioner dated August 9, 1944, reads:

"Replying to your letter of August 1, 1944, we regret being compelled to deny your request.

However, you may appeal to the Board of Standards and Appeals within 30 days from this date."

and

WHEREAS, the applicant states that the building is 7 stories, 78.3 ft. in height; 50 ft. by 115 ft. in area at 1st. floor; 50 ft. by 104 ft. in area at typical floor; of Class 1 construction; erected 1900; located in an unrestricted use, B area district and used and occupied since erection as follows: cellar, storage, 2 persons; 1st floor, rug showroom, 1 person; 2nd floor, furniture showroom, 6 persons; 3rd floor, manufacturing display materials, 20 persons; 4th floor, offices and stock room, 3 persons; 5th floor, manufacturing leather goods, 15 persons; 6th floor, manufacturing smoking pipes, 40 persons; 7th floor, manufacturing rugs, 25 persons; that the building is equipped with a one source sprinkler system, one 4 ft. wide wood interior stairway from the roof to the street, enclosed in 4 in. terra cotta block partitions, equipped with fireproof, self-closing doors and one fire escape at the rear, leading to the roof by stairs and to the street through fireproof passage in the basement; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the orders herein appealed, require the installation of a fire alarm system and the maintenance of fire drills; that a one source sprinkler system has been installed on the premises; that apparently, the Fire Department has determined the pressure at the top sprinkler, on the basis of the assumed pressure in main at the front of the building; that the sprinkler system has been accepted by the New York Fire Insurance Exchange; that the U. S. Gauge was installed at a point 75 ft. below the top line of sprinklers and pressures recorded over a 24 hour period; that the lowest pressure recorded during this 24 hour period was 44 lbs.; that the building is approximately 78 ft. 3 in. in height and it is requested that the sprinkler system be accepted as in compliance with the sprinkler rules and that this appeal be granted, waiving the requirement for the installation of a fire alarm system and the maintenance of fire drills.

Resolved, that the decision of the fire commissioner, acting on Orders 20290-LF and 20291-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted* waiving the requirements for same, *on condition* that the one-source sprinkler system shall be installed, meeting the requirements therefor, and including the central station connection, except that the pressure at the highest sprinkler head shall not be less than 10 lbs.; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

995-41-S

APPLICANT—Arnold W. Lederer, for Irving Lampert, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the Labor Law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—86-96 Hinsdale street, west side, 125 ft. south of Liberty avenue (Block 3698, Lots 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (995-41-S)

WHEREAS, this application from a decision of the borough superintendent, affecting premises 86-96 Hinsdale street, west side, 125 ft. south of Liberty avenue (Block 3698, Lots 19 and 20), Borough of Brooklyn, was granted by the Board on December 9, 1941, on certain conditions; and

WHEREAS, the resolution was amended on May 12, 1942 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 9, 1941, as amended May 12, 1942, by adding thereto:

"* * * that in the event the factory occupancy is discontinued in the one story portion of the building, that the two story frame building shall comply with the requirements of the resolution adopted January 9, 1945, under Cal. No. 996-41-A."

996-41-A

APPLICANT—Arnold W. Lederer, for Irving Lampert, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—86-96 Hinsdale street, west side, 125 ft. south of Liberty avenue (Block 3698, Lots 19 and 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (996-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 86-96 Hinsdale street, west side, 125 ft. south of Liberty avenue (Block 3698, Lots 19 and 20), Borough of Brooklyn, was granted by the Board on December 9, 1941, on certain conditions; and

WHEREAS, the resolution was amended on May 12, 1942 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 9, 1941 and as amended on May 12, 1942, by adding thereto:

"* * * that in the event the owner in lieu of the occupancy as above set forth, desires to occupy the 1st floor of the frame two story and attic building in connection with his experimental machine work in connection with his adjacent business, and occupy the 2nd floor as a residential occupancy for the caretaker, that such use may be permitted, provided the requirements as to the attic and the removal of the stairs are complied with and the balance of the premises remain vacant and any door, opening from the 1st floor of the two story building to the vacant one story shop, is a fireproof, self-closing door; that this variance shall continue for a term of not over two (2) years from the date of this *amended* resolution and shall terminate if the adjoining building is occupied for any purpose."

484-44-A

APPLICANT—John Burke, for John J. Flannery, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1461-1463 Flatbush avenue, east side, 35 ft. 8 in. south of East 28th street (1st and 2nd floors); (Block 5251, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Burke and Alfred Moscata.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (484-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1461-1463 Flatbush avenue, east side, 35 ft. 8 in. south of 28th street (1st and 2nd floors); (Block 5251, Lot 11), Borough of Brooklyn, was granted by the Board on September 26, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 26, 1944, by adding thereto:

"* * * that if the door from the 2nd floor leading to the primary means of exit is made to comply with the requirements as to width and construction, the existing door at the street building line may be continued with a width of not less than 3 ft. opening outwardly."

669-44-A

APPLICANT—Frank D. Hutchinson, for Metropolitan Engineering Co., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1236-1240 Atlantic avenue, south side, 482 ft. west of Nostrand avenue (4th floor); (Block 1200, Lot 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank D. Hutchinson, John H. Lawrence and W. D. Shea.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (669-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting 1236-1240 Atlantic avenue, south side, 482 ft. west of Nostrand avenue (4th floor); (Block 1200, Lot 21), Borough of Brooklyn, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 5, 1944, by adding thereto:

"* * * that the roof plank may be as made by the Porete Company, known as "Porex" as submitted to the Board for approval under Cal. No. 742-44-SM, *on condition* that the plank without top surfacing shall be not less than 1¾ in. and otherwise shall comply substantially with the construction as proposed under such application and the bearing at all points shall be not less than 2¾ in. and the clear span shall not exceed 22 inches as a simple span."

501-44-A

APPLICANT—Raymond Irrera, for Lillian M. Huber, owner (Agnes Gallagher, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar for consideration of new proposal—re Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—114-68 Mexico street, northwest corner of 115th avenue (1st and 2nd floors); (Block 10392, Lot 23), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

681-44-A

APPLICANT—John B. Delehanty, for American Bureau of Shipping, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-49 Beaver street, north side, 83 ft. 6¾ in. east of Broad street (7th floor); (Block 25, Lot 40), Borough of Manhattan.

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

496-43-A

APPLICANT—Clayton G. Shirkey, for Rosina and Dominick Zafonti, and Guiseppe and Mary Zafonti, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—425 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens. (Under Section 35, General City Law—re bed of mapped street—Barbadoes drive.)

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 16, 1945 at 2 P.M. No appearance. Applicant to be notified.

ZONING CASES

77-32-BZ

APPLICANT—Lama and Proskauer, for Anagal Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to additional structure—re Application (decision of the borough superintendent) previously granted on condition under section 7f of the zoning resolution, permitting in a business use district, the maintenance and extension of a gasoline service station for a temporary term of two years.

PREMISES AFFECTED—181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block 7065, Lot 5), Flushing, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

337-33-BZ

APPLICANT—Robert Teichman, for City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a period of two (2) years, the maintenance of a parking space for more than five (5) motor vehicles.
PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx.
APPEARANCES—
For Applicant: Robert Teichman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 30, 1945 at 10 A.M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

120-39-BZ

APPLICANT—F. D. Koehler Co., Inc., owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 21 of the zoning resolution for a term of two years (which expired by limitation), permitting in a business use district the maintenance of a motor vehicle repair shop.
PREMISES AFFECTED—1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block , Lot), Borough of Richmond.
APPEARANCES—
For Applicant: W. E. Gerke, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

94-38-BZ

APPLICANT—William L. Schrauth and Earl J. Helmick, for Jeho Company, Incorporated, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—89-02 to 89-12 166th street, southwest corner of 89th avenue (Block 866, Lot 72), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Earl J. Helmick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (94-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block 866, Lot 72), Jamaica, Borough of Queens, was granted by the Board on December 17, 1940, on certain conditions; and
WHEREAS, the resolution was amended on February 18, 1941 and the permit was extended on January 12, 1943; and
WHEREAS, the applicant requested a further extension of the permit.
Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1940, as amended through January 12, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:
"* * * *Granted* under section 7h for a temporary term of two (2) years from January 12, 1945, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only those of the pleasure car type shall be so stored or parked * * * and that other than as herein *amended,* the conditions of the resolution of January 12, 1943, shall be complied with (Misc. applic. 883-40)."

176-38-BZ

APPLICANT—Lama and Proskauer, for Regis Holding Corporation, owner (Katherine Sassano, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting in a business use district, for a term of two (2) years, the maintenance of an auto wrecking yard (previously dismissed for lack of prosecution in re maintenance of a junk yard).
PREMISES AFFECTED—686-700 Herkimer street and 22-30 Utica avenue, southwest corner (Block 1707, Lots 46, 47 and 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION (176-38-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, for a term of two years, the maintenance of an auto wrecking yard (previously dismissed for lack of prosecution in re maintenance of a junk yard), affecting premises 686-700 Herkimer street and 22-30 Utica avenue, southwest corner (Block 1707, Lots 46, 47 and 48), Borough of Brooklyn, was granted by the Board on January 12, 1943, on certain conditions; and
WHEREAS, the applicant requested an extension of the permit.
Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 12, 1943.

only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under section 7e for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises where unbuilt upon to be occupied for automobile wrecking and storage and sale of car parts * * * and that other than as herein *amended,* the conditions of the resolution of January 12, 1943, shall be complied with."

890-38-BZ

APPLICANT—Sherman and Sterling, for E. C. Bartlett for 145 East 41st Street Corporation, lessee (R. W. Goelet, owner).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—145-149 East 41st street, north side, 100 ft. west of Third avenue (Block 1296, Lots 30, 31 and 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Patrick J. Growney.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (890-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 145-149 East 41st street, north side, 100 ft. west of Third avenue (Block 1296, Lots 30, 31 and 32), Borough of Manhattan, was granted by the Board on January 24, 1939, on certain conditions; and

WHEREAS, the permit was extended on January 21, 1941 and January 12, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 24, 1939, as amended through January 12, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that a certificate of occupancy shall be obtained and that other than as herein *amended,* the conditions of the resolution of January 24, 1939, shall be complied with."

99-40-BZ

APPLICANT—Kommel and Zucker, for Emanuel Hellner, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles (such parking and storage to be restricted to Lot 32).

PREMISES AFFECTED—163-165 Boerum street, north side, 200 ft. east of Graham avenue (Block 3071, Lots 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis M. Kommel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (99-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles (such parking and storage to be restricted to Lot 32), affecting premises 163-165 Boerum street, north side, 200 ft. east of Graham avenue (Block 3071, Lots 32 and 33), Borough of Brooklyn, was granted by the Board on January 21, 1941, on certain conditions; and

WHEREAS, the permit was extended on December 22, 1942 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 21, 1941, as amended through December 22, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that otherwise as herein *amended,* the conditions of the resolution of January 21, 1941, shall be complied with."

Adjourned: 3:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

(Remaining minutes of the meeting of January 9, 1945 will be printed in the Bulletin of January 23, 1945).

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse fo rneglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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FEB 6 1945
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of January 16, 1945 will be printed in the Bulletin of January 30, 1945).

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PUBLIC HEARINGS

Tuesdays, at 10 a.m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to January 16, 1945.

Cal. No. *Dept.* *Premises Affected.*

14-45-A—H.B.R.—85 North Railroad avenue, northeast corner of Seaview avenue (Block 3320, Lot 38), Dongan Hills, Borough of Richmond (Under section 35, General City Law re bed of mapped street—re proposed widening of North Railroad avenue), N.B. 99-44 and Misc. 253-44.

15-45-A—F.D.—397 7th avenue and 408 12th street, northeast corner (1st floor, Building B); (Block 1098, Lot 1), Borough of Brooklyn, 12423-LF and Decisions.

16-45-A—F.D.—325-341 Classon avenue, east side, 40 ft. south of De Kalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn, 98410-LC.

17-45-SA—Snead Carbonated Beverage Dispenser, Appliance.

18-45-SM—Aluminum Co. of America's Aluminum-Faced Enclosure Wall (non-bearing), manufactured by Aluminum Co. of America, Material.

19-45-A—H.B.Q.—29-06 Review avenue, southwest corner of 29th street (Block 294, Lot 150), Long Island City, Borough of Queens, Alt. 1488-44.

20-45-A—H.B.Q.—43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (1st floor); (Block 191, Lot 19), Long Island City, Borough of Queens, Alt. 1582-44.

21-45-A—H.B.M.—154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan, Alt. 1227-44.

22-45-A—F.D.—101-107 Greene avenue, northeast corner of Vanderbilt avenue (Block 1943, Lots 41-44 inclusive), Borough of Brooklyn, 13987-LF.

Restored to Calendar.

50-42-BZ—H.B.Bx.—1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx, Alt. 1028-41.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens: **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Nov. 14, 1944—Vol. 29, No. 45
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Jan. 2, 1945—Vol. 30, No. 1
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Jan. 9, 1945—Vol. 30, No. 2
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Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Oct. 24, 1944—Vol. 29, No. 42
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
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Smoking in Factories, Rules for	Dec. 19, 1944—Vol. 29, No. 50
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Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

JANUARY 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 23, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

699-44-BZ—Application, December 4, 1944, under section 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Ten Fifth Avenue Corporation, owner, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot; premises 10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

319-44-BZ—Application, May 31, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Joseph Newman, owner, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores and residence for one family; premises 8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

1366-17-BZ—Application of Saul Goldsmith, applicant, on behalf of 1920 Harman Street Corporation, owner, reopened January 3, 1945 for consideration re amendment of resolution as to occupancy of 2nd floor—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the change of use from a factory for manufacture of hospital furniture permitted by the Board to paper box manufacturing and knitwear; premises 1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens.

CALENDAR

442-42-BZ—Application of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, reopened January 3, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution permitting in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn.

670-44-BZ—Application, November 15, 1944 under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one family residential development not conforming to the area district requirements; premises East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

220-44-BZ—Application, April 13, 1944, under sections 7c and 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of D'Abramo Realty Corporation, owner, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage to a garage for more than five (5) motor vehicles and motor vehicle repair shop and without complying with yard and area requirements for a new building; premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

Appeals from Administrative Decisions

232-44-A—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

695-44-A—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.

727-44-A—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan.

590-44-A—84-40 101st street, northwest corner of 85th road (cellar); (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

719-44-A—31-49 Nassau avenue, north side, from Guernsey to Dobbins streets (1st floor); (Block 2643, Lots 29 and 30), Borough of Brooklyn.

Material for Approval.

402-44-SM—Western Electric Company's Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 23, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 23, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

656-44-A—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

506-44-A—1026-1030 Gates avenue, south side, 51 ft. 2½ in. west of Broadway (2nd and 3rd floors); (Block 1480, Lots 27, 29, 32, 34 and 48), Borough of Brooklyn.

5-45-A—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens.

702-44-A—709-715 Utica avenue, east side, 180 ft. south of Clarkson avenue (Block 4637, Lots 37-39), Borough of Brooklyn.

707-44-A—205 Major avenue, northeast corner of Sand lane (1st floor); (Block 3095, Lot 21), Arrochar, Borough of Richmond.

745-44-A—3042-3060 West 23rd street (3050-3060 displayed), west side, 99 ft. north of Boardwalk (Block 7070, Lots 142 to 145 inclusive, and 155), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit—Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

599-44-BZ—Application, October 20, 1944, under sections 7c and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory; premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

284-36-BZ—Application of W. T. McCarthy, applicant, on behalf of The House of St. Giles the Cripple, owner; reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution; premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

337-33-BZ—Application of Robert Teichman, applicant, on behalf of City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner, reopened January 9, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on

condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the maintenance of a parking space for more than five motor vehicles; premises east side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx.

120-39-BZ—Application of F. D. Kohler Co., Inc., applicant and owner (Horace C. Carter, lessee), reopened January 9, 1945, under section 21 of the zoning resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop (previously granted by the Board for a temporary period of two years); premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond.

749-44-BZ—Application, December 28, 1944, under sections 7A and 21 of the zoning resolution, of Joseph Saravis, applicant, on behalf of The Swinger Realty Corporation, owner, to permit in a retail use district, a manufacturing occupancy of 25% of which more than 5% is not connected with the retail business conducted on the premises; premises 1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

182-44-BZ—Application, March 27, 1944, under section 21 of the zoning resolution, of Frank C. Keller, applicant, on behalf of John Celmer and Stanley Celmer, owners, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard: premises 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

Appeals from Administrative Decisions.

183-44-A—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street—70th (Edsall) avenue).

750-44-A—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

700-44-A—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

Material for Approval,

583-44-SM—Atlantic 1½ Hour Hollow Metal Door, #11 Flush Type and #12 Panel Type.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

50-42-BZ—Application of Harry Barkoff, applicant and lessee, on behalf of Helen Mahoney, owner, reopened January 16, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx.

94-19-BZ—Application of Herman Kron, applicant, on behalf of Bergen Management Co., Inc., owner (Brownsville Motor Sales Co., Inc., lessee), reopened June 22, 1943, under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to a garage for more than five motor vehicles and motor vehicle repair shop for a temporary period of two years and the maintenance of a 2nd story on a portion of the building; premises 1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

Appeal from Administrative Decision.

610-44-A—372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond (under section 35, General City Law—re proposed widening of avenue—Seaview avenue).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Remaining minutes of the meeting of January 9, 1945.)

983-40-BZ

APPLICANT—Paul Friedman, for Dime Savings Bank of Brooklyn, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—413-417 Flatbush avenue extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block 2093, Lot 85), Borough of Brooklyn.

APPEARANCES—

For applicant: Alfred A. Lama for Paul Friedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (983-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 413-417 Flatbush avenue extension, east side, 136 ft. 1¼ in. south of DeKalb avenue (Block 2093, Lot 85), Borough of Brooklyn, was granted by the Board on January 21, 1941, on certain conditions; and

WHEREAS, the resolution was amended on April 1, 1941 and the permit was extended on January 12, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 21, 1941, as amended through January 12, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit a portion of the plot within the business use area to be occupied for parking and storage of more than five (5) motor vehicles, in conjunction with the balance of the plot in the unrestricted area, and in conjunction with the adjoining lot, for which a similar variance has been granted under Cal. 772-40-BZ; * * * and that other than as herein *amended,* the conditions of the resolutions of January 21, 1941 and April 1, 1941, shall be complied with."

577-42-BZ

APPLICANT—George H. Colin, for Crew Levick Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking and storage of more than five motor vehicles for a term of two years.

PREMISES AFFECTED—1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block 5859, Lots 10 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Anthony Manuele.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (577-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station for parking and storage of more than five motor vehicles for a term of two years, affecting premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block 5859, Lots 10 and 12), Borough of Brooklyn, was granted by the Board on January 12, 1943, on certain conditions, time extended on July 13, 1943, resolution amended on July 27, 1943 and time extended on November 3, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 12, 1943, as amended through November 3, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of (2) years, from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of July 27, 1943, shall be complied with."

REGULAR MEETING

TUESDAY MORNING, JANUARY 16, 1945, 10 A. M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, January 9, 1945, and Tuesday afternoon, January 9, 1945, were approved as printed in Bulletin No. 3, Vol. 30.

ZONING CASES

330-42-BZ

APPLICANT—Eugene De Rosa, for Jeron Company, Inc., owner.

SUBJECT—Application reopened September 12, 1944 (decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores.

PREMISES AFFECTED—95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 23d drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Queens.

APPEARANCES—

For Applicant: Gilbert Lazarus.

For Opposition: Jabez Dunningham and Paul Jacoby, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Laid over to February 6, 1945 at 10 A.M.—on request of applicant's representative and agreed upon by the representative of the opposition.

220-44-BZ

APPLICANT—Anthony M. De Rose, for D'Abramo Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c, 7i and 21 of the zoning resolution, to permit in a business use district the change of occupancy of an existing building from a stable and wagon storage and garage for 12 motor vehicles (in cellar) to a garage for more than five motor vehicles and a motor vehicle repair shop, without complying with yard and area requirements for a new building.

PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony M. De Rose and Guiseppe D'Abramo.

For Opposition: Louis A. Jackson and William J. Ryan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 21-C of the zoning resolution, to permit in a C and F area district, a one family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—

For Applicant: Eve M. Strelling.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M., on request of applicant's representative.

515-29-BZ

APPLICANT—Henry Nordheim, for Nicola Latini, owner.

SUBJECT—Application reopened October 17, 1944—re extension of use—(decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the further extension to the 2nd story of a business use (undertaking establishment) previously granted by the Board for the 1st story.

PREMISES AFFECTED—711 Tilden street, north side, 72 ft. east of Gun Hill Road (Block 4659, Lot 85), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Anthony Zaccardo and Nicola Latini.

For Opposition: Vincent N. Trimarco, George Ritzmann and Mary Ritzmann.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (515-29-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use district, the alteration and change of occupancy of a portion of a building (1st floor), from residence to business use (funeral parlor and office), affecting premises 711 Tilden street, north side, 72 ft. east of Gun Hill road (Block 4659, Lot 85), Borough of The Bronx, was granted by the Board on January 14, 1930, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, under section 7c of the zoning resolution, to permit the extension of the business use (undertaking establishment), to include the 2nd story; and

WHEREAS, this case was reopened by vote of the Board on October 17, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution shows that Tilden street is in a residence use, C area and 1¼ times height district and Gunhill road is in a business use, C area and 1¼ times height district; and

WHEREAS, the decision of the borough superintendent dated December 5, 1944, re Alt. App. 364-44, reads:

"1. Proposed extension of business use to the second story of this building which is located within a residence district, is prohibited by Section 3, Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 16.91 ft. frontage by 95.04 ft. in depth, on which is located a two story and cellar, Class 4 constructed building, 16.91 by 83 ft. in area, occupied as a dwelling, with an undertaking establishment on the first story and that it is proposed to extend this use to the 2nd story; and

WHEREAS, the applicant contends that this application is filed for the purpose of obtaining a variation from the requirements of the zoning resolution, Art. 2, Sec. 3, prohibiting a business use in a residential district and so noted by Objection 1, recorded in Alteration Applic. 364-44; that the records in the Board's files disclose the fact that a business use in this building was granted under Cal. 515-29-BZ, permitting the use of the 1st floor as a funeral parlor, and granted by the Board on January 14, 1930; that the building at present is vacant and a prospective tenant desires to occupy it, but in the manner of its present arrangement, offices on 1st floor and funeral chapel on the 2nd floor, with the living quarters divided partly on 1st floor and partly on 2nd floor, as shown on plans filed with this application; that the Superintendent's objection as worded, presumes to condemn the business use in the entire building and pays no attention to the fact that your Board granted such use in 1930—14 years ago; that such grant limited the business use to the 1st story and residence on 2nd floor, but this brings up the point how was the brick extension allowed to be constructed with its chapel arrangement—certainly such an extension, a volume of 16.91 ft. front 20 ft. deep and 2 stories and cellar, could not get by without some supervision and approval on the part of parties in authority; that this request for a variation is vertically rather than horizontally; since that a business use was granted for the 1st floor; that this request is not to spread the business use over a greater area, but the volume, that with the foregoing facts before the Board, the matter is left for their judgment in the hope of obtaining a favorable solution; and

WHEREAS, the premises and surrounding area are familiar to the Board inasmuch as inspections have been made at different times in the general area; and

WHEREAS, it appears that the Board has previously acted on these premises and denied the application as to the occupancy of the second floor for business purposes; and

WHEREAS, it also appears that the conditions of the variance granted on January 14, 1930, were not complied with, in that a permit was not obtained within the time stipulated or at any time thereafter; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7c of the zoning resolution.

Resolved, that the decision of the borough superintendent on Alt. Applic. 364-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

192-38-BZ

APPLICANT—Powers and Hopkins, for Walter W. Welton, et al., owners.

SUBJECT—Application reopened December 19, 1944, for consideration as to extension of permit (expired by limitation)—Application (decision of the acting borough superintendent) previously granted on condition, under section 7i of the zoning resolution, for a term of two years, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx.

APPEARANCES—

For Applicant: John T. Powers.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (192-38-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building, to a motor vehicle repair shop, affecting premises 1679-1681 Jerome avenue, west side, 275 ft. north of Featherbed lane (Block 2861, Lot 32), Borough of The Bronx, was granted by the Board on May 24, 1938, on certain conditions; and

WHEREAS, the permit was extended on April 16, 1940 and April 7, 1942 and the applicant requested a further extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on Decmber 19, 1944, restored to the calendar and set for hearing on January 16, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Sandrads and Appeals, at its regular meeting on January 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 24, 1938, as amended through April 7, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7i to permit the premises under appeal to be occupied for a term of two (2) years from the date of this *amended* resolution, as a motor vehicle repair shop, *on condition* * * * that a certificate of occupancy shall be obtained and that other than as herein *amended.* the conditions of the resolutions of May 24, 1938 and April 16, 1940, shall be complied with."

512-40-BZ

APPLICANT—Henry Nordheim, for Salvatore Rulla, owner.

SUBJECT—Application reopenced November 28, 1944—re extension of permit—(decision of the borough superintendent) under section 7i of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district the maintcnance of a motor vehicle repair shop, previously granted for a term of two years.

PREMISES AFFECTED—2623 Roberts avenue, north side, 100 ft. west of Blondell avenue and 1409 Blondell avenue (Block 4074, Lot 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (512-40-BZ)

WHEREAS, this application under section 7i of the zoning resolution, permitting in a business use and partly in an unrestricted use district, for a term of two years, the maintenance of a motor vehicle repair shop, affecting premises 2623 Roberts avenue, north side, 100 ft. west of Blondell avenue and 1409 Blondell avenue (Block 4074, Lot 22), Borough of The Bronx, was granted by the Board on October 28, 1941, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on November 28, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Blondell avenue is in an unrestricted use, B area and 1-times height district; Roberts and Halpern avenues are in a business and unrestricted use, B area and 1-times height district; and

WHEREAS, the decision of the borough superintendent, dated November 14, 1944, re request for a certificate of occupancy, reads:

"Your request dated November 9th in behalf of the owner, for the extension of the Certificate of Occupancy issued October 15, 1942, for the occupancy of a Motor Vehicle Repair Shop at 2623 Roberts Avenue, Block 4074, Lot 22, is hereby denied as the approval of the Board under Calendar 512-1940 B.Z. has expired October 28th, 1943. Your request for a new Certificate of Occupancy is also denied, as the occupancy as a Motor Vehicle Repair Shop partly in an unrestricted district and partly in a Business district is contrary to subdivision 29 of Section 4 "a" of Article 2 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 17.04 ft. frontage on Roberts avenue, 33.75 ft. frontage on Blondell avenue and a depth of 138.91 ft. and 110.18 ft.; that upon the Blondell avenue frontage of plot is a 2-story frame dwelling; that on the westerly portion is a one-story non-fireproof building, 25 ft. by 40 ft., permission to occupy same as a motor vehicle repair shop was granted by the Board for two years on October 28, 1941; and

WHEREAS, the applicant contends that on October 28, 1941, the Board granted approval to occupy the small brick building on the site for motor vehicle repairing, said variation to run for a term of two years; and that at the expiration date

in October 1943, there was no tenant to occupy the building, so the owner on notice from this applicant that a renewal application must be filed with the Board, stated he preferred to wait until another tenant could be found; that he has a tenant now and desires to continue the motor vehicle repairing occupancy; that the photographs will show nothing of importance in the way of changes in the neighborhood has taken place, so that conditions are about the same as at the time of the original grant; that the building is small and can only hold two cars at a time, thus it would not be a nuisance to the neighborhood; that it adjoins a large storage garage occupied by a milk company for their trucks and that there is an automobile wrecking yard at the corner of Blondell and Roberts avenues, so that this use would not be out of its local spheres; that the granting of this renewal will permit the owner to obtain some revenue for carrying charges, etc.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 28, 1941, so that as amended, the resolution shall read:

"*Granted* under section 7i for a term of two (2) years from the date of this *amended* resolution, to permit motor vehicle repairing to be carried on within the building located on that portion of Lot 22 facing on Roberts avenue, *on condition* * * * that a certificate of occupancy shall be obtained and that other than as herein *amended,* the conditions of the resoltuion of October 28, 1941, shall be complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS

232-44-A

APPLICANT—Anthony M. De Rose, for D'Abramo Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony M. De Rose and Guiseppe D'Abramo.

For Opposition: Louis A. Jackson and William J. Ryan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

590-44-A

APPLICANT—Endo Products, Inc., lessee, for Richmond Hill Realty Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—84-40 101st street, northwest corner of 85th road (cellar); (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Yaspan, D. L. Klein, Nathan Weiner and Sidney H. Kitzler.

For Administration: Edwin A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 23, 1945 at 10 A. M. for decision.

558-44-A

APPLICANT—Henry Nordheim, for Nicola Latini, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—711 Tilden street, north side, 72 ft. east of Gunhill road (1st and 2nd floors); (Block 4659, Lot 85), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Anthony Zaccardo and Nicola Latini.

For Opposition: Vincent N. Trimarco, George Ritzmann and Mary Ritzmann.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (558-44-A)

WHEREAS, Henry Nordheim, for Nicola Latini, owner, filed September 29, 1944, an appeal from a decision of the borough superintendent, affecting premises: 711 Tilden street, north side, 72 ft. east of Gunhill road (1st and 2nd floors); (Block 4659, Lot 85), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 364-44, dated December 5, 1944, reads:

"2. Proposed extension of business use in a building partly of frame construction is prohibited by Section 4.2.1 Building Code."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft.) in height, 16.91 ft. by 83 ft. in area; Class 3 and 4 construction; erected in 1905; located in a residence use, C area, Class 1¼ height district; used since 1929 as follows: Cellar—boiler and storage, no persons; 1st floor—funeral parlor and apartment, 10 persons; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, funeral parlor and two bedrooms in conjunction with living rooms on 1st story, 25 persons; that the building is equipped with one interior stairway in center of building, 3 ft. wide of wood construction, enclosed in lath and plaster partitions, equipped with wood doors; that there is a ladder and scuttle to the roof and the stairhall leads directly to the street; and

WHEREAS, the applicant contends that modification of the provisions of the Administrative Building Code is requested to permit the extension of the business use to about two-thirds of the second floor, as indicated on plans filed with Cal. 515-29-BZ; that the business use so established January 14, 1930, pursuant to permission granted by the Board; that the prospective tenant wishes to use two rooms on the 2nd floor as sleeping quarters; and

WHEREAS, the Board deemed that this appeal should be denied in view of the action at this meeting as to Calendar 515-29-BZ.

Resolved, that the decision of the borough superintendent on Alt. Applic. 364-44, objection 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

619-44-A

APPLICANT—Adam Fritz & John Zarnitz (d/b/a A. Fritz & Co.), lessees, for Mara Mattera, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—92 Greene street, east side, 100 ft. north of Spring street (5th floor); (Block 499, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Adam Fritz.

For Administration: Edwin A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (619-44-A)

WHEREAS, Adam Fritz and John Zarnitz, doing business as A. Fritz and Company lessee, for Mara Mattera, owner, filed October 28, 1944, an appeal from an order of the fire

commissioner, affecting premises 92 Greene street, east side, 100 ft. north of Spring street (5th floor); (Block 499, Lot 1), Borough of Manhattan; and

WHEREAS, Order 39341-LC, issued by the fire commissioner September 28, 1944, reads:

"Before a permit may be issued for the storage and use of lacquer, paint and varnish, the following must be done:

4. Provide a room enclosed by partitions of incombustible material in which to carry on the process of dipping. Rule 4.1.1.

5. Protect floor of the dipping room with a surfacing of one inch grout adequately reinforced or a mixture of portland cement, asphalt and sand similarly reinforced. Rule 4.1.1.

6. Protect ceiling of dipping room by 5/8" unsanded gypsum plaster or 7/8 inch of cement or sanded gypsum plaster on 3.0 pound metal lath or other equivalent fire-resisting ceiling protection. Rule 4.1.1."

and

WHEREAS, the applicant states the building is five stories in height; 25 ft. by 80 ft. in area; of Class 3 construction; erected prior to 1890; located in an unrestricted use, B area, Class 2 height district, and used and occupied since 1930 as follows: cellar, storage,—new and used cartons, 1 person; 1st floor, storage,—new and used cartons, 1 person; 2nd floor, manufacturing metal products, 1 person; 3rd floor, manufacturing lamps, 1 person; 4th floor, manufacturing wood working, 1 person; 5th floor, paint department, 1 person; and

WHEREAS, the applicant contends that the building is equipped with one 4½ ft. wide wood stairs enclosed in wood partitions, equipped with wood self-closing doors, which stairs lead directly to the street; that there is a ladder and scuttle to the roof; that the building is also equipped with two fire escapes, one at the front and one at the rear, extending to the roof by a ladder and to the street by stairs and to the yard by a ladder, with egress from the yard through adjoining buildings north and south; that windows and door openings on the course of the fire escapes are fireproof, but not self-closing; and

WHEREAS, under Cal. 1373-17-S, the building was described as having an interior stairway of the straight-run type, extending from the 1st story to the 5th story, enclosed in wood partitions with wood doors at the openings therein, leading to the street on the 1st story, through a hallway similarly enclosed and having a vertical iron ladder located near the upper termination of the stairway, extending to a scuttle in the roof and having a fire escape on the front, consisting of balconies at every story above the first, connected by 60 degree ladders with counter-balanced stairs from the 2nd story balcony to the street and fireproof windows on the course and having an exterior party wall balcony at the rear at each story above the first, embracing two non-fireproof windows in this and the adjoining northerly building; that the building was equipped with an interior fire alarm system and occupied as a tenant factory, tenants engaged in the manufacture of shirtwaists and clothing and having not more than 25 persons engaged at any one time above the 1st story and the building adjoining to the north under the same ownership; and

WHEREAS, said petition was granted by the Board October 4, 1917, omitting the requirement of extending the interior stairway to the roof, on condition that a goosenecck ladder leading to the roof, be provided from 5th story balcony of the front fire escape on this or the adjoining northerly building, said variation granted only during the period that conditions as set forth remained unchanged; and

WHEREAS, the applicant further contends, that prior to the war, it started to lay out a new paint department but was unable to complete its installation due to War Production Board restrictions; that it appeals for suspension of Items 4, 5 and 6 of the fire commissioner's order for the duration of the war; that it is specified that the material necessary to comply with Items 1, 2, 3 and 8 of the order will be obtained and the work will be completed as soon as possible.

Resolved, that order 39341-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objections 4 and 5, *on condition* that the area where the dipping is carried on, shall have a concrete floor and coping (curbing), as indicated on plan filed with this appeal marked "Received October 28, 1944"; that all doors leading to stairway and fire escape shall be made self-closing; as to objection 6, that the ceiling for a projected area extending 6 feet beyond the dipping space, shall be protected as required under Rule 4.1.1; that the spray booths shall comply with all requirements therefor; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; and *granted* only so long as the occupancy of the building above the first floor shall not exceed twenty-five (25) persons; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 1373-17-S.

668-44-A

APPLICANT—Sylvania Electric Products Inc., lessee, for Benjamin Von Sholly, Anna Von Sholly and Bertha Von Sholly, owners.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—34-10 Linden place, west side, 450 ft. north of 35th avenue (Block 783, Lot 82), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Samuel D. Smith, Jr., Bernard F. Brooks and Francis C. Breeden.

For Administration: Edwin A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (668-44-A)

WHEREAS, Sylvania Electric Products Inc., for Benjamin Von Sholly, Anna Von Sholly and Bertha Von Sholly, owners, filed November 22, 1944, an appeal from an order of the fire commissioner, affecting premises 34-10 Linden place, west side, 450 ft. north of 35th avenue (Block 783, Lot 82), Flushing, Borough of Queens; and

WHEREAS, Order 98031-LC, issued by the fire commissioner October 26, 1944, reads:

"You are hereby notified that an inspection of the above premises, used to store and use Hydrogen Gas, etc., shows that the following must be done before the permit requested by you can be issued:

3. Discontinue storage and use of hydrogen gas, as the process of heat treatment of metals in a current of hydrogen gas creates a dangerous condition and is against the interest of public safety. C19-11.0, Admin. Code."

and

WHEREAS, the applicant states the building is one story (20 ft.) in height, 100 ft. by 125 ft. in area; Class 3 construction; erected in 1937; located in an unrestricted use, B area, Class 1 height district; used and occupied since July, 1943, as follows: Cellar, heating system and storage, no persons; 1st floor—engineering research laboratory, 53 persons, for which Certificate of Occupancy 31345 was issued July 27, 1944; and now proposed to be used and occupied as follows: cellar, same; 1st floor, same, 60 persons; that the building is equipped with one 4 ft. wide concrete fireproof enclosed stair from the basement to the first story, equipped with metal-clad, self-closing doors; and

WHEREAS, Certificate of Occupancy 31345 was issued on Alt. Applic. 34-44; and

WHEREAS, an amendment was filed June 14, 1944, with

the borough superintendent, to Alt. Applic. 38-44, requesting that occupancy be increased to 65 men and 25 women; and

WHEREAS, said amendment was approved June 22, 1944, prior to the issuance of Certificate of Occupancy 31345, permitting the use of the first floor for laboratory and offices with an occupancy of 35 persons; and

WHEREAS, the applicant states that the use of hydrogen in this building began in August, 1943; that periodic inspections have been made by inspectors of the Fire Dept. since that time, but it was not until 1944 that the applicant was requested to file an application for a permit, which was filed July 13, 1944; that certificates of fitness were granted by the Fire Department in February 1944, for three of the laboratory technicians who handle hydrogen gas in their work; and

WHEREAS, the applicant contends as to item 3 of order 98031-LC, that the use of hydrogen is necessary in the daily conduct of research problems in the laboratory; that the applicant has installed a hydrogen system conforming to the company's high standard of safety with consideration to those materials available at the present time; that the active hydrogen tanks are attached to an approved type manifold, housed in a separate enclosure at the northeast corner of the building; this enclosure has been placed in the building, as the applicant has access to no adjoining property outside of this building; that said enclosure is of masonry construction, duct-ventilated through the roof, with explosion-proof lighting; all switches are located outside the enclosure, which is entered by means of an approved metal-clad self-closing fire door; that in view of the small number of cylinders kept on hand at any one time, the empty cylinders are stored in the same enclosure; all cylinders, both empty and in use are held in place by a nonferrous metal strap; the cylinders in use are attached to a manifold, supplied on the recommendation of the Air Reduction Sales Corp., Inc.; this manifold is attached to masonry walls and consists of ¼ inch high pressure copper tubing connecting the cylinders through a cylinder type valve to a high pressure ½ inch brass pipe; that from this high pressure pipe, the gas passes through another cylinder type valve to a two-stage manifold, where the pressure is reduced to 10 lbs; that a flash-back arrestor is connected to the regulator through a ⅜ inch copper tubing; that this arrestor consists of a check valve, the escape side of which is ventilated to the outer air by ⅜ inch copper tubing; that the gas passes from the arrestor through another check valve by means of ¾ inch black iron pipe before being distributed to the laboratory; that distribution lines are reduced to half an inch for feeding the individual pieces of equipment in the laboratory; that at each station a reducing valve permits reduction of pressure to approximately 1 lb. for laboratory use; that the men handling the gas have obtained certificates of fitness and that these men or those under their direct supervision are the only ones who handle and operate the hydrogen equipment; that the total number of cylinders on hand at any one time never exceeds six, of which two would normally be connected to the manifold, with a maximum of two full cylinders in reserve and two empty ones in storage; that the consumption of hydrogen approximates one cylinder per week.

Resolved, that order 98031-LC of the fire commisioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the number of cylinders on the premises shall at no time exceed six (6); that the method of handling the hydrogen shall be substantially as proposed and installed and maintained to the satisfaction of the fire commissioner; that the hydrogen tanks shall be maintained in a fireproof enclosure, as proposed; that such enclosure shall be as approved by the borough superintendent; that the floor of the storage room shall be insulated to the satisfaction of the fire commissioner; that an explosion vent shall be installed in the roof within the enclosure, not less than 12 sq. ft. in area; that a hydrogen detector unit with a detector alarm shall be installed and maintained in connection with the system, to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that in view of the hazardous occupancy, exits shall be made to comply with the requirements of the borough superintendent; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MATERIAL SUBMITTED FOR APPROVAL

616-44-SM

APPLICANT—Charles A. Lutz, for Pittsburgh Steel Co., owner.

SUBJECT—Pittsburgh Welded Wire Reinforcement, approval of.

APPEARANCES—
For Applicant: Charles A. Lutz.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (616-44-SM)

WHEREAS, Charles A. Lutz, for Pittsburgh Steel Co., owner, filed on November 1, 1944, an application with the Board of Standards and Appeals for approval of the material known as Pittsburgh Welded Wire Reinforcement; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committe on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 616-44-SM
Subject: Pittsburgh Welded Wire Reinforcement, Approval of.

January 4, 1944.

The Pittsburgh Steel Company of Pittsburgh, Pa., filed an application with the Board of Standards and Appeals under the mandatory requirements of C26-178.0,b for the approval of their welded wire reinforcement (FIG. 1) under the Board's powers as prescribed in C26-191.0,a for use as a metal reinforcement in concrete floors and other concrete construction, requiring metal reinforcement and as provided under C26-318.0, C26-319.0, C26-366.0, C26-478.0 and C26-620.0,b and d.

DESCRIPTION

Pittsburgh Reinforcing is essentially an electrically welded wire fabric of square or rectangular mesh furnished in various gauges and spacings of wires (FIG. 1). The material is fabricated by automatic machines which accurately space and securely assemble the wires into fabric form by electrically welding each longitudinal and transverse member at their intersection. The fabric is manufactured from a special high-grade cold drawn steel wire, which may be furnished with either plain or galvanized (zinc coated) finish.

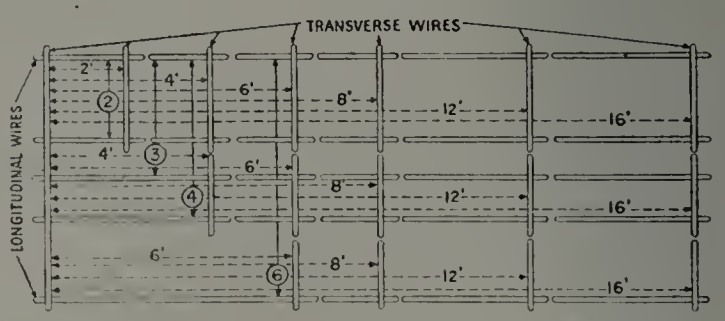

FIG. 1

Pittsburgh Reinforcing is characterized by the longitudinal and transverse members not being connected by any form of wraps, clips or ties. In this product, rigid-

ity of the mesh is obtained by welding by actually fusing together the transverse and longitudinal members at every point of intersection by means of electricity. The result is a rigid connection at every joint, giving a joint of such strength that the force necessary to strip a transverse member apart from the longitudinal to which it is welded actually exceeds, in the majority of cases, the tensile strength of the longitudinal member itself. This is accomplished without any loss in tensile strength of the fabric either longitudinally or transversely — a phenomenon readily accounted for by the fact that the process of electric welding does not merely braze the wires together, but actually fuses the metal of the two intersecting wires into one homogeneous section as shown in FIG. 2.

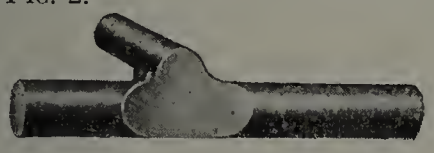

FIG. 2

The basic element of all types of Pittsburgh Reinforcing is a welded steel wire fabric. This welded fabric is manufactured from a special high quality steel wire having an ultimate tensile strength of from 70,000 to 90,000 pounds per square inch. The material is not a high-carbon wire but one which, although possessing high tensile strength, has elastic and ductile properties in excess of the minimums established by the most rigid structural specifications. The fabric consists of a series of parallel longitudinal wires across which are electrically welded a series of transverse wires thus creating either a square or rectangular mesh depending upon the relative spacing of the two groups of wires. Significant characteristics of the material are also shown by the perfect alignment of all wires, the open unobstructed mesh, and the clean-cut rigid connection between wires at every welded joint.

In fabricating the mesh a series of wires, which are to form the longitudinal members in the finished fabric and which may be of practically any gauge, are automatically drawn from supply reels through a machine which accurately spaces and holds them a certain specified distance apart. The progress of the longitudinal wires through the machine is interrupted momentarily at definite intervals while a strand of transverse wire is shuttled across the longitudinals at right angles to their length. At each point where this transverse wire crosses a longitudinal, there is then applied an elcctical welding device. This welding device, acting under a predetermined pressure, applies at each point automatically an electric current which thoroughly fuses the metal of the two wires together, thereby establishing an absolute connection between the transverse and longitudinal wires at every intersection. After a transverse strand has thus been welded into place, the longitudinal wires are then automatically drawn forward a specified distance, a strand of transverse wire is again shuttled into place and securely welded to the longitudinal wires as before. Thus the process continues and the finished material, as it is delivered from the machines, is run off into rolls or sheets of any desired dimensions.

Product control is accomplished by maintaining complete records of each heat of steel from the initial charge used in the open hearth to the finished wire for the manufacture of welded wire mesh, by competent metallurgical observers. Each shipment can be traced back through each department to the open hearth. Prior to manufacturing the wire into mesh, the coils are thoroughly tested and all records of the physical and chemical characteristics are available for each heat of steel. In this manner, any coils which do not conform to ASTM A-82 are rejected and used for other purposes thus insuring that all wire that enters the fabric department to be welded into wire mesh conforms to the required specifications. On all welded mesh the power is controlled by transformers and timers and the welds are periodically tested by inspectors both by bending at the weld and by gauging the depth of the weld.

TESTS.

Tests on samples of Pittsburgh Welded Wire Reinforcement for compliance with the requirements of C26-318.0 wherein such tests are to meet the requirements of ASTM D., A82-34 were made at the Pittsburgh Testing Laboratories, Laboratory #353358, File 458.72, with results as follows:

	Original Area sq. in.	Yield point lbs.	Max. load lbs.	Yield point lb. per sq. in.	Tensile Strength lb. per sq. in.	Reduction of area per cent
#1 Gauge	.0620	4280	4600	69040	74200	61.1
#2 Gauge	.0535	4000	4290	74770	80190	60.0
#3 Gauge	.0456	3320	3500	72820	76760	61.2
#4 Gauge	.0391	3100	3300	79280	84400	53.4
#5 Gauge	.0333	2410	2540	72380	76280	57.1
#6 Gauge	.0284	2180	2270	76770	79940	55.3
#7 Gauge	.0243	1820	1920	74900	79000	55.6
#8 Gauge	.0204	1390	1620	68140	79420	63.2
#9 Gauge	.0167	1040	1290	62880	77240	73.7
#10 Gauge	.0143	980	1110	68540	77620	69.2
#11 Gauge	.0115	855	960	74350	83480	72.2
#12 Gauge	.0084	690	715	82140	85120	66.7

Degree of Bend around a pin equal to diameter of Square / 180° — No sign of cracking on outside of bent portion

Above applies on all gauges listed.

RECOMMENDATIONS.

On the basis of the foregoing data wherein the Pittsburgh Welded Wire Reinforcement meets the requirements of C26-318.0, the Committee on Tests recommends the approval of this concrete reinforcing material under C26-191.0, when manufactured of the properties as described herein and when identified as prescribed in C26-319.0 for uses as follows:

Under C26-366.0 as a metal reinforcement in concrete for allowable working stresses as prescribed therein:

Under C26-478.0 as a shrinkage and temperature reinforcing material when manufactured and used in area per width of foot of slab as is contained therein;

Under C26-620.0,b as a reinforcing mesh when meeting the percentage requirements thereof and with the steel coefficient determined as prescribed in C26-620.0d.

It is further recommended that adequate chairs of metal or other equivalent means be provided so as to keep the reinforcement clear of the bottom of the slab as prescribed in C26-620.0,b. Further that each roll of metal reinforcement carry a tag, label or stamp reading, in addition to the marking as prescribed in C26-319.0, as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 616-44-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Pittsburgh Welded Wire Reinforcement, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

MINUTES

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 16, 1945, 2 P. M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

496-43-A

APPLICANT—Clayton G. Shirkey, for Rosina and Dominick Zafonti, and Guiseppe and Mary Zafonti, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—435 Beach 72nd street, southwest corner of Hessler avenue (Block 523, Lots 22 and 24), Arverne, Borough of Queens. (Under Section 35, General City Law—re bed of mapped street—Barbadoes drive.)

APPEARANCES—

For Applicant: Clayton G. Shirkcy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (496-43-A)

WHEREAS, Clayton G. Shirkey, for Rosina and Dominick Zafonti and Guiseppe and Mary Zafonti, owners, filed October 21, 1943 an appeal from a decision of the borough superintendent, pursuant to Section 35 of the General City Law relating to the erection and maintenance of buildings in the bed of a mapped street (Barbadoes drive), affecting premises 435 Beach 72nd street, southwest corner of Hessler avenuc (Block 523, Lots 22 and 24), Arvcrne, Borough of Qucens; and

WHEREAS, the decision of the borough superintendent dated July 7, 1944 on Misc. Applic. 4100-39, reads:

"5. Building appears to be in bed of mapped street. Secure permission of Board of Standards and Appeals for these buildings as per Articlc 3, Section 35 of General City Laws."

and

WHEREAS, the applicant states that the buildings in question arc one story (10 ft.) in height, 59 ft. by 20 ft. in area and 18 ft. by 26 ft. in area on a lot 100 ft. by 100 ft. in area, located in a business and unrestricted use, D area district, erected in 1926, of frame construction and used and occupied as follows: five individual garages and storage shed, chicken coop, store and dwelling; and

WHEREAS, Violation 823-43 was issued for occupying frame garages without a Certificate of Occupancy; and

WHEREAS, the applicant states that the premises were zoned for business use throughout, prior to 1939; that Barbadoes drive was placed on the tentativc map on Rockaway Beach on April 27, 1912; that Fire Department permit for non-storage garage for five cars was issued to expire March 17, 1944; that the store and dwelling were erected under N.B. Applic. 162-26, approved January 29, 1926 and work commcnced January 26, 1926; that the garages were erected in 1926, but no record is to be found in the files of the Department of Housing and Buildings; that the buildings wcre in compliance with the Building Code at the time of erection; that there is no record of a permit to cross the sidewalk; that there is no sidewalk or curb at the premises, except at front of the store building; that a permit to cross the sidewalk will be applied for; that the present owner acquired the property in 1922; that Barbadoes drive exists for two blocks between Burchell and Hillmeyer avenues further to the north and along Jamaica Bay; that Barbadoes drive has never been dedicated to public use or legally adopted; that no utilities are installed in or on Barbadoes drive; that there arc other buildings in the bed of Barbadoes drive as mapped, one on the premises to thc south of the premiscs in question and others to the north and west; and

WHEREAS, the applicant contends that Barbadoes drive has nevcr been taken over by the City and there is no immediate prospect that it will be taken over by the City; that there is an existing two family dwelling on the premises, which was permitted to be crected after the street was shown on the zoning map; that the buildings in question are existing buildings on which the owner has paid taxes for many years; that they are an accessory use to the dwelling where the owners live and to the business in which the owner is engaged, namely, that of trucking and gardening and caring for lawns; that it would be a hardship to be deprived of the use of the buildings in question, as such loss of use would impair the owners' means of livelihood; and

WHEREAS, the Board is in receipt of a communication dated August 24, 1944 from Department of City Planning of the City Planning Commission, stating that this section of Barbadoes drive has not been incorporated on the city map, although it is shown on a tentativc map approved by the Board of Estimte and Apportionment June 27, 1912 and that, however, the adjoining portion of Barbadoes drive has becn laid out on the final map, Section 215, and the presumption is clear that this mapped section of the street will be extended eventually to a connection with the established street system southerly of Hessler avenue; and

WHEREAS, due notice of public hearing on this appeal was had by publication in the Bulletin of the Board of Standards and Appeals in accordance with the requirements of Section 35 of the General City Law; and

WHEREAS, the residential building is not included in this appeal, even though located partly in the bed of the proposed strect and the Board is not reviewing the permit which the applicant states was issued by the Department of Buildings prior to the adoption of Section 35 of the General City Law.

Resolved, that the decision of the borough superintendent on Misc. Applic. 4100-39, objection 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under thc powcrs vested in the Board under Section 35 of the General City Law, *on condition* that upon condemnation for street purposes of the buildings involved in this appeal, namely, the five car garage and the building described as storage shed, the owner shall be reimbursed for such buildings in an amount which the court may find as the true value at thc time of erection in 1926, less amortization at thc rate of 4% per annum for each year since 1926; that the garage building shall not be occupied for more than five (5) motor vehicles; that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto as required under the building code provisions in effect in 1926.

626-44-A

APPLICANT—Seelig and Finkelstein, for Joseph Rinaldi, owner (United Uniform Co., lessee).

SUBJECT—Appeal from a dccision of thc borough superintendent.

PREMISES AFFECTED—1582 86th street (1578 displayed), southwest cornor of 16th avenuc (1st floor); (Block 6363, Lot 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Scelig.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (626-44-A)

WHEREAS, Seelig and Finkelstein, for Joseph Rinaldi,

owner (United Uniform Company, lessee), filed November 2, 1944, an appeal from a decision of the borough superintendent, affecting premises 1578 (displayed) 1582 (official) 86th street, southwest corner 16th avenue (1st floor); (Block 6362, Lot 46), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated October 31, 1944, on amendment to Alt. Applic. 244-44, reads:

"1. Fixed window guards contrary to Sec. 273-3 of the Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories (25 ft.) in height, 40 ft. by 85 ft. in area, of class 3 construction, erected in 1922, located in a business use, C area, class 1 height district, used and occupied since 1922 as follows: cellar—boiler room, show room and clothing shop —5 persons; 1st floor—show room and clothing shop—65 persons; proposed to be used and occupied upon completion of alteration as follows: cellar—boiler, storage and manufacturing clothing—5 persons; 1st floor—office, storage and manufacturing clothing—65 persons; 2nd floor—manufacturing uniforms and storage—40 persons; that the building will be equipped with two interior stairs, one on each street front from the 2nd story to the street, of steel and concrete construction with 8 inch brick enclosures, equipped with fireproof self-closing doors and a ladder and scuttle to the roof will be provided; and

WHEREAS, the applicant contends that there are 16 windows affected on the 1st floor; that the building was erected as a one story building in 1922, for showroom and clothing shop and has been so occupied by the present lessee since its erection and the bars on the first story windows were installed during the original building construction; that in January 1944, the first story space became inadequate to take care of the war contracts and it became necessary to erect a 2nd story, which work has been completed, but upon application for a certificate of occupancy, an objection was raised as to the existing window guards on the first floor; that there are two interior fireproof stairways, remote from each other; that a scuttle and ladder is provided from each stair to the roof; that the exit doors on the 1st floor lead directly to the street; that all ceilings are surfaced with metal and the boiler room is separated from the factory portion by 4 in. terra cotta partitions with a fireproof, self-closing door and has a separate and direct exit to the street; that since the window guards on the first story are essential to protection against robbery, so prevalent in factories handling the type of merchandise used in this factory and that the window guards had previously been installed and have been in existence for a period of about 22 years and the occupancy has not changed and since the exits as provided are easily accessible and no point in the floor area is more than 40 ft. distant from an exit, it is submitted that the Board should reverse the decision of the borough superintendent and grant the appeal; and

WHEREAS, the applicant states that not more than 100% of the area of the lot is to be used for manufacturing.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on amendment to Alt. Applic. 244-44, objection 1, and that the appeal be and it hereby is *granted on condition* that no additional windows shall be barred; that one of the sixteen windows in question, namely, the one in the manufacturing space adjacent to the office wall in the facing on 16th avenue, shall be made to hinge outwardly and made readily openable so as to be available for emergency exit at all times while factory operations are in progress; that the existing exits shall be maintained openable at all times, in accordance with the requirements; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

724-44-A

APPLICANT—H. E. McCormack, for John Lowry, Inc., (Field Publications, owner).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—164-166 Duane street and 21 Hudson street, southwest corner (cellar); (Block 141, Lot 32), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Heiser, R. Carpenter and H. E. McCormack.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (724-44-A)

WHEREAS, H. E. McCormack, for John Lowry, Incorporated, for Field Publications, owner, filed December 11, 1944, an appeal from a decision of the borough superintendent, affecting 164-166 Duane street and 21 Hudson street, southwest corner (cellar); (Block 141, Lot 32), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated January 8, 1945 on P & D. Alt. Applic. 945-43, reads:

"1. Sewage ejector is not of the approved type.

2. Vent piping to ejector foot is contrary to Section C26-1316.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is 12 stories (150 ft.) in height; 44 ft. 7 in. by 123 ft. 8 in. by 98 ft. 7½ in. in area; of Class 1 construction; erected about 1900, located in an unrestricted use, A area, Class 2 height district and used and occupied since March, 1944, as follows: Cellar, storage and boiler room, 10 persons; 1st floor, press, stereotype and mailing, 65 persons; 2nd floor, composing room and offices, 60 persons; 3rd floor, offices, 55 persons; 4th floor, factory and offices, 45 persons; 5th floor, factory, 70 persons; 6th to 11th floors, factory, 50 persons each; 12th floor, factory, 75 persons; that no change in use or occupancy is proposed; that the building is equipped with a one source sprinkler system, a standpipe and interior fire alarm system; that fire drills are not maintained; that the building is provided with three (3) ft. wide steel and concrete stairs, enclosed in hollow tile and brick partitions, equipped with fireproof self-closing doors; that one of these stairs leads to the roof and two lead to the street; and

WHEREAS, Violation No. 8879-44, issued November 30, 1944, was for installing ejector in cellar without complying with the Plumbing Code on relief piping; and

WHEREAS, the applicant contends that the Board is requested to grant an exception to the ruling of the borough superintendent relative to the 100 gallon per minute Nash-Sewage Ejector installed on these premises, so as to permit the issuance of a certificate of occupancy; that Nash Sewer Ejectors have been installed in over 200 buildings in New York City, some of them have been in use for upwards of 20 years and have adequately met the intent of Section C26-1316.0 of the Administrative Code; that the objections of the borough superintendent in this case are as to the size of the connections and venting mechanism; that these connections are adequate and have ample size for the air volume and pressure required for this small sized ejector; and

WHEREAS, the Jennings Sewage Ejector, as manufactured by the Nash Engineering Company, is now before the Board for test and approval under Cal. 151-44-SA; and

WHEREAS, the Jennings Sewage Ejector installed is classified by the manufacturer as 100 gallons per minute for an 18 ft. discharge head.

Resolved, that the decision of the borough superintendent acting on P. & D. Alt. Applic. 945-43, objections 1 and 2, be and it hereby is *modified* and that the appeal be and it

hereby is *granted on condition* that the appliance shall have valves, piping and connections, which are furnished as an integral part of the same, of sufficient size to relieve the ejector pot to atmospheric pressure in not more than ten (10) seconds; that the minimum size of such relief connection shall be not less than 1¼ inch in diameter; that from the device, an independent vent line of not less than 3 inches in diameter, shall be connected thereto and carried independently to the roof, terminating in the same manner as required for vent pipes under Section C26-1307.0.

743-44-A

APPLICANT—Saul Goldsmith, for Joansa Corporation, owner (Great Metal Mfg. Corporation, lessee).
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—1-11 Wyckoff avenue and 418-424 Jefferson street, southeast corner (Block. 3177, Lots 4, 7 and 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Saul Goldsmith and Herman Katz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (743-44-A)

WHEREAS, Saul Goldsmith for Joansa Corporation, owner (Great Metal Manufacturing Corporation, lessee), filed December 21, 1944, an appeal from decisions of the borough superintendent, affecting revocation of approval of plans for premises 1-11 Wyckoff avenue, and 418-424 Jefferson street, southeast corner (Block 3177, Lots 4, 7 and 8), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated December 14, 1944, reads:

"Alt. No. 3042-44
P. & D. No. 2278-44

Please take notice that I have this day revoked the approval of the above numbered application for the reason that the work proposed does not comply with the requirements of the Building Zone Resolutions as modified by amendments effective December 2, 1944."

and

WHEREAS, the decision of the borough superintendent, dated December 26, 1944, reads:

"This will acknowledge receipt of your letter of December 22nd in which you request reconsideration of my action in revoking the above applications.

We have carefully reviewed the records in this case and find that on the basis of these records and the law, I must adhere to my original decision and let the revocation stand."

and

WHEREAS, the decision of the borough superintendent, dated January 8, 1945, reads:

"This will acknowledge receipt of your letter of January 5th in which you ask reconsideration of my denial of December 28th in answer to your letter of December 22nd. This is in reference to the revocation of the above numbered application.

I can only repeat my previous letter and inform you that I must adhere to the original decision and let the revocation stand."

and

WHEREAS, the applicant states that the existing building is 65 ft. by 80 ft. in area, 4 stories (52 ft.) in height, of class 3 construction, erected in 1922, located in an unrestricted use, C area class 1 height district and used and occupied throughout as a factory, 100 persons per floor and proposed to be used and occupied throughout for manufacturing, 100 persons each floor; that the building to be used for manufacturing metal radio parts and other metal parts, except that portions of the 2nd and 3rd floors will be used for manufacturing of clothing; that the building is equipped with a one source sprinkler system, two 3 ft. 8 in. wide fireproof stairs from the roof to the street; and

WHEREAS, Alt. 3042-44 filed with the borough superintendent indicates that the building will be 115 ft. by 90 ft. 5 in. by 115 ft. in area, 4 stories (52 ft.) in height, upon completion of the alterations; and

WHEREAS, the applicant contends that the existing building is of class 3 construction, 4 stories in height, 65 ft. by 80 ft. in area; that it is proposed to erect a four story addition 50 ft. by 90 ft. of class 3 construction, to be equipped throughout with a sprinkler system; that the building is located in an unrestricted use, C area class 1 height district; that plans were filed October 13, 1944 and approved by the borough superintendent November 8, 1944, after approval by the Board of Transportation on November 7, 1944; that these plans were filed with the WPB October 4, 1944 and after revision were approved in part on November 29, 1944; that plans and specifications were let out for contract figures and by December 1, 1944, the applicant was ready to award the contract; that concurrent with the actions above set forth, the Zoning Law was amended and the owner hesitated to proceed in order to avoid any legal entanglements; that the Zoning Law was amended effective December 2, 1944 and solely based on these amendments, the borough superintendent revoked the approval on December 14, 1944; that this appeal is based on the question of the right of the borough superintendent to revoke the approval under the Building Code and other laws; that the lessee is engaged in war work and has made substantial progress, in order to proceed with the addition to the building; that it was never intended to misrepresent in any way, the lessee's desire to commence construction immediately; that the approval of the borough superintendent was not secured for Zoning Law evasion; that the needs are critical for increased floor space and it is therefore submitted that the Board should permit the construction to proceed; that the only action necessary to make the approval a permit, is the filing of the certificate of workmen's compensation; that the permit was not secured since evidence of workmen's compensation had not been filed; that under section C26-180.0 of the Building Code it speaks of "permit or approval."

WHEREAS, the Board deemed that the owner has exercised due diligence in obtaining approval of plans, approval of the War Production Board and other authorities and should be permitted to proceed with the work under a permit as if such a permit had been issued prior to the effective date of the amendments to the Zoning resolution—namely December 2, 1944.

Resolved, that the decision of the borough superintendent dated January 8, 1945 relating to Alt. Applic. 3042-44 and P. & D. Applic. 2278-44 be and it hereby is *reversed* and that the appeal be and it hereby is *granted,* restoring the approval of plans and directing the issuance of a permit upon the filing of a proper application as required by section C26-161.0 and submission of policy covering workmen's compensation insurance applicable to the work involved.

1229-24-A

APPLICANT—Henry J. Nurick, for Elinore Gellert, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the superintendent of buildings (previously granted on condition).
PREMISES AFFECTED—923-931 Franklin avenue and 68-74 Crown street, southeast corner (Block 1294, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Henry J. Nurick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF Board—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1229-24-A)

WHEREAS, this appeal from a decision of the superintendent of buildings, affecting premises 923-931 Franklin avenue and 68-74 Crown street, southeast corner (Block 1294, Lot 8), Borough of Brooklyn, was granted by the Board on November 25, 1924, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted under Cal. 1229-24-A, on November 25, 1924, by adding thereto:

"* * * that in the event the present owner desires to occupy the building for light manufacturing, such use may be permitted in this building and the adjoining garage, which was permitted to be connected thereto under Cal. 291-24-BZ by resolution adopted on June 24, 1924, *on condition* that the building shall not be increased in height or area; that any gasoline service equipment shall be temporarily sealed to the satisfaction of the fire commissioner; that this use shall not extend beyond the term of the existing emergency and for not more than six months thereafter, and to permit the resumption of the garage occupancy upon the termination of the factory use as therein permitted."

138-44-A

APPLICANT—B. M. Sylvan, Robert J. Kilpatrick and Junius J. Pittman, owners (Rose Feller, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—107-109 East Burnside avenue, north side, 60.3 ft. east of Morris avenue (Block 3169, Lots 66 and 67), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin M. Sylvan and Rose Feller.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN TO AMEND—

Affirmative: Chairman Murdock 1
Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (138-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 107-109 East Burnside avenue, north side, 60.3 ft. east of Morris avenue (Block 3169, Lots 66 and 67) Borough of The Bronx, was granted by the Board on May 31, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 31, 1944, so that as amended, the resolution shall read:

"*Granted on condition* that the buildings shall not be increased in height or area; that the floors shall be reinforced and approved for a live load on each of the 2nd and 3rd floors of not less than 100 lbs. per superficial foot for the public occupancy portions as shown, to the satisfaction of the borough superintendent; that the existing primary means of exit may be continued as shown on revised plans marked 'Received May 25, 1944', provided the existing rear fire escapes are removed and a steel stairway constructed as indicated on such plans with a means of exit provided through the court and fire passage of the adjoining building at 2055 Creston avenue and leading directly to Creston avenue; that such passageway shall be open and unimpeded at all times; that all doors leading to such fire escape shall be at the floor level with outwardly opening doors not less than the width of the stair and all openings on the course of the fire escape, shall be fireproof and self-closing and glass used therein shall be wire glass; that the existing light shaft along the westerly lot line shall be closed off with approved masonry as shown and floored over as proposed and maintained as a passage between the front and the rear; that the kitchen space shall be protected by sprinklers which may be attached to the domestic water supply; that such portable fire fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that the total occupancy of the second and third floors shall not exceed 125 persons each; that this variance shall continue only so long as an exit is provided through the building at 2055 Creston avenue or some other means of exit equal thereto is provided, not however, including an exit through the cellar of the building under appeal; that dancing may be permitted in the restaurant in the easterly space on the second floor in addition to restaurant on the 3rd floor, provided the floor is approved by the borough superintendent for a floor load of not less than 100 lbs. per sq. ft.; that the space on the second floor to the west designated as 'office' on the plans filed with the Board marked 'Received May 25, 1944' shall be occupied for office only and not for a restaurant or for dancing or a meeting room."

432-44-A

APPLICANT—Benjamin M. Sylvan, for 1174 Bedford Avenue, Incorporated, owner (Henry Voijlo, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1174-1184 Bedford avenue, northwest corner of Putnam avenue (2nd and 3rd floors and mezzanine); (Block 1990, Lot 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin M. Sylvan.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (432-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting 1174-1184 Bedford avenue, northwest corner of Putnam avenue (2nd and 3rd floors and mezzanine); (Block 1990, Lot 30), Borough of Brooklyn, was granted by the Board on September 19, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does

hereby amend the resolution of September 19, 1944, so that as amended, the resolution shall read:

"that the decision of the borough superintendent on P. A. Applic. 22-44 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exits as shown shall be maintained as approved under Certificate of Occupancy 1713 issued October 21, 1927; that such Certificate of Occupancy, however, shall be amended to show the permitted occupancy for each floor; that such occupancy shall be based on the capacity of all of the exits as approved under Certificate of Occupancy 1713; that the easterly window on the mezzanine floor in the space marked 'kitchen' shall be converted to a casement door leading to the fire escape and with fixed steps leading thereto * * * and that other than as herein *amended*, the conditions of the resolution of September 19, 1944, shall be complied with."

646-44-A

APPLICANT—Frank D. Hutchinson, for Metropolitan Engineering Co., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank D. Hutchinson and J. H. Lawrence.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (646-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn, was granted by the Board on November 21, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted November 21, 1944, by repeating the resolution then adopted and adding thereto:

"* * * that the building shall not exceed 51 feet in total height; that the building may be altered by changing the location of the elevator and removal of stairs, as indicated on revised plans marked 'Received January 9, 1945', *on condition* that the construction of same and the required exits for the area comply with the requirements of the Building Code and the Labor Law therefor and that other than as herein *amended,* the conditions of the resolution of November 21, 1944, shall be complied with."

62-42-A

APPLICANT—Bommer Spring Hinge Company, lessee, for Marie A. Bommer Frohlich, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—255-271 Classon avenue, east side, 264 ft. south of Willoughby avenue (Buildings 1 and 2); (Block 1924, Lots 6-14), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. S. Wagner, Jr.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

128-44-A

APPLICANT—Home Storage and Warehouse Co., Inc., lessee, for James Juliano, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner, previously granted on condition.

PREMISES AFFECTED—250-254 17th street, south side, 70 ft. east of Fifth avenue (front and rear buildings); (Block 1873, Lot 12), Borough of Brooklyn

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 6

407-44-A

APPLICANT—Regal Chemical Corporation, lessee, for 115 Dobbin Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore Heilig and E. Norman Clarke.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

ZONING CASES

291-24-BZ

APPLICANT—Henry J. Nurick, for Elinore Gellert, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) previously granted on condition, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—923-931 Franklin avenue and 66-74 Crown street, southeast corner (Block 1294, Lot 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (291-24-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 923-931 Franklin avenue and 66-74 Crown street, southeast corner (Block 1294, Lot 8), Borough of Brooklyn, was granted by the Board on June 24, 1924, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, relative to the change of occupancy from public garage to light manufacturing for a temporary period of time; and

WHEREAS, said request for amendment of the resolution is based on a denial of the borough superintendent, on Alt. Applic. 3817-44, dated January 5, 1945.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted under Cal. 291-24-BZ on June 24, 1924, by adding thereto:

"* * * that in the event the present owner desires to occupy the building for light manufacturing, such use may be permitted in this building and the adjoining garage, which was permitted to be connected thereto under Cal. 1229-24-A by resolution adopted on November 25, 1924, *on condition* that the building shall not be increased in height or area; that any gasoline service equipment shall be temporarily sealed to the satisfaction of the fire commissioner; that this use shall not extend beyond the term of the existing emergency and for not more than six months thereafter, and to permit the resumption of the garage occupancy upon the termination of the factory use as permitted under Cal. 291-24-BZ and Cal. 1229-24-A."

480-25-BZ

APPLICANT—S. J. Kessler & Sons, for The 188 West 230th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in an unrestricted use district and partly in a business use district, the inclusion of a motor vehicle repair shop in a garage, which was previously granted by the Board.

PREMISES AFFECTED—South side of West 230th street, 110.62 ft. east of Exterior street (Block 3264, Lots 104 and 106), Borough of The Bronx.

APPEARANCES—
For Applicant: Samuel J. Kessler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (480-25-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises: south side of West 230th street, 110.62 ft. east of Exterior street (Block 3264, Lots 104 and 106), Borough of The Bronx, was granted by the Board on July 21, 1925, on certain conditions; and

WHEREAS, on November 15, 1938, the resolution was amended to include a minor motor vehicle repair shop; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit the temporary use of these premises for the storage and distribution of merchandise.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 21, 1925, as amended by resolution adopted November 15, 1938, by adding thereto:

"* * * that in the event the owner desires to discontinue temporarily the occupancy of the building as a garage and a motor vehicle repair shop and to occupy the building for the storage of merchandise and as a distribution center for the U. S. Government in connection with the adjoining building under the same ownership, variance for which was granted by the Board under Cal. 799-27-BZ, such temporary use may be permitted for the term of the present war emergency and for not over six months thereafter, provided the building is not increased in height or area and no structural alterations are made herein, and the resumption of the garage and repair shop use upon the termination of such temporary occupancy may be permitted; that any opening in the wall separating the two garage buildings shall comply with the requirements of the Building Code therefor and that other than as herein *amended,* the conditions of the resolutions of July 21, 1925 and November 15, 1938, shall be complied with."

799-27-BZ

APPLICANT—S. J. Kessler & Sons, for The 188 West 230th Street Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) previously granted on condition under section 7c of the zoning resolution, permitting in a business district, extending from an unrestricted district, the alteration and extension of a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—East side of Exterior street, 133.62 ft. south of West 230th street (Block 3264, Lot 106), Borough of The Bronx.

APPEARANCES—
For Applicant: Samuel J. Kessler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (799-27-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the alteration and extension of a garage for the storage of more than five motor vehicles, affecting premises: east side of Exterior street, 133.62 ft. south of West 230th street (Block 3264, Lot 106), Borough of The Bronx, was granted by the Board on November 15, 1927, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the temporary use of these premises for the storage and distribution of merchandise.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted November 15, 1927, by adding thereto:

"* * * that in the event the owner desires to discontinue temporarily the occupancy of this building as a garage and to occupy the building for the storage of merchandise and as a distribution center for the U. S. Government in connection with the adjoining building

under the same ownership, variance for which was granted by the Board under Cal. 480-25-BZ, such temporary use may be permitted for the term of the present war emergency and for not over six months thereafter, provided the building is not increased in height or area, and no structural alterations are made therein; and that any opening in the wall, separating these two garage buildings, shall comply with the requirements of the Building Code therefor; that the resumption of the garage use may be permitted upon the termination of such temporary occupancy and that other than as herein *amended,* the conditions of the resolution of November 15, 1927, shall be complied with."

489-37-BZ

APPLICANT—Anna M. O'Connor, for Philip Ferry and Rose A. Ferry, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—38-15 Union street, east side, 190 ft. north of Roosevelt avenue (Block 5020, Lot 3), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna M. O'Connor.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (489-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 38-15 Union street, east side, 190 ft. north of Roosevelt avenue (Block 5020, Lot 3), Flushing, Borough of Queens, was granted by the Board on February 7, 1939, on certain conditions; and

WHEREAS, the permit was extended on January 28, 1941 and on January 26, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 7, 1939, as amended by resolutions adopted through January 26, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h, thereof, to permit the building to be occupied for the parking and storage of more than five (5) motor vehicles for a temporary term of two years from the date of this *amended* resolution, *on condition* that only automobiles of the pleasure-car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of Union street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled, bounded and levelled; that on the interior lot lines where walls of existing buildings do not occur, there shall be erected a substantial woven wire fence; that a similar fence shall be erected at the front on Union street, except for an entrance not exceeding 15 ft. in width; with curb cut opposite not exceeding 15 ft. in width; that adequate aisles shall be maintained at all times for easy entrance and agress; that during the term of this variance, the premises shall be used for no other use than the parking and storage herein permitted; that no building shall be erected on the premises, except there may be erected a frame building, not 150 square feet in area and one story in height, for office and shelter for attendant; that such portable fire fighting appliances shall be installed as the fire commissioner may direct; that no signs shall be erected on the premises except one, attached to the fence, not over 10 sq. ft. in area, advertising the parking and storage use; that all permits required shall be obtained and all work completed within three months from the date of this *amended* resolution, and that a new certificate of occupancy shall be obtained (Corr. No. 3308-38)."

50-42-BZ

APPLICANT—Harry Barkoff, lessee, for Helen Mahoney, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re (decision of the acting borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop and paint shop.

PREMISES AFFECTED—1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx.

APPEARANCES—

For Applicant: Mendel B. Rhine and Harry Barkoff.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on February 6, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 19, 1944, as they appeared in Bulletin No. 51, Vol. 29, are hereby corrected to read as follows:

489-44-A

APPLICANT—Sidney L. Strauss, for Alfred Ambrogi, owner. (Clarostat Manufacturing Co., Inc., lessee).

SUBJECT—Appeal from orders and decisions of the fire commissioner.

PREMISES AFFECTED—538-544 Morgan avenue, southeast corner of Anthony street (Block 2818, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reuben W. Steinberg.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (489-44-A)

WHEREAS, Sidney L. Strauss for Alfred Ambrogi, owner, (Clarostat Manufacturing Company, Incorporated, lessee), filed August 16, 1944, an appeal from orders and decisions of the fire commissioner, affecting premises 538-544 Morgan avenue, southeast corner Anthony street (Block 2818, Lot 5), Borough of Brooklyn; and

WHEREAS, Order 10828-LF, issued by the fire commissioner June 29, 1943, reads:

"1. Arrange all doors on 1st story so that same can be opened from both sides. Section 272 of the Labor Law."

and

WHEREAS, the decision of the fire commissioner dated August 14, 1944, reads:

"Your letter of August 4th requesting that Order No. 10828-LF be reissued has been received. Your request is denied for the reason that it is not the policy of this Department to reissue violation notices."

and

WHEREAS, Order 11016-LF, issued by the fire commissioner August 11, 1943, reads:

"1. Remove locks from wire screens on all windows during working hours. Section 272 of the Labor Law."

and

WHEREAS, the decision of the fire commissioner dated December 15, 1943, reads:

"In response to your letter of December 12, wherein you request reissuance of above mention order, you are hereby advised that under the rules of the Department, the order may not be reissued or redated."

and

WHEREAS, the applicant states the building is one story, (18 ft.) in height; 100 ft. by 200 ft. in area; of Class 3 construction; erected 1924; located in a manufacturing use, C area district, and used and occupied since 1942 for the manufacturing of airplane parts, 600 persons; that the building is equipped with a one source sprinkler system and a standpipe system, which are maintained; and

WHEREAS, the applicant contends that the ceiling of the entire area is covered with Bell board; that the building faces on two streets and ample exits are provided; that in view of the present emergency, it is requested a variation be granted, to permit the panic bolts and screens to remain; that the panic bolts were installed on three exit doors leading to Anthony street, on the recommendation of the Second Service Command, U. S. Army; that the windows on the 1st floor are protected with wire screens in accordance with the recommendation of the U. S. Army; that the windows are all steel factory type sash with sills approximately 4 ft. above the floor; that the locks referred to can be broken easily should it become necessary; it is therefore requested that conditions be permitted to remain for the duration of the present emergency.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in order 10828-LF of the fire commissioner and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that no panic bolts shall be installed, except on three doors leading to Anthony street and one door leading to Morgan avenue, as indicated on plans filed with this appeal, marked "Received August 16, 1944"; that all other exits shall comply with the requirements and be available for exit at all times during working hours; that such panic bolts as are installed shall be of an approved type; and *granted* as to order 11016-LF of the fire commissioner, objection 1, *on condition* that exits as indicated shall be maintained as hereinbefore provided; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner.

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*Correction—The words "an interior fire alarm system and five drills" omitted from lines 38 and 70 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 5, 1944, as they appeared in Bulletin No. 49, Vol. 29, are hereby corrected to read as follows:

665-44-A

APPLICANT—Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corporation, lessee, for Defense Plant Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Building No. 1); (Block 10352, Lots 70 and 71); Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John A. Kiblcr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (665-44-A)

WHEREAS, Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corporation, lessee for Defense Plant Corporation, owner, filed November 22, 1944, an appeal from a decision of the borough superintendent, affecting premises 184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Building No. 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 13, 1944, on Alt. Applic. 548-44, reads:

"1. Conditions relative to the resolution of the Board of Standards and Appeals granting the use of frame partitions, are changed. The occupancies and manufacturing areas are larger than those acknowledged under Cal. 24-43-S."

and

WHEREAS, the applicant states the building is 5 stories and pent house (64 ft.) in height; 120 ft. by 247 ft. in area, of Class 1 construction; erected 1923; located in an unrestricted use C area and Class 1 height district, and used since 1942 as follows: cellar, storage, 35 persons; 1st to 5th floors, inclusive, manufacturing airplane parts, 220 persons each floor; north pent house, storage, 50 persons; south pent house, storage, 50 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system, interior fire alarm system and fire drills are maintained; that building is equipped with three 3 ft. 8 in. fireproof stairs from the roof to grade and horizontal exits on 1st, 2nd and 3rd floors; and

WHEREAS, Certificate of Occupancy No. 29654, issued August 18, 1943 permits the present use and occupancy; and

WHEREAS, the applicant contends that partitions were installed in accordance with the prior resolution of the Board, which permitted board partitions in the manufacturing areas; that the manufacturing processes were changed and the factory areas increased and it became necessary to move many of the partitions, formerly installed, to new locations; that the wood partitions previously installed on the storage floor, when such installation was permissible, are not now permissible, as these floors were converted to factory use and the wood partitions rearranged for the factory use; that the partitions are constructed as follows: 4 ft. plywood base with wire mesh over to a total height of 7 ft.; 4 ft.; plywood base with glass panels over to a total height of 7 ft.; plywood partitions to ceiling with glass panels; that in view of the fireproof construction of the building, the standpipe, sprinkler and fire alarm equipment, it is requested a variation be granted to accept this temporary emergency construction of partitions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 548-44, Objection 1, and that the application be

MINUTES

and it hereby is *granted on condition* that the partitions as proposed, shall be continued only during the term of the present emergency and for not over one (1) year thereafter; that no additional combustible partitions shall be installed; that the sprinkler, standpipe and interior fire alarm systems and fire drills shall be maintained to the satisfaction of the fire commissioner; that a Certificate of Occupancy shall be obtained, to cover the present use and to record the full number of persons per floor, based on the exits and allowance for sprinkler system and fire alarm system and fire drill, if maintained; that such portable fire extinguishing equipment shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. Nos. 356-42-A and 24-43-S.

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* Correction—Alt. Applic. 549-44, changed to Alt. Applic. 548-44 and the words "to replace Certificate of Occupancy Q20270" omitted in line 60 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 5, 1944, as they appeared in Bulletin No. 49, Vol. 29, are hereby corrected to read as follows:

666-44-A

APPLICANT—Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corporation, lessee, for Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Building No. 2); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John A. Kibler.

For Administration: Fred Dahlen, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (666-44-A)

WHEREAS, Ranger Aircraft Engines, Division of Fairchild Engine and Airplane Corporation, lessee for Defense Plant Corporation, owner, filed November 22, 1944, an appeal from a decision of the borough superintendent, affecting premises 184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Building No. 2), (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated May 27, 1944, reconsideration denied October 27, 1944, on Alt. 549-44, reads:

"1. The installation of combustible partitions adjacent to factory areas, in a required fireproof factory building, is contrary to Sec. 270, Subdivision 6, of the Labor Law."

and

WHEREAS, the applicant states the building is three stories (48 ft.) in height; 120 ft. by 247 ft. in area; of Class 1 construction; erected 1921; located in an unrestricted use, C area, and Class 1 height district, and used and occupied since 1942 as follows: cellar, storage; 1st floor, inspection and storage, 150 persons; 2nd floor, cafeteria, 746 persons and offices 42 persons; 3rd floor, office and manufacturing airplane parts, 275 persons, and proposed to be used and occupied: cellar, manufacturing airplane parts, 30 persons; 1st floor, manufacturing airplane parts, 150 persons, 2nd floor, cafeteria, 746 persons, and offices 42 persons; third floor, offices, 275 persons; that the building is equipped with three 3 ft. 8 in. wide fireproof stairs leading to the roof, one of which leads to the street and two to courts facing street; 2 source sprinkler system, standpipe system, interior fire alarm system and that fire drills are maintained; and

WHEREAS, the applicant contends that partitions were installed in accordance with the prior resolution of the Board, which permitted board partitions in the manufacturing areas; that the manufacturing processes were changed and the factory areas increased and it became necessary to move many of the partitions, formerly installed, to new locations; that the wood partitions previously installed on the storage floor, when such installation was permissible, are not now permissible, as these floors were converted to factory use and the wood partitions rearranged for the factory use; that the partitions are constructed as follows: 4 ft. plywood base with wire mesh over to a total height of 7 ft.; 4 ft.; plywood base with glass panels over to a total height of 7 ft.; plywood partitions to ceiling with glass panels; that in view of the fireproof construction of the building, the standpipe, sprinkler and fire alarm equipment, it is requested a variation be granted to accept this temporary emergency construction of partitions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 549-44, Objection 1, and that the application be and it hereby is *granted on condition* that the partitions as proposed, shall be continued only during the term of the present emergency and for not over one (1) year thereafter; that no additional combustible partitions shall be installed; that the sprinkler, standpipe and interior fire alarm systems and fire drills shall be maintained to the satisfaction of the fire commissioner; that a Certificate of Occupancy shall be obtained to cover the present use and to record the full number of persons per floor based on the exits and allowance for sprinkler system and fire alarm system and fire drill, if maintained; that such portable fire extinguishing equipment shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 573-43-S.

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* Correction—Alt. Applic. 548-44, changed to Alt. Applic. 549-44 and the words "to replace Certificate of Occupancy Q-20270" omitted in line 62 of the resolution.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Saturdays 9 a. m. to 12 noon.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

COURT DECISION.

In the Matter of Alurion Realty Corp. v. Murdock, et. al.— The premises are located at 245-259 West 41st Street and 260 West 42nd Street, Borough of Manhattan. The 41st Street portion of the premises, with 150 ft. frontage, is occupied as an open bus station, operated by the Public Service Interstate Transportation Co., as lessee. The portion of the premises on 42nd Street provides a waiting room and ticket office in connection therewith.

In 1936, an application was filed by the owners for a zoning variance, to permit the 41st Street portion of the premises to be occupied for the parking of more than five motor vehicles. Prior thereto, the premises had been unlawfully occupied for the same use and had been subject to court action. The variance granted by the Board on October 23, 1936 was for two years and was extended on October 11, 1938 for an additional term of two years, which expired by limitation on October 11, 1940. Thereafter, on February 18, 1941, an application for a further extension was made, which the Board accepted, subject to the usual procedure, in view of the amendment to the Zoning Resolution of June 28, 1940, making a bus station a prohibited use in a business district.

The bus station use had been permitted by the Department of Housing and Buildings as an interpretation of the Board's resolution of October 23, 1936, which use was confirmed by the Board by amended resolution of October 11, 1938. On October 20, 1942, the Board adopted a resolution, permitting the premises to be occupied as a bus station. At the time of this action, the records of the Department of Housing and Buildings had not been forwarded to the Board as required by Section 668, paragraph b, of the New York Charter. When such records were later received, it was found that the determination of the Borough Superintendent, on which the Board acted, was based on an application for a Certificate of Occupancy, which incorrectly described the premises as actually occupied for the parking of buses and for a waiting room, office, sale of tickets and accessory thereto. The Board thereupon deemed that the resolution adopted by the Board on October 20, 1942, should be rescinded to permit consideration after a proper application is filed with the Borough Superintendent, correctly describing the premises and use desired. The resolution was accordingly rescinded on December 8, 1942.

Upon court review, Mr. Justice Valente, at Supreme Court, Special Term, found as follows:

> "Motion to dismiss the writ of certiorari is granted and the determination of the Board of Standards and Appeals affirmed. The question under review is the right of the Board to reopen and rehear an application for a variance of the Building Zone Resolution which had once been granted. Unquestionably, the Board did not have before it a complete set of papers so as to properly pass upon and decide the application. When the Board discovered this the matter was reopened and set down for rehearing. It seems well settled that a Board that has jurisdiction over a cause or matter has the right to reopen a proceeding upon its own motion when necessary. It is also to be noted that the decision of the Board to be reviewed merely rescinds the Board's prior resolution so as to permit the Board to hear the case on a proper set of papers. The decision of the Board did not rescind the renewal of the variance on the merits. It would appear, therefore, that the proceeding to review has been prematurely made. Review may be sought after there has been a final determination of the rights of the petitioners. Settle order." (N. Y. L. J. July 23, 1943.)

A Notice of Appeal to the Appellate Division was filed and later dismissed (N. Y. Law Journal Jan. 23, 1945, page 291).

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DOCKET

New Cases Filed up to January 23, 1945.

Cal. No. Dept. Premises Affected

23-45-BZ—H.B.Q.—107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens, Alt. 1185-44.

24-45-A—F.D.—101-115 West 21st street, 675-691 6th avenue, northwest corner and 102-114 West 22nd street (2nd floor); (Block 797, Lots 33, 34, 35, 37, 39, 40, 43, 44, 45, 47 and 52), Borough of Manhattan, 40013-LC.

25-45-BZ—H.B.B.—211-213 Highland place (205-213 displayed), east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn, Alt. 3826-44.

26-45-BZ—H.B.R.—468-478 Forest avenue and 9 City boulevard, southeast corner (Block 259, part of Lots 1 and 6), West Brighton, Borough of Richmond, N. B. 100-44.

27-45-A—H.B.Bx—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (Block 2328, Lot 42), Borough of The Bronx, Alt. 641-44.

28-45-A—F.D.—115-117 Dobbin street, west side, 100 ft. south of Meserole street (3rd floor); (Block 2616, Lot 12), Borough of Brooklyn, Decision re 97010-LC.

29-45-A—F.D.—566 Greenwich street, west side, 75 ft. south of King street (1st and 2nd floors); (Block 598, Lot 31), Borough of Manhattan, Decision re 39086-LC and 38917-LC.

30-45-SM—Iron Clad Air-Entraining Portland Cement, Types 1A and 2A, manufactured by Glens Falls Portland Cement Co., Material.

31-45-A—H. B. Q.—153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens, Alt. 1149-44.

32-45-A—F.D.—21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan, 39925-LC and Decision.

33-45-A—H. B. Q.—35-18 37th street, west side, 165 ft. south of 35th avenue (Block 640, Lot 31), Long Island City, Borough of Queens, Alt. 1664-45.

34-45-SA—Cyclotherm Steam Generator (Oil Burner), Appliance.

Restored to Calendar

95-42-A—F.D.—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn, 98569-LC.

655-44-A—H.B.B.—1472 Ocean avenue, west side, 150 ft. south of Avenue J (Block 6712, Lot 88), Borough of Brooklyn, Alt. 3108-44.

693-44-A—H.B.B.—735-743 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn, Alt. 3146-44.

836-22-BZ—H.B.Bx—85 Burnside avenue and 2037 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx, N.B. 1652-22.

761-42-BZ—H.B.M.—879-887 8th avenue and 300-308 West 53rd street, southwest corner (Block 1043, Lots 33½ to 38 inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

1182-39-BZ—H.B.Bx—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58), Borough of The Bronx, Decision re Certificate of Occupancy.

628-44-BZ—H.B.M.—437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan, Amendment to Alt. 1143-43.

330-29-BZ—H.B.Q.—70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh road, southwest corner (Block 6697, Lot 1), Flushing, Borough of Queens, Alt. 1517-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Nov. 14, 1944—Vol. 29, No. 45
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Jan. 2, 1945—Vol. 30, No. 1
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Jan. 30, 1945—Vol. 30, No. 5
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Oct. 24, 1944—Vol. 29, No. 42
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Jan. 2, 1945—Vol. 30, No. 1

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	Last Publication in Bulletin
Smoking in Factories, Rules for	Dec. 19, 1944—Vol. 29, No. 50
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

JANUARY 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

599-44-BZ—Application, October 20, 1944, under sections 7c and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory; premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

284-36-BZ—Application of W. T. McCarthy, applicant, on behalf of The House of St. Giles the Cripple, owner; reopened December 12, 1944 re—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension in height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution; premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

670-44-BZ—Application, November 15, 1944 under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one family residential development not conforming to the area district requirements; premises East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

337-33-BZ—Application of Robert Teichman, applicant, on behalf of City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner, reopened January 9, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the maintenance of a parking space for more than five motor vehicles; premises east side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx.

120-39-BZ—Application of F. D. Kohler Co., Inc., applicant and owner (Horace C. Carter, lessee), reopened January 9, 1945, under section 21 of the zoning resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop (previously granted by the Board for a temporary period of two years); premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond.

749-44-BZ—Application, December 28, 1944, under sections 7A and 21 of the zoning resolution, of Joseph Saravis, applicant, on behalf of The Swinger Realty Corporation, owner, to permit in a retail use district, a manufacturing occupancy of 25% of which more than 5% is not connected with the retail business conducted on the premises; premises 1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

182-44-BZ—Application, March 27, 1944, under section 21 of the zoning resolution, of Frank C. Keller, applicant, on behalf of John Celmer and Stanley Celmer, owners, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard; premises 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

Appeals from Administrative Decisions.

183-44-A—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1; 2 and 4), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street—70th (Edsall) avenue).

750-44-A—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

700-44-A—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

Material for Approval.

583-44-SM—Atlantic 1½ Hour Hollow Metal Door, #11 Flush Type and #12 Panel Type.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 30, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

5-45-A—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens.

534-44-A—224 Tompkins street, southeast corner of Warren street (Block 552, Lots 23-26, inclusive), Stapleton, Borough of Richmond.

711-44-A—57-10 59th avenue and 59-01 57th street, southeast corner (Block 2622, Lots 8, 12, 17 and 19), Maspeth, Borough of Queens.

19-45-A—29-06 Review avenue, southwest corner of 29th street (Block 294, Lot 150), Long Island City, Borough of Queens.

709-44-A—33-44 Deleven street and 57-63 Richard street, northeast corner (1st floor); (Block 519, Lot 1), Borough of Brooklyn.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of Jamaica avenue (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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FEBRUARY 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

50-42-BZ—Application of Harry Barkoff, applicant and lessee, on behalf of Helen Mahoney, owner, reopened January 16, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx.

94-19-BZ—Application of Herman Kron, applicant, on behalf of Bergen Management Co., Inc., owner (Brownsville Motor Sales Co., Inc., lessee), reopened June 22, 1943, under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to a garage for more than five motor vehicles and motor vehicle repair shop for a temporary period of two years and the maintenance of a 2nd story on a portion of the building; premises 1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

Appeal from Administrative Decision.

610-44-A—372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond (under section 35, General City Law—re proposed widening of avenue—Seaview avenue).

Material for Approval.

584-44-SM—Atlantic 3 Hour Hollow Metal Door #9 Flush and #10 Panel Types.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, February* 14, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

1182-39-BZ—Application of Benjamin A. Wilder, applicant, on behalf of Abraham Rubinstein, lessee; Post Sherman Corporation, owner, reopened January 23, 1945 for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58) Borough of The Bronx.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

747-44-BZ—Application, December 28, 1944, under section 7e of the zoning resolution, of F. P. Platt & Bro., applicants, on behalf of Helen V. Kelchner, owner, to permit in a residence use district, for a temporary period of two years, the change of occupancy of the basement and 1st story of a vacant multiple dwelling to storage use and the return of the premises to its original use at the end of the temporary period; premises 68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service

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station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Remaining minutes of the meeting of January 16, 1945.)

810-42-BZ

APPLICANT—A. Farber, for Monford Realty Corporation, owner.

SUBJECT—Application for consideration—reopening, extension of time to complete work and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7-c of the zoning resolution, permitting in a residence use district, the alteration and extension of an existing factory by the inclusion of a covered storage and loading space.

PREMISES AFFECTED—1-27 Montauk avenue, 3144-3166 Atlantic avenue, southeast corner and 2-40 Milford street (Block 3976, Lots 25-48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Farber and Irving Baldinger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, time extended and resolution amended.

THE VOTE TO REOPEN, EXTEND TIME AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (810-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the alteration and extension of a factory building—by the erection of a third story, affecting premises 1-27 Montauk avenue, 3144-3166 Atlantic avenue, southeast corner and 2-40 Milford street (Block 3976, Lots 25 to 48, inclusive), Borough of Brooklyn, was granted by the Board on January 5, 1943, on certain conditions, resolution amended on June 8, 1943 and on February 1, 1944, time was extended to obtain permits and complete the work; and

WHEREAS, on September 12, 1944, the resolution was further amended and the applicant requested a further extension of time to complete the work and a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 5, 1943, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-c thereof, *on condition* that the extension proposed shall not be greater than that indicated on plans filed with this application and shall in all other respects comply with all laws, rules and regulations applicable thereto; that the sprinkler system shall be continued throughout this extension.

Resolved further, that in the event the owner desires to reduce the height of the two-story brick building now existing at 11 Montauk avenue to one story, such may be done, provided the front wall is reconstructed or refinished to harmonize with the adjoining portions of the building on the same street front; that the front wall of the one-story metal building shown on Key Plan as No. 1 and No. 11 may be removed as well as the cyclone fence along the building line and replaced with a 12-inch brick wall harmonizing with the other buildings; that such wall shall be approximately 18 feet in height with an opening fitted with sliding gates as indicated on revised plans marked 'Received May 18, 1943.'

Resolved further, that such space shall be used only as an off street loading space, as indicated on plans filed with the Board on May 18, 1943, and may be roofed over, provided the sprinkler system is continued into such space; that no additional signs shall be erected or displayed; and that any signs added to the building since May 10, 1941 shall be removed.

Resolved further, that the floor within the unloading space, as indicated on revised plans marked "Received December 30, 1944" may be reduced to grade level, as thereon shown, and certain columns reconstructed and re-located as indicated thereon, *on condition* that the southerly end of such space shall be continued to be occupied as an off-street loading and unloading space; and that the requirements of this resolution shall be complied with in all other respects; and that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution."

REGULAR MEETING,

TUESDAY MORNING, JANUARY 23, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, January 16, 1945, and Tuesday afternoon, January 16, 1945, were approved as printed in Bulletin No. 4, Volume 30.

ZONING CASES

1220-23-BZ

APPLICANT—Lama & Proskauer, for Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee).

SUBJECT—Application reopened June 3, 1941 (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board).

PREMISES AFFECTED—1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Alfred A. Lama, Elwood Cross and Justin T. Janson.
For Opposition: Louis Berkley.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1945, at 10 A. M. Applicant to submit revised plans, for further consideration by the Board.

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the acting borough superintendent) under Section 21-C of the zoning resolution, to permit in a C and F area district, a one family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to January 30, 1945 at 10 A. M. at written request of applicant.

705-44-BZ

APPLICANT—Ellen Roffler, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use, B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material.

PREMISES AFFECTED—162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

APPEARANCES—
For Applicant: Leroy Coventry.
For Opposition: Alfred W. Bergren, Stefanos Demascus and John Divitch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1945 at 10 A. M. for further consideration by the Board.

1366-17-BZ

APPLICANT—Saul Goldsmith, for 1920 Harman Street Corporation, owner.

SUBJECT—Application reopened January 3, 1945 for consideration re amendment of resolution as to occupancy of 2nd floor—Application (decision of the acting borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the change of use from a factory for manufacture of hospital furniture permitted by the Board to paper box manufacturing and knitwear.

PREMISES AFFECTED—1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: Saul Goldsmith, Jeanette E. Pulver and Victor Maillard.
For Opposition: Sidney S. Levine and Betty Foernsler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn 4
Negative: 0

THE RESOLUTION (1366-17-BZ)

WHEREAS, this application permitting in a residence use district, the extension in height of an existing factory building, affecting premises 1920 Harman street, south side, 165 ft. west of Fairview avenue (Block 3388, Lot 21), Ridgewood, Borough of Queens, was granted by the Board on October 30, 1917, on certain conditions; and

WHEREAS, Saul Goldsmith, for 1920 Harman Street Corporation, owner, filed July 11, 1944, an application under section 7c of the zoning resolution, to permit in a residence use district, the change of use from a factory for the manufacture of hospital furniture, previously permitted by the Board, to paper box manufacture and knit wear manufacture; and

WHEREAS, on November 8, 1944, this application was granted by the Board, under section 7c of the zoning resolution, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, pertaining to the factory occupancy of the 2nd floor; and

WHEREAS, this case was reopened by vote of the Board on January 3, 1945, restored to the calendar and set for hearing on January 23, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, in accordance with the requirements of the resolution adopted November 8, 1944, as to occupancy of the second floor, the applicant submitted, as proposed tenant, the White Cloak and Suit Co. (Frank Ingrazia, proprietor) formerly located at 319 McKibben street, stating the shop will be operated on a five-day basis, with no work performed on Saturday or Sunday; and

WHEREAS, upon inspection, the Committee of the Board found the tenant already operating on the second floor of the premises.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 8, 1944, by adding thereto:

"that the use as proposed of the second story as a clothing factory is *approved, on condition* that the requirements of this resolution shall be carried out in all respects."

442-42-BZ

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application reopened January 3, 1945 for consideration as to extension of time to obtain permits and complete work—Application decision of the borough superintendent previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the reconstruction and extension of an existing gasoline service station.

PREMISES AFFECTED—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn.

APPEARANCES—
For Applicant: Joseph B. Lynch.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn.. 4
Negative: 0

MINUTES

THE RESOLUTION (442-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the reconstruction and extension of an existing gasoline service station, affecting premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block 6442, Lot 5), Borough of Brooklyn, was granted by the Board on September 29, 1942, on certain conditions time to obtain permits and complete the work was extended on October 19, 1943 and the applicant requested a further extension of time to obtain permits and complete the work; and

WHEREAS, this case was reopened by vote of the Board on January 3, 1945, restored to the calendar and set for hearing on January 23, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted September 29, 1942, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of September 29, 1942, shall be complied with."

220-44-BZ

APPLICANT—Anthony M. DeRose, for D'Abramo Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage and garage for 12 motor vehicles (in the cellar) to a garage for more than five motor vehicles and a motor vehicle repair shop, without complying with yard and area requirements for a new building.

PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony M. DeRose.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (220-44-BZ)

WHEREAS, Anthony M. DeRose, for D'Abramo Realty Corporation, owner, filed April 13, 1944, an application under section 7-f of the zoning resolution, to permit in a business use district, the change of occupancy of an existing building from a stable and wagon storage and garage for 12 motor vehicles (in the cellar) to a garage for more than five motor vehicles and a motor vehicles repair shop without complying with yard and area requirements for a new building: affecting premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Thompson street and Sullivan street are in a business and unrestricted use, B area and 1½ times height district and West Broadway is in an unrestricted use, B area and 2 times height district; and

WHEREAS, the decision of the borough superintendent, dated March 20, 1944 on Application 88-44, reads:

"4. The change of occupancy from a stable and wagon storage to a repair shop and garage is contrary to Section 4 of the Zoning Resolution, and is also questioned under Section 6 of the zoning resolution.

5. As occupancy of the building is being changed, building should conform with all requirements for a new building of proposed occupancy (Section 2.1.3.5, Building Code); a rear yard required for such proposed occupancy in accordance with Section 17 of the Zoning Resolution should therefore be provided."

and

WHEREAS, the applicant states the premises consist of a plot having a frontage of 25 ft. and a depth of 101 ft., on which is located a 5 story (70 ft. in height), Class 1 and 3 constructed building, occupied as a garage for 5 cars, stable, and wagon storage and that it is proposed to occupy the building as a garage for more than five cars and a motor vehicle repair shop; and

WHEREAS, the applicant contends that the application is for zoning variance under section 7f of the zoning resolution, as the result of Objections 4 and 5 of the Borough Superintendent under date of March 20, 1944, to Alteration Application 88-1944, which involves the alteration and conversion of the affected premises which are in a business district, from a non-storage garage and stable, to a motor vehicle repair shop, non-storage garage and dead storage for motor vehicles, that the existing building is five stories in height, has a 100% fireproof construction from the cellar to the floor level of the 4th story and of ordinary construction for the remainder of its height and was erected in 1908 pursuant to N.B. Applic. 149-08, for use as a stable and the storage of wagons; that the present owner acquired the property in 1921, and since then, altered the building, pursuant to Alt. Applic. 3245-35; that following acceptable completion of the said alterations, he was issued Certificate of Occupancy 22234-37, to cover legal use of the premises as follows; cellar, non-storage garage for more than five cars; 1st story, 75 lb. live load, stable; 2nd to 4th floors, inclusive, 75 lb. live load, stable 5th floor, 75 lb. live load, wagon storage; that the proposed alteration and conversion provided for the following specific uses in the building: cellar, non-storage garage for more than five cars (no change from present legal use) 1st story, motor vehicle repair shop; 2nd and 3rd stories, storage garage; 4th story, dead motor vehicle storage; 5th story, to be kept vacant or unoccupied; that the basis of the application under section 7c is justified by the fact that the building has been utilized continuously for a non-conforming use since its erection, and under section 21 is also justified, as the usefulness of the building as a stable and wagon storage has disappeared and the owner therefore would suffer great hardship unless this request for modification of the zoning resolution is granted; that additional reasons why this application should be granted are as follows: that the affected premises adjoin an unrestricted use district, immediately to the south; that the continuous non-conforming use of the building existed prior to 1916, before the date of the Building Zone Resolution; that the building is structurally sound and in good physical condition; that inasmuch as trend and rate of change in the neighborhood is not predictable, due to no change in many years, it can be immediately made useful for the use proposed; that the proposed change in use is due to absolescence that has taken place and caused by factors beyond the control of the owner; that although the present use is objectionable the proposed use is less objectionable; that there are numerous existing non-conforming uses in the vicinity; that the public health of the affected neighborhood will be better secured by discontinuance of the stable occupancy; and

WHEREAS, the premises under appeal and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant amended his application at the hearing, to bring it under section 7, subdivision f of the zoning resolution instead of sections 7c and 21; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision f of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7f thereof, for a term of five (5) years from the date of this resolution, to permit the building to be occupied as proposed as a non-storage garage on the basement, 1st, 2nd and 3rd stories; that the 4th story may be occupied in conjunction therewith for dead storage; that the 5th floor shall be left vacant; that all the existing woodworking machinery, household furniture and other refuse and material shall be completely removed from the 5th floor and not stored elsewhere within the building; that no use shall be made of the roof, which shall be kept clear of all rubbish; that the opening in the side lot line wall to the south, now used as a convenience for extending the gasoline pump hose through the wall from the adjoining parking lot in the unrestricted district into this building, shall be blocked up and no similar opening or device for extending the gasoline station into this building shall be permitted; that no motor vehicle repairing shall be carried on; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the cellar shall be occupied for not more than eight (8) cars, and such additional means of exit shall be provided thereto as the fire commissioner and the borough superintendent shall require; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 232-44-A; and that all permits required shall be obtained and all work completed within two months from the date of this resolution.

319-44-BZ

APPLICANT—Lama and Proskauer, for Joseph Newman, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the conversion of a stable, store and one family residence building, to a motor vehicle repair shop, stores and residence for one family.

PREMISES AFFECTED—8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (319-44-BZ)

WHEREAS, Lama and Proskauer, for Joseph Newman, owner, filed May 31, 1944, an application under section 7i of the zoning resolution, to permit in a business use district, the conversion of a stable, stores and one-family residence building, to a motor vehicle repair shop, stores and one-family residence; affecting premises: 8664-8666 18th avenue, west side, 150 ft. north of Benson avenue (Block 6368, Lot 55), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 18th avenue is in a business and unrestricted use, C area and 1-times height district; Benson avenue is in a business and residence use, C area and 1-times height district; and Bay 17th street is in a residence use, B area and 1 times height district; and

WHEREAS, the decision of the borough superintendent dated May 18, 1944, re Alt. App. 1242-44, reads:

"1. Proposed change of occupancy to a motor vehicle repair shop of structure located within a business use district is contrary to Sec. C26-185.0. Administrative Code, since it violates Sec. 4a Subd. 29 Art. II of Zoning Resolution. Denied."

and

WHEREAS, the applicant states the premises consist of a plot 50 ft. frontage by 96 2/3 ft. in depth, on which is located a one and two-story, Class 4 constructed building, 50 ft. by 96 2/3 ft. in area on 1st story and 25 ft. by 46 2/3 ft. in area above, occupied as store and stable on 1st story and 1 family on second story and that it is proposed to occupy the building as stores and motor vehicle repair shop on 1st story and 1 family on 2nd story; and

WHEREAS, the applicant contends that the premises have a frontage of 50 ft. on 18th avenue, 96 ft. 8 in. in depth and are improved with a one and two-story building; that the northerly portion is a store 25 ft. by 68 ft., above which is a one family apartment 25 ft. by 46 ft. 8 in.; that the southerly portion is a store approximately 15 ft. by 25 ft. and a former stable for more than five horses which occupied the balance of the premises on the first floor; that it is now proposed to change the use of the former stable to a motor vehicle repair shop; that in Block 6369, Lots 17 and 28 are both improved with public garages; that Lot 13, Block 6369 is improved with a repair shop and Lot 1 is a gasoline service station; that Block 6368, Lot 51 is improved with a lumber yard; that all these uses existed prior to 1916; and that, therefore, in view of the general character of the neighborhood, the proposed change will in no way retard or affect its general surroundings; and

WHEREAS, the premises under appeal and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision i of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7-i thereof, to permit the premises to be occupied as a motor vehicle repair shop, *on condition* that the motor vehicle repairing shall be only such as can be done by hand tools and motor-driven equipment not greater than one-half horsepower each; that portable fire-fighting appliances shall be installed and maintained as the fire commissioner shall direct; that there shall be no forge or anvil on the premises; that no openings shall be constructed in the side or rear lot line walls; that this repair shop shall be under the same tenancy and operation as that of the adjoining 15 ft. accessory store and shall be conducted in conjunction therewith; that this variance shall be for a term of five (5) years; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within three months from the date of this resolution.

699-44-BZ

APPLICANT—Sidney L. Strauss, for Ten Fifth Avenue Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, a one story extension to a multiple dwelling and stores building, the extension to cover balance of lot.

PREMISES AFFECTED—10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss and Allan D. Emil.

For Opposition: Edward G. Steinert.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (699-44-BZ)

WHEREAS, Sidney L. Strauss, for Ten Fifth Avenue Corporation, owner, filed December 4, 1944, an application under section 7c of the zoning resolution, to permit in a residence use district, a one story extension to a multiple dwelling and store, building the extension to cover balance of lot, affecting premises 10 Fifth avenue and 1 West 8th street, northwest corner (Block 572, Lot 44), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 5th avenue, West 8th street and West 9th street are in a residence use, B area and 1½ times height district; and

WHEREAS, the decision of the borough superintendent, December 1, 1944, superseded by a decision of December 14, 1944, on Alt. Applic. 41-44, reads:

"Proposed extension at the rear of a residence building is not acceptable. See Subdiv. (b) of Sec. 12, of Art. Iv of the Zoning effective Dec. 2, 1944.
This is a multiple dwelling in a B district.
Not further considered.
See objection raised 12-1-44 which reads as follows:
Proposed extension of business use in a residential district is not acceptable. Sect. 3 of Art. 2 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, having a frontage of 28½ ft. and a depth of 100 ft., on which is located a 4 story, basement and cellar, Class 3 constructed building, occupied as a multiple dwelling and 3 stores and that it is proposed to extend the building on the 1st story and occupy the extension as an additional store and the entire lot on the 1st story to be built over; and

WHEREAS, the applicant contends that the premises affected are located entirely within a residence district; that the building is a four story, basement and cellar, converted dwelling occupied with store on the basement floor and multiple dwelling above; that the store occupancy on the basement or street level has been in existence and has continued at all times since prior to 1916; that it is proposed to erect a one story extension at the westerly end of the property, as indicated on the plans filed with this application; that the extension will be of colonial character, in keeping with the locality; that both Fifth avenue and 8th street between 5th and 6th avenues now contain many non-conforming uses and it is submitted that the proposed extension will definitely be in better keeping with the character of the area than any of the non-conforming uses now existing; it is respectfully requested that a variation of the requirements be granted, to permit the construction of the proposed extension; and

WHEREAS, the premises under appeal and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, subdivision c of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 41-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

232-44-A

APPLICANT—Anthony M. DeRose, for D'Abramo Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

APPEARANCES—
For Applicant: Anthony M. DeRose.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (232-44-A)

WHEREAS, Anthony M. DeRose, for D'Abramo Realty Corporation, owner, filed April 20, 1944 an appeal from a decision of the borough superintendent affecting premises 89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated March 20, 1944 on Alt. Applic. 88-44 reads:

"3. A garage over one story in height to be fully fireproof (Class 1 construction) Section 4.2.1.
5. As occupancy of the building is being changed, building should conform to all requirements for a new building of proposed occuancy (Section 2.1.3.5, Building Code) a rear yard required for such proposed occupancy in accordance with Section 17 of the Zoning Resolution should therefore be provided."

and

WHEREAS, the applicant states that the building is 5 stories (70 ft.) in height, 25 ft. by 101 ft. in area, at 1st floor, 25 ft. by 98 ft. in area at typical floor, of class 3 construction, erected in 1908, located in a business use, B area class 2 height district and used and occupied since 1937 as a stable on the 1st, 2nd, 3rd and 4th stories, non-storage garage for more than 5 motor vehicles in the cellar and wagon storage on the 5th floor and proposed to be used and occupied as follows: cellar—non-storage garage for more than 5 motor vehicles; 1st floor—repair shop—5 persons; 2nd floor—non-storage garage; 3rd floor—non-storage garage; 4th floor—dead storage; 5th floor—vacant, as described in application for variation of the provisions of the zoning resolution made under Cal. 220-44-BZ; and

WHEREAS, the applicant contends as to objection 3, that in the provisions of Section C26-3.0, Section C26-254.0 (4.2.1) as stated by the borough superintendent, does not apply to this building, as it was erected prior to January 1, 1938; that the building has a floor area of 12,777 sq. ft. of which 8,361 sq. ft. is fireproof and 4,416 sq. ft. ordinary construction; that inasmuch as one half of the class 3 constructed portion will be unoccupied and only 2,208 sq. ft. of the class 3 constructed portion will actually be utilized and then for dead storage, which is less hazardous than garage use and that the space actually used as garage and repair shop will be of fireproof construction; it is requested that the Board modify the decision of the borough superintendent as to objection 3: and

WHEREAS, the applicant contends as to objection 5, that Section 2.1.3.5 does not apply to this building, as the change in occupancy is not wholly inconsistent with the last certificate of occupancy; that light and ventilation are not essential for the proposed change of occupancy; that the proposed use is not in conflict with the zoning resolution, as the building is now legally used for a non-conforming use; it is therefore requested that the decision of the borough superintendent be modified, as the usefulness of this building as a stable and wagon shed has disappeared and the owner

would suffer great hardship unless this appeal is granted; and

WHEREAS, these premises were inspected by a committee of the Board; and

WHEREAS, the Committee found the building constructed with fireproof floors, except for the top story and roof and occupied contrary to the certificate of occupancy 22234, which certificate was issued in 1937 contrary to law, in that it permitted more than five motor vehicles in a business use district and motor vehicles were also being stored on the other floors.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 88-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 3, *on condition* that the building shall not be increased in height or area and shall be occupied only as permitted under the resolution adopted by the Board under Cal. 220-44-BZ; as to objection 5, that the existing rear yard shall be maintained, and the building shall not be further increased in area; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 220-44-BZ; and that a new certificate of occupancy shall be obtained, superseding certificate 22234.

590-44-A

APPLICANT—Endo Products, Inc., lessee, for Richmond Hill Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—84-40 101st street, northwest corner of 85th road, (cellar); (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: J. Yaspan and D. L. Klein.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (590-44-A)

WHEREAS, Endo Products, Inc., lessee, for the Richmond Hill Realty Corporation, owner, filed October 18, 1944, an appeal from an order of the Fire Commissioner, affecting premises 84-40 101st street, northwest corner of 85th Road (cellar); (Block 9177, Lot 23), Richmond Hill, Borough of Queens; and

WHEREAS, Order 97736-C, issued by the Fire Commissioner, September 20, 1944, reads:

"1. You are hereby notified that Fire Department Permit, Permit #214583, and authorizing the use of premises, as a Technical Establishment, is revoked until the following is done.

2. Reduce the quantity of volatile inflammable oils, (hexane, pentane and benzine) to 5 gallons; or

Provide an approved storage system for storing and handling all volatile inflammable oils and liquids (hexane, pentane and benzine). Plans and specifications in duplicate must be filed with and approved by Department of Housing and Buildings, before the above work may be commenced. C19-51.0, Admin. Code.

3. Discontinue use of portable lights and pin plugs where volatile inflammable oils are stored and used. C19-11.0, Administrative Code.

4. Discontinue use of electric lights within 10′ of reaction pots where volatile inflammable oil is used or stored, which are not of vapor-proof type. C19-11.0, A. C."

and

WHEREAS, the applicant states the building is 4 stories (54 ft.) in height, 104 ft. by 108 ft. 9 in. in area; Class 1 construction, erected in 1916, and located in an unrestricted use, C area, Class 1½ height district; used and occupied since January 1, 1940, as follows: Cellar, storage, no persons; 1st floor, shipping, locker room and stock room, 12 persons; 2nd floor, office, 25 persons; 3rd floor, manufacturing liquids and tables, 22 persons; 4th floor, manufacturing ampules, chemical laboratories, 50 persons; no change in use or occupancy is proposed; that the building is equipped with a two-source sprinkler system, 3 ft. 8 in. wide concrete stairs, enclosed in brick, equipped with metal-covered self-closing doors extending from the roof to the street; and

WHEREAS, the applicant contends that it is engaged in manufacturing medicines and pharmaceutical preparations in the building in question; that in connection with manufacturing, it is necessary to keep on the premises, certain inflammable oils such as hexane, pentane and benzene in 55 gallon metal drums; that approximately ten drums of these oils are kept on the premises, stored in the basement and amounts necessary for daily use are taken to the manufacturing departments; that it is proposed to store these oils in a vault, which complies in all respects with the requirements of the N. Y. Fire Insurance Exchange; that in October, 1943, the applicant purchased the one-story building adjoining the vacant lot in the same ownership and adjoining the building in question; that application was made in June, 1944 to the War Production Board for priority for the necessary alterations to the said building and such request was denied by them; that repeated applications for reconstruction have been addressed to the W.P.B. and the last advice received is that the matter was still under consideration on October 12, 1944; that if such application for priority is granted, it is proposed to erect a one-story storage vault, complying in all respects with the specifications of the N. Y. Fire Insurance Exchange; that until such time as the applicant is enabled to proceed with such construction, it is proposed to do the following: In the out-building of vacant lot adjoining that in question. it is proposed to store the solvents in question; that such out-building, which is 13 ft. by 30 ft. in area, is of cinder block construction on three sides, and it is proposed to put asbestos sheeting on the roof and cover the existing door with metal, so that this out-building will be completely fireproof and comply in all respects with the alternate suggestion of the N. Y. Fire Insurance Exchange; that only so much of the solvents as will be required for daily use will be taken from such storage room into the building; and

WHEREAS, the applicant contends as to objections 3 and 4 of the order, that the use of portable lights has been discontinued; however, in the building in question it is not possible to use pin plugs nor is the building equipped with vapor-proof type of electric fixtures and in the one story building, which is proposed to be constructed when authority is received from the W.P.B., vaporproof and explosive proof type of electric fixtures, plugs and equipment of all kinds will be installed and items 3 and 4 of the order will be complied with; it is therefore requested the Board modify this order of the Fire Commissioner, to permit the storage as herein proposed; and

WHEREAS, the applicant states that no application was made to the W.P.B. to install a buried storage system, as such application was made to them prior to the issuance of the order by the Fire Commissioner; that to install a buried storage system as required, would require an application to the W.P.B. for the necessary priorities for materials and labor; that it does not seem possible to obtain these priorities at present; that the proposed storage building, which is acceptable to the N. Y. Fire Insurance Exchange, will be adequate with not more than 5 gallons of these solvents taken into the building at any one time; that the proposed storage building is not sprinklered, but a line could be run from the main factory building to the proposed building, in order to equip it with a sprinkler system; that the flash-points are as follows: Hexane, minus 40°; Pentane, minus 40°; Benzene, 50-54°; and

WHEREAS, the applicant states that an application has been filed for a certificate of occupancy for the building in question and approved by the Department of Housing and Buildings, but is awaiting the disposition of this appeal and dismissal of the Fire Commissioner's order.

Resolved, that the decision of the fire commissioner as to Order 97736-C be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one (1) drum each of hexane and pentane and not over three (3) drums of benzol (benzene) shall be stored on the premises; that each drum shall be fitted with an approved pump as approved for such use by the Underwriters' Laboratories, Inc. or Factory Mutual, Inc.; that such drums shall be stored within a fireproof storage building located where indicated on plans filed with this appeal marked "Received November 16, 1944;" that such storage building shall be constructed of fireproof materials throughout; that the roof shall be insulated with incombustible insulation; that the door shall be fireproof and self-closing; that a concrete sill shall be constructed across the door opening at least 6 in. in height; that ventilation shall be provided by means of a louvre in the bottom of such door and through the roof by means of a duct not less than 50 sq. in.; that such door louvre shall be made to close automatically by being equipped with a fusible link; that such room shall be protected with a CO_2 automatic flooding system, to the satisfaction of the Fire Commissioner; that the floor of such storage room shall be of spark-proof material; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and denied as to Items 3 and 4, to comply.

695-44-A

APPLICANT—William Higginson and Son, for Gair Realty Corporation, owner (Uddeholm Co. of America, Inc., lessee).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn.
APPEARANCES—
For Applicant: Clarence H. Higginson and Erik Ensvik.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (695-44-A)

WHEREAS, William Higginson and Son, for Gair Realty Corporation, owner (Uddeholm Company of America, Incorporated, lessee), filed December 1, 1944, an appeal from an order of the fire commissioner, affecting premises 98 Front street, south side, 51 ft. 1 in. west of Adams street (Block 51, Lot 17), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, acting on Order 98121-LC, issued November 4, 1944, reads:

"You are hereby notified that an inspection of the above premises, used to store and use oil, etc., shows that the following must be done before the permit requested by you can be issued.

1. Discontinue storage and use of hydrogen gas because the manner in which it is used creates an undue hazard. C19-11.0, Administrative Code."

and

WHEREAS, the applicant states that the building is one story (15 ft. 10 in.) in height, 25 ft. 6½ in. by 74 ft. 4 in. in area, of Class 3 construction; erected in 1919; located in an unrestricted use, A area, Class 2 height district, and used and occupied for the manufacture of razor blades, 2 persons; and

WHEREAS, the applicant states that no certificate of occupancy has been issued for this building; and

WHEREAS, the applicant contends that permission is requested to store four cylinders of hydrogen gas and one 30 gallon drum of tempering oil on the premises; that the cylinders will have a capacity of 191 cu. ft. at 2000 lbs. per sq. in. pressure; that the hydrogen gas is used for tempering chrome steel for razor blades and is fed into two manifolds which are unpierced, except at both ends and run the full length of the oven; that at the ends of the manifold where the gas enters, the hydrogen is permitted to escape and burns with a 1-inch flame; that this oven is operated once or twice each month for a continuous period of 48 hours, consuming 3 cylinders of hydrogen each time; that the operator of the oven will obtain a certificate of fitness; that it is proposed to erect a new storage room for the hydrogen cylinders and tempering oil, constructed of 8 in. cinder concrete blocks, extended through the roof and vented by a skylight; that explosion-proof lights and switches will be installed in the storage room and an approved type hydrogen manifold secured to the wall, will be installed with all necessary safety valves.

Resolved, that the decision of the fire commissioner as to Order 98121-LC, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the number of cylinders of hydrogen gas shall not exceed three (3); that such cylinders shall be stored within the fireproof room located and constructed substantially as proposed and as shown on plans filed with this appeal marked "Received December 1, 1944;" that a ventilating duct or movable skylight shall be constructed in such room on the roof; that the floor of such hydrogen storage room shall be of non-sparking material; that any electrical fixtures in such room shall be of the explosion-proof type; that the hydrogen cylinders shall be attached to a manifold of a type approved by the fire commissioner and shall be firmly strapped in place with non-ferrous metal straps; that the piping shall be carried along the wall, as indicated, and protected at all points from injury; that a hydrogen detector alarm shall be installed to the satisfaction of the fire commissioner; that nothing else shall be stored within this fireproof enclosure, other than the hydrogen cylinders and any drum of oil shall be stored elsewhere within the building, as far removed as possible from the hydrogen room; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that a certificate of fitness shall be obtained by the person in charge of the hydrogen equipment; that this variance shall be for one (1) year from the date of this resolution; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

719-44-A

APPLICANT—Kienle and Co., for Eugene and Julia Kienle, owners.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—31-49 Nassau avenue, north side, from Guernsey to Dobbins streets (1st floor); (Block 2643, Lots 29 and 30), Borough of Brooklyn.
APPEARANCES—
For Applicant: H. J. Wolfs and William Gompert.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (719-44-A)

WHEREAS, Kienle and Company, for Eugene and Julia Kienle, owners, filed December 12, 1944, an appeal from an order of the fire commissioner, affecting premises 31-49 Nassau avenue, north side, between Guernsey and Dobbins streets (first floor); (Block 2643, Lots 29 and 30), Borough of Brooklyn; and

WHEREAS, order 98242-LC, issued by the fire commissioner, November 20, 1944, reads:

"With reference to your application dated October 30, 1944, for a permit to manufacture combustible mixtures on above premises, we wish to advise that your application is denied, for the reason that no permit can be

issued for the manufacture of combustible mixtures in the same building where dry goods or other materials of a highly inflammable nature are manufactured, stored or sold.

1. You are therefore, ordered to discontinue the manufacture of combustible materials on above premises. C19-59-b-6, Administrative Code."

and

WHEREAS, the applicant states that the building is 3 stories (37 ft.) in height, 200 ft. by 125 ft. in area, of class 1 construction, erected in 1924, located in a business and unrestricted use, C area, class 1¼ height district and used for the manufacture of lithographic inks on the first floor, 33 persons and for book binding on the second floor, 30 persons; and

WHEREAS, the applicant contends that the fire commissioner's order requires the applicant to desist from the manufacture of a combustible mixture known as "Wash-Out Terps", which it has been manufacturing for about 15 years; that this mixture of Wash-Out Terps consists almost entirely of Sovasol #5 having a flash point of 105 deg. F., the final product, known as Wash-Out Terps has a flashpoint of 140 deg. F.; that it is requested, the Board permit the continuance of the manufacture of the combustible mixture known as "Wash-Out Terps" on the following grounds: that the applicant manufactures lithographic ink vehicles, varnishes and driers in a one story, fireproofed room, separated from the remainder of the plant by a 12 inch brick wall, equipped with fire doors, which are automatic and kept closed; that this room is fully sprinklered and has six 2½ gallon foamite fire extinguishers; that the applicant manufactures two 55 gallon drums of "Wash-Out Terps" at a time, in steel-jacketed kettles at a temperature of 150 deg. F.; that this material is shipped in drums within 24 hours of its manufacture; that the other combustible or inflammable mixtures stored or used on the premises are as follows:

Solvent	Flash Point F.	Amount	How Stored	Where Stored
Turpentine	118 deg. F.	50 gal.	steel drum	in building
Kerosene	165 " F.	500 gal.	steel drums	" "
Cellosolve	130 " F.	100 gal.	" "	" "
Sovasol #5	105 " F.	1000 gal.	" "	100 gal. in building
Denatured Alcohol	69 " F.	500 gal.	" "	in open yard
Butanol	116 " F.	250 gal.	" "	" " "
Zylol	108 " F.	500 gal.	" "	" " "
Benzol	50 " F.	50 gal.	" drum	" " "
Solvesso #2	86 " F.	450 gal.	" drums	" " "
" #3	155 " F.	50 gal.	" drum	" " "
Linseed Oil	600 " F.	5000 gal.	" tanks	in building

Resolved, that the decision of the fire commissioner as to Order 98242-LC be and it hereby is *modified* as to Item 1, and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained substantially as proposed and as indicated on plans filed with this appeal marked "Received December 12, 1944" and to the satisfaction of the fire commissioner; that the sprinkler system within the building shall be maintained to the satisfaction of the fire commissioner and the foamite fire extinguishers shall be maintained within this particular room; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified under calender numbers 685-24-BZ and 598-44-BZ.

727-44-A

APPLICANT—Federal Telephone and Radio Laboratories, lessee, for International Telephone Building Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—65-81 Broad street, 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner of Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan.

APPEARANCES—

For Applicant: William Boyd and J. Glauber.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (727-44-A)

WHEREAS, Federal Telephone and Radio Laboratories, lessee, for International Telephone Building Corporation, owner, filed December 12, 1944, an appeal from an order of the fire commissioner, affecting premises 65-81 Broad street, and 30-36 Beaver street, southeast corner and 28-36 South William street, northeast corner Broad street (2nd floor); (Block 29, Lot 70), Borough of Manhattan; and

WHEREAS, Order 39730-LC, issued by the fire commissioner, November 13, 1944, reads:

"Before a permit may be issued for the storage and use of hydrogen, oxygen, nitrogen, acetylene and acids, the following must be done:

1. Show that existing ventilation in hydrogen room is sufficient if a large amount of hydrogen should suddenly be released. (Based on increased quantity.)

3. Discontinue running of hydrogen lines through stairhalls or other means of exit.

5. Provide automatic detection and alarm system for hydrogen.

NOTE: Smoking in any part of these premises is prohibited. Authority of Sec. C19-11, Art. 1, Adm. Code."

and

WHEREAS, the applicant states the building is 35 stories (456 ft.) in height; 231 ft. by 130 ft. in area; of Class 1 construction; erected 1928 and 1930; located in an unrestricted use, B area, Class 2½ height district, and used and occupied for offices and technical development laboratories throughout, with a maximum occupancy not to exceed that permitted by the Certificate of Occupancy; and

WHEREAS, Certificate of Occupancy 16257, issued May 19, 1930, permitted the use of the building above the first story for offices; and

WHEREAS, the applicant contends as to Item 1 of the fire commissioner's order, that there is a lack of designation in the order of what would be acceptable as adequate ventilation in the hydrogen room; that there is a complete change of air every three minutes; that additional louvres are being installed at the base of the outside wall; that these will establish a convection current which will improve ventilation; that the order does not indicate what type of showing would be made; and

WHEREAS, the applicant contends as to Item 3, that before installing hydrogen lines in their present location, plans were submitted to and approved by the Division of Combustibles under date of July 11, 1941; that permits for the storage and use of hydrogen and other gases were issued on February 18, 1942 and re-issued on March 16, 1943, and February 9, 1944; that due to the construction of the building, it is not possible to discontinue the running of the hydrogen line through a stairhall; that the lessee is investigating the possibility of encasing the hydrogen line where it passes through the stairhall, in a larger pipe opening into the hydrogen room at one end; that the problem of so encasing the hydrogen line presents considerable engineering difficulties; it is requested that, if it can be shown that engineering difficulties make this impracticable, an exception be granted to this item of the order, particularly in view of the Division of Combustibles previous approval; and as to Item 5, that the order does not specify what type of automatic detection and alarm system would be acceptable; that the lessee is arranging to purchase and install devices which are believed to be adequate in the hydrogen storage room and near the ceiling, within the working areas in which, amounts of free hydrogen might possibly collect; and

WHEREAS, the applicant contends as to the part of the order which prohibits smoking, that it is not clear as to what areas are included in the order; that smoking and the use of any flame has been prohibited in the past and will continue to be prohibited in the hydrogen storage room

and its immediate vicinity; that the installation was specifically approved by the Division of Combustibles before it was installed and has been inspected and passed numerous times since its installation; that the enforcement of this order would, of necessity result in the absolute termination of development work on vacuum tubes urgently needed by the armed services; that safety devices of the latest design are being installed and it is requested the Board permit deviations from and order clarification of Order 39730-LC, as outlined in this appeal; that the order does not arise as a result of any proposed change in method of storage or use of hydrogen from that previously inspected and approved on numerous occasions by Division of Combustibles inspectors; that these research laboratories are engaged in the development of advanced radio communications systems required by the armed forces and that the use of hydrogen and other gases is essential in research and development work in the field of vacuum tubes for the armed forces.

Resolved, that the decision of the fire commissioner acting on Order 39730-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that the ventilating system as proposed throughout the floor shall be maintained; that the existing hydrogen room shall have a louvre as now installed, toward the top and a similar louvre installed as proposed, toward the bottom of the outside wall; that the floor of such hydrogen room shall be spark-proof; that the hydrogen cylinders shall be attached to an approved manifold when in use and shall be firmly strapped in place with non-ferrous metal straps; that not more than six (6) cylinders shall be drawn from at one time; as to Item 3, that the hydrogen lines as existing through the stairhall and throughout the floor shall be maintained to the satisfaction of the fire commissioner; as to Item 5, that hydrogen detector units as proposed, shall be installed and maintained at such points as the fire commissioner shall direct and to his satisfaction; that no smoking shall be permitted in any portion of the premises where hydrogen is used or through which it is piped; that such portable fire fighting appliances shall be maintained as the fire commissioner shall require; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue for not more than one (1) year from the date of this resolution.

APPLIANCE SUBMITTED FOR APPROVAL

402-44-SA

APPLICANT—Western Electric Co., Inc., owner.

SUBJECT—Western Electric Co., Inc., Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type), approval of.

APPEARANCES—
For Applicant: George F. Knapp and John H. Stubblebine.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (402-44-SA)

WHEREAS, the Western Electric Company, Inc., owner, filed on June 28, 1944, an application with the Board of Standards and Appeals for approval of the appliance known as the Western Electric Company Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type); and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 10, 1945

Cal. 402-44-SA

Subject: Western Electric Company Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type) Approval of.

The Western Electric Company, Incorporated, filed an application with the Board of Standards and Appeals for approval of the Western Electric Company, Incorporated Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type), under the provisions of the Rules of the Board of Standards and Appeals, governing the use of equipment for spraying and drying of paints, varnishes and lacquers and other flammable surface coatings and the storage of such material.

DESCRIPTION

This equipment consists of a box-like sheet metal enclosure, open at one end, having the inside surfaces of its two sidewalls and back wall continuously flooded with a caustic solution during operation, and directly connected to a second sheet metal chamber containing a baffle system for producing an intimate mixing of air and caustic solution and a second baffle or "eliminator" section for subsequently removing entrained moisture droplets. Both enclosures are mounted on a tank which serves as a reservoir and catch-basin for the solution. The first-mentioned enclosure is called the "booth" and the latter the "wash chamber".

The solution is motivated and directed by means of a circulating direct-connected pump and its associated pipe system. The pump is mounted on an outside wall of the tank section. All pipes are fitted with valves for regulating and proportioning the flow over the several troughs and baffles. Pump specifications are as follows:

	RS-13161	RS-13162
Model	#1½ RV 1½	#2 RV 2
Discharge (G.P.M.)	100	175
Head (Ft. of Water)	40	25
Horsepower	1½	2

Both pumps are Ingersoll-Rand or equal motorpumps and driven by 3450 RPM Explosion-Proof Motors.

A centrifugal fan and its driving motor are located on a platform installed adjacent to the side of the wash chamber, with the fan inlet connected through a flexible asbestos cloth sleeve to the upper part of the wash chamber above the eliminators. The entire exhauster unit is mounted on vibration-absorbing rubber isolators. Fan specifications are as follows:

	RS-13161	RS-13162
Model	#1½ W	#2¼ W
Delivery (C.F.M.)	5,417	10,440
Static Pressure (inches)	1¾	1¾
Horsepower	3	5
R.P.M.	1,716	1,024
Face Velocity (F.P.M.)	135	130

Both fans are Clarage or Aqua driven by 1750 RPM explosion-proof motors. The exhaust fan driven motor and the pump motor operate simultaneously under control of a single explosion-proof push button station mounted on or near the booth, through magnetic starting switches located outside of the hazardous areas as defined in the Rules.

RS-13161 Equipment has a working compartment or booth section 5 to 7 feet wide by 4 feet 6 inches deep.

RS-13162 Equipment has a booth section 10 feet wide by 4 feet 10 inches deep.

All booths will handle apparatus up to 8 feet high. A removable partition, separating the working compartment into two equal sections for the accommodation of two operators, when spraying all but the large apparatus, is available for use with the 10 foot spray booth, RS-13162. A special turntable is also available

for use in spraying small apparatus such as sub-sets, key boxes, etc.

The functions of these booths are to provide an enclosure wherein paint spraying operations may be performed; to confine, collect and remove the vapors released by the spraying operation to the outside of the building (through associated ductwork), and to separate and collect the pigment in the overspray for disposal.

These booths are used for spraying telephone apparatus such as sub-sets, coin collectors, switchboards, panels, telephone booths, etc., also large plant items such as lockers, tool chests, desks, etc.

TEST

The spray booth was inspected and tested by the Committee on Tests of the Board and the representative of the Division of Combustibles of the Fire Department November 10, 1944, and found to operate as designed.

RECOMMENDATIONS

On the basis of the foregoing data, inspection and test, the Committee on Tests recommends that the Western Electric Company, Inc.'s Paint Spray Booth, Models RS-13161 and RS-13162 (Water Impingement Type), be approved for use in New York City, when installed and operated in accordance with the report and with the Rules of the Board of Standards and Appeals governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and Other Flammable Surface Coatings and Storage of Such Materials, provided the booth bears a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 402-44-SA"; that accumulated paint material, forming a film in water in trough shall be removed at regular intervals.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Western Electric Company Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type), *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 23, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

702-44-A

APPLICANT—Louis J. Palatnick, Adjoining Property Owner.

OWNER OF PREMISES—O. Realty Co., Inc., (Isidore L. Rosenzweig, President).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—709-715 Utica avenue, east side, 180 ft. south of Clarkson avenue (Block 4637, Lots 37-39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis J. Palatnick.

For Opposition: Isidore L. Rosenzweig, Henry G. Harrington and Nathan Weisberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted and approval of application and permit revoked.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (702-44-A)

WHEREAS, Louis J. Palatnick, adjoining owner, filed on December 4, 1944, an appeal from a decision of the borough superintendent, relating to the issuance of a permit by the borough superintendent, affecting premises 709-715 Utica avenue, east side, 180 ft. south of Clarkson avenue (Block 4637, Lots 37 and 39), Borough of Brooklyn, which premises are owned by O. Realty Company, Incorporated; and

WHEREAS, the decision of the borough superintendent dated November 28, 1944, relating to B. N. 1054-44, reads:

"Your letter of November 27th requests a revocation of the above permit on the ground that the premises are located in a business use district in which the parking for more than five cars is prohibited by Article 2, Section 4a, subdivision 15 of the Building Zone Resolution.

I regret that I cannot accede to your request. A thorough investigation of the records of this department was made prior to the granting of the permit, and from these records, which are supported by affidavits and testimony taken at a hearing, it is evident that these premises were so used prior to the enactment of the zoning law provision referred to, and therefore a permit for the parking of more than five cars could be issued and was issued.

You may if you so desire appeal from this decision to the Board of Standards and Appeals, as provided for by the law."

and

WHEREAS, the applicant states the premises in question consists of a plot 60 ft. by 100 ft. in area; located in a business use, C area, Class 1 height district and used for the parking of more than five motor vehicles; and

WHEREAS, the applicant contends that he is one of the owners of 701 Utica avenue, which adjoins the premises in question; that the borough superintendent was in error in reaching the decision herein appealed, as the facts indicate that the premises were not used for parking prior to the enactment of the zoning law provision and in fact were never used for that purpose; that the property was used for storage and not for parking; that the premises were used for storing of motor vehicles by the month and at no time used for parking purposes; that parking presupposes a temporary placing of a car while the owner or driver is transacting business; that storage connotes the renting of space for a definite period and has no relation to the temporary transaction of business of the owner (*Monument Garage Corporation* v. *Levy,* 266 N. Y. 339 and *Bowen* v. *Hider,* 37 N. Y. Supplement, 2d 76); that the use of premises for storage of automobiles was illegal; that the owner had never obtained a certificate of occupancy for such use (*Bowen* v. *Hider,* 37 N. Y. Supp. 2d 76); and

WHEREAS, the applicant further contends that the premises have been used illegally for the storage of motor vehicles, as further indicated by the fact that there is no drop curb in front of the premises; that in order to use

the premises for either storage or parking, it is necessary to obtain a drop curb permit; that no application was ever made for such permit in front of the premises; that the owner used the drop curb in front of 701 Utica avenue and therefore was actually trespassing upon the adjoining property; that the owner of the premises herein involved should not be rewarded for his violation of law for using property for storage without permission to do so; that to permit the use of the property involved for parking upon the basis of the illegal use heretofore, would in effect be rewarding the owner for violating the law; and

WHEREAS, the applicant further contends that in the affidavit submitted by the owner of the premises in question to the borough superintendent and signed by Henry Feller and verified April 18, 1944, it is stated "that I became the owner of Lots 37 and 39 in Block 4637, in the County of Kings, on or about the 27th day of April, 1927, by deed duly recorded in Liber 4810, page 318. Before and while I was such owner, Barney Cohen was using my lots for parking purposes. He parked about 15 to 20 cars on my lots"; that affiant in that affidavit was in error is clearly indicated by the photographs submitted and filed in the office of this body on May 16, 1931, in proceedings 235-31-BZ, Volume 1; that those photographs, numbered in that proceeding 32 and 33, clearly show that the premises here in question were not in condition for parking or storage of cars and do not seem to have been used for that purpose at any time previous; that in the affidavit of Nathan Weisberg, verified September 2nd, 1942, submitted to the Borough Superintendent in connection with B.N. Application 1054-44, it is stated—"It appears from this that the premises of petitioner was used for the parking of about 35 to 40 automobiles from about 1928 to the present time and that I myself have been engaged in this since November, 1933, when I purchased the business from the former owner * * *"; clearly, Mr. Weisberg was also in error in making this statement, as appears by the photographs hereinbefore mentioned, because prior to May 16, 1931, the property had not been used either for the storage or parking of cars on the said premises; that the use of the said premises for the placing of automobiles thereon was for storage purposes is made evident by the testimony given by Nathan Weisberg before Mr. Hannes, Civil Engineer of the Building Department, under date of October 19, 1944, in which he testified as follows:

> "Q. How many cars did you have for sale? A. No more than 10 cars, and the rest were for parking.
>
> Q. So what would be the balance there for parking? A. 25.
>
> Q. How did these people pay you for placing their cars on the plot? A. $3 a month.
>
> Q. Did you ever rent any space by the day? A. No, there was no need for day parking."

that Mr. Weisberg also testified he had never obtained a permit for storing or parking, nor had he paid any fees to the Fire Department; that the indiscriminate use of the word "parking" throughout the papers submitted to the Borough Superintendent, by the owner, is the result of the failure to distinguish between "parking" and "storing" as is evidenced by the testimony of Mr. Weisberg; that his testimony clearly indicates that he was using the property for storage purposes, renting space by the month, while at the same time he was constantly referring to the parking of cars, not being aware of the legal distinction; it is clear, however, that whatever use was made was for storage purposes, and not for temporary parking; that it is submitted that the property was being unlawfully used for the storage and such unlawful use cannot be the basis for the Borough Superintendent's action; and

WHEREAS, the applicant has filed a copy of last owners search made by the City Register, which indicates the last recorded conveyance of the premises in question to O. Realty Company, Inc. 1476 Broadway, New York City; and

WHEREAS, the Board under date of January 19, 1945, notified such owner of the hearing to be held by the Board January 23, 1945; and

WHEREAS, the Board, as presently constituted, has been familiar with the area and use of the lots in question due to inspections from time to time in connection with applications before the Board, namely: 409-31-BZ; 235-31-BZ; 113-33-BZ; 293-33-BZ; and 702-44-A, which were in relation to premises in the immediate vicinity; and

WHEREAS, the Commissioner of Buildings issued a Letter Permit No. 174 on May 24, 1934, relating to the premises and purporting to permit "day-time parking" and restricted to five cars overnight; and

WHEREAS, such Letter Permit was a nullity, as there is no provision of law providing for such a type of Letter Permit in lieu of a certificate of occupancy required by the City Charter, the Administrative Building Code and the Zoning Resolution; and

WHEREAS, no other permit for use of the plot for sale of used cars or to cross the sidewalk appears to have been issued at any time; and

WHEREAS, from the records in the Board's files and in the records in the Department of Housing and Buildings and from testimony before the Borough Superintendent and before the Board in this appeal, the Board finds that there was no parking or storage use prior to 1931, and that whatever parking or storage was intermittently carried on after that date in conjunction with the sale of used cars, for which no permit was issued, was in fact storage inasmuch as the record shows that fees were collected therefor; and

WHEREAS, the Court of Appeals in *Monument Garage* v. *Levy* (266 N. Y. 339), in distinguishing between the meaning of the terms "storage" and "parking", did not take cognizance of the fact that, whether termed "parking" or "storage", the placing of a motor vehicle on a lot for safe keeping and where a regular fee or charge is made on the basis of a day, week or month, the business conducted is a storage lot for motor vehicles, which has been an unlawful use for more than five cars in a business use district since 1928; that the court has now adequately defined the term "storage" in a recent decision by Mr. Justice Hammer, at Special Term, Supreme Court, Bronx County, in the *Matter of Glicker* v. *The Board* (N. Y. Law Journal, December 23, 1944, page 1813, a digest of which appears in the Bulletin of the Board of January 2, 1945, Vol. XXX, No. 1, page 1), to the following effect—that where more than five motor vehicles are placed on a lot in a business use district by their respective owners for safekeeping and a regular fee or charge is made on the basis of a day, week or month, the use of the premises is "storage" and not "parking" and such use has been unlawful since 1928 (Amendment of March 1, 1928); and

WHEREAS, in the opinion of the Board, the decision of the Court of Appeals in *Boardwalk & Seashore Corporation* v. *Murdock* could not be relied upon to justify the issuance of a permit in this case, inasmuch as the storage use was not established prior to 1928, when it could have been lawfully established, and has not been continuously maintained since that date.

Resolved, that the decision of the Borough Superintendent dated November 28, 1944, refusing to revoke the approval and permit issued under Building Notice 1054-44, is *reversed,* and that no other permit, certificate of occupancy or permit to cross the sidewalk, purporting to permit the use of the premises or access thereto for the storage or parking of more than five motor vehicles, shall be issued unless a zoning variance is granted by this Board for such use for the lots in question while located in a business use district.

707-44-A

APPLICANT—James Whitford, for St. Joseph's Hill Academy, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—205 Major avenue, northeast corner of Sand lane (1st floor); (Block 3095, Lot 21), Arrochar, Borough of Richmond.

MINUTES

APPEARANCES—
For Applicant: James Whitford and Charles A. Bergman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (707-44-A)

WHEREAS, James Whitford, for St. Joseph's Hill Academy, owner, filed December 5, 1944, an appeal from a decision of the borough superintendent, affecting premises 205 Major avenue, northeast corner Sand lane (1st floor); (Block 3095, Lot 21), Arrochar, Borough of Richmond; and

WHEREAS, the applicant has filed amendment to Alt. Applic. 46-44 with the borough superintendent wherein it is proposed to install a ceiling in a proposed extension with 2 in. by 4 in. beams, 16 in. on centers, hung from steel beams with 4 in. by 4 in. material bolted to steel rods; ceiling will be covered with rock lath and two coats of plaster; 4 in. by 4 in. struts will be placed 5 ft. on centers; and

WHEREAS, in acting on this amendment, the borough superintendent issued the decision herein appealed, which decision is dated November 27, 1944 and reads:

"2. Construction indicated in hung ceiling is not fireproof construction having a fire resistive rating of 3 hours and therefore is not acceptable. C26-239.0."

and

WHEREAS, the applicant states the building is 3 stories (44 ft.) in height; 106 ft. 6 in. by 71 ft. in area at 1st floor; 106 ft. 6 in. by 52 ft. in area at 2nd floor; of Class 1 construction; erected 1925; located in a residence use, E area, Class 1 height district and used and occupied since 1925 as follows: cellar, kitchen, dining room, gymnasium; 1st floor, dining room, auditorium and classrooms; 2nd floor, classrooms, music room and library; 3rd floor, dormitory rooms, and proposed to be used and occupied as follows: cellar, same; 1st floor, dining room, auditorium, class rooms and sun porch; 2nd floor, same; 3rd floor, same; that the building is equipped with an interior fire alarm system and fire drills are maintained and that there are two 45 in. fireproof stairs from the roof to the street; and

WHEREAS, Certificate of Occupancy 350 issued January 19, 1926, classifies the building as brick construction convent, and permits its use as follows: basement, kitchen and dining rooms; 1st floor, class rooms, etc.; 2nd floor, class rooms, etc.; 3rd floor, dormitories, etc.; roof, promenade, total occupancy of 100 persons; and

WHEREAS, the applicant contends that this is an appeal from the decision of the borough superintendent referring to the furred ceiling in the one story extension being constructed on the front of the present school building; that the extension in question is used for two class rooms; that the entire foundation and first floor construction are reinforced concrete with asphalt tile finished floor; that the walls are 12 in. brick and the roof is fireproof; that no furred ceiling was contemplated in the original plans; that the owner, however, requested the contractor to provide a furred ceiling in order to conceal the plumbing and heating pipes, etc.; that the contractor proceeded to provide for metal furring and wire lathing and installed ¾ in. steel rod hangers spaced 4 ft. on centers, but was unable to obtain the channel iron furring and wire lath, due to war conditions; that the contractor then proceeded to provide 4 in. by 4 in. timbers, spaced 4 ft. on centers through which the ¾ in. bolts are extended, and provided with plates and nuts on the under side. 2 in. by 4 in. beams, spaced 16 in. on centers are cut in between the purlins and spiked; that the entire ceiling is then covered with rock lath and prepared for two coats of plaster; that all work has been completed, except the two coats of plaster; that as the structure is fireproof and interior partitions are of gypsum blocks and as the ceiling is supported with steel hangers and the underside of the frame furring is protected with rock lath and will be plastered and thus will provide a reasonably fire retarded condition and since the contractor used every effort to obtain the fireproof furring and wire lath and spaced the hangars accordingly, it is requested the Board grant this appeal, to permit the construction as now proposed to be completed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 46-44, Objection 2, dated November 27, 1944, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that granulated rock wool shall be placed on the rock lath to a point 1 in. above the 2 x 4 furring and that the ceiling shall be plastered with not less than two coats of Vermiculite plaster to a thickness of not less than 5/8 in.; that the cross wall of gypsum block, shown on plans filed with this appeal marked "Received December 5, 1944", shall run to the underside of the roof slab.

745-44-A

APPLICANT—Lama and Proskauer, for Morris Goldberg, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—3042-3060 (3050-3060 displayed) West 23rd street, west side, 99 ft. north of Boardwalk (Block 7070, Lots 142 to 145 and 155), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (745-44-A)

WHEREAS, Lama and Proskauer, for Morris Goldberg, owner, fied December 27, 1944, an appeal from a decision of the borough superintendent, affecting premises 3042-3060 West 23rd street, west side, 99 ft. north of Boardwalk (Block 7070, Lots 142, 143, 144, 145 and 155), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated December 18, 1944, on Alt. Applic. 1930-44, reads:

"15. All stairways to lead in a continuous enclosure to street, as per section 6.4.1.11 of the Building Code.

16. Capacity of stairways inadequate for egress from 3rd & 2nd floors and solarium and sunroof over two story extension, as per section 6.4.11 of the Building Code.

17. Every room or area having an occupancy of more than 75 persons to be provided with two remote doorways leading to an exit or exits, as per sec. 6.1.2.2.1 of the Building Code,"

and

WHEREAS, the applicant states the building is 3 stories (38 ft.) in height; 93 ft. by 128 ft. in area; of Class 1 construction; erected 1932; located in a business use, C area, Class 1 height district and used and occupied since 1932 as follows: 1st floor, office, swimming pool, baths, and vapor rooms, 500 persons; 2nd floor, dressing rooms, 500 persons; 3rd floor, dormitories, beauty solariums, 11 persons; roof, sun bathing, 250 persons, and proposed to be used and occupied: 1st floor, same, 242 persons; 2nd floor, same, 906 persons; 3rd floor, same 323 persons; roof, same 338 persons; and

WHEREAS, the applicant states to the borough superintendent in specification sheet filed with Alt. Applic. 1930-44, that the building will be used and occupied as follows: 1st floor, office, laundry and bathing, 242 persons; 2nd floor, roof, dressing rooms and sun bathing, 165 persons; 2nd floor, restaurant, solarium, 1225 persons; 3rd floor, dormi-

tories and solarium, 484 persons, roof, sun bathing, 240 persons; and

WHEREAS, the applicant states the building is equipped with two 3 ft. 8 in. iron stairs, enclosed in terra cotta partitions, equipped with fireproof, self-closing doors and leading from the roof bulkhead to the first story; and

WHEREAS, the applicant states that the premises has a frontage of 276 ft. 9½ in. on West 23rd street, running through to West 24th street and faces the Boardwalk; that the plot is improved with a 3 story fireproof building, 94 ft. front, 128 ft. in depth; constructed under N.B. permit 7502-32, for which Certificate of Occupancy 71856 was issued; that it is proposed to construct a new 2 story extension to the north, 63 ft. 6 in. by 85 ft. in area; that with the construction of the proposed extension, the present fire escape on the northerly portion of the existing building will be removed and new fire proof stairway constructed, these stairs will lead to the rear yard, from which there is access to both West 23rd street and West 24th street; and

WHEREAS, the applicant contends that the building is equipped with a standpipe system, completely fireproof and periodic fire drills are maintained; it is therefore respectfully requested that this appeal be granted.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1930-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 15, *on condition* that the exit from all stairs shall be over the vacant property under the same ownership, leading directly to the street or boardwalk; and withdrawn as to Objections 16 and 17, to comply.

518-31-S

APPLICANT—Sidney L. Strauss, for the Presbyterian Hospital, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the Labor Law, as cited in an order and decision of the fire commissioner and a decision of the superintendent of buildings (previously granted on condition).

PREMISES AFFECTED—53 West 56th Street, northside, 189.4 ft. east of Sixth avenue (Block 1272, Lot 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (518-31-S)

WHEREAS, this application from an order and decision of the fire commissioner and a decision of the superintendent of buildings, affecting premises 53 West 56th street, north side, 189.4 ft. east of Sixth avenue (Block 1272, Lot 9), Borough of Manhattan, was granted by the Board on March 18, 1932, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 18, 1932, by adding thereto:

"that in the event the building at 53 West 56th street is completely separated from the building at West 57th street and the two buildings are under different ownership, the terms of this resolution as to the occupancy of the building at West 56th street may, however, still apply in all other respects, provided the second means of exit is provided and maintained substantially as indicated on plans filed with this appeal marked "Received January 10, 1945;" that the number of persons within the building shall be limited to the capacity of the primary means of exit; that the amount of space occupied for factory work shall not exceed 25 percent of the total floor area of the building; that the decision of the borough superintendent on Alt. Applic. 1529-44, Objections 6 and 7, be and it hereby is *modified* as above stated and the variation of the requirements of the Labor Law *amended* to that effect."

180-43-A

APPLICANT—Sidney L. Strauss, for Lucy S. Trotter, owner; Alvin and Virginia W. Devereaux, trustees (A. S. Beck Corp., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—468-470 Fulton street, south side, 20 ft. west of Elm place (Block 157, Lot 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (180-43-A)

WHEREAS, this appeal from a decision of the fire commissioner affecting premises 468-470 Fulton street, south side, 20 ft. west of Elm place (Block 157, Lot 18), Borough of Brooklyn, was granted by the Board on May 11, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 11, 1943, so that as amended, the resolution shall read:

"*Granted on condition* that in all other respects, the installation shall comply with the requirements of the Labor Law therefor; that the second story, where the refrigerating unit is to be located, shall not be used for any purpose other than the storage of shoes with no permanent human occupancy; that all stories above the second shall be clear at all times; that the stairway from the mezzanine floor to the second shall be fully enclosed with fire-retarding partitions and fireproof, self-closing doors; that a railing shall be constructed and maintained around the refrigerating unit; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

95-42-A

APPLICANT—L. D. Kauffman, for Wallabout Basin Storage, lessee; New York Dock Co., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lester D. Kauffman.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MINUTES

655-44-A

APPLICANT—Harry A. Yarish, for Midwood Patriotic Memorial, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1472 Ocean avenue, west side, 150 ft. north of Avenue J (Block 6712, Lot 88), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

693-44-A

APPLICANT—Henry G. Harrington, for 735-741 65th Street Realty Corporation, owner (Danish Athletic Club, Inc., lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—735-743 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington and Svend Fast.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

506-44-A

APPLICANT—Morris Bernard Adler, for James M. Hart, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1028-1030 Gates avenue, south side, 51 ft. 2½ in. west of Broadway (2nd and 3rd floors); (Block 1480, Lots 27, 29, 32, 34, and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Bernard Adler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

585-44-A

APPLICANT—A. Paul Loshen, for Syndicate Development Co., Inc., owner (Teddy's Luncheonettes, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—155-16 Jamaica avenue, south side, 146.16 ft. east of Twombly place (ground floor); (Block 10097, Lot 27), Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

656-44-A

APPLICANT—Morris Whinston, for A.R.R. Realty Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

5-45-A

APPLICANT—William B. Still, for Tyson Realty Corp., owner (Jamaica Radio Television Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William B. Still and Emil Schaeffer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 30, 1945 at 2 P. M. for further consideration.

ZONING CASES

418-37-BZ

APPLICANT—R. McClintock Robinson, for Arthur J. Schutze, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a period of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—115-125 Myrtle avenue, north side, 22.80 ft. east of 116th street (Block 9257, Lot 57), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Ruth P. Wadman and Arthur J. Schutze.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (418-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 115-125 Myrtle avenue, north side, 22.80 ft. east of 116th street (Block 9257, Lot 57), Richmond Hill, Borough of Queens, was granted by the Board on January 17, 1939, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 12, 1939 and permit extended on January 28, 1941 and January 26, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 17, 1939, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles for a temporary term of two (2) years from the date of this *amended* resolution *on condition* * * * and that other than as herein *amended* the conditions of the resolution of January 17, 1939 shall be complied with, and that a certificate of occupancy shall be obtained (Misc. Applic. 2696-39)."

511-37-BZ

APPLICANT—Horace S. Ely and Company, for Abraham B. Cox, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the commissioner of buildings), previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance of a shop for the manufacture of light ornamental iron.

PREMISES AFFECTED—1237-1239 Second avenue and 246-250 East 65th street, southwest corner (Block 1419, Lot 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur Byrnes.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (511-37-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district for a temporary term of two years, the premises to be used as a shop for the manufacture of light ornamental iron, affecting premises 1237-1239 Second avenue and 246-250 East 65th street, southwest corner (Block 1419, Lot 28), Borough of Manhattan, was granted by the Board of March 29, 1938, on certain conditions, permit extended on March 4, 1941, February 24, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 29, 1938, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7e for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied as a shop for the manufacture of light ornamental iron, on condition * * * and that other than as herein *amended* the conditions of the resolution of March 29, 1938 shall be complied with."

253-40-BZ

APPLICANT—Rogan and Rogan, for Chatham Properties, Inc., new owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting on a plot located in a business and residence use district, the parking and storage of more than five motor vehicles for a term of two years.

PREMISES AFFECTED—1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block 2121, Lot 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles J. Briody and Michael Aza.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (253-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting on a plat located in a business and residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 1060-1070 St. Nicholas avenue and 510-520 West 164th street, southeast corner (Block 2121, Lot 13), Borough of Manhattan, was granted by the Board on January 21, 1941, on certain conditions; and

WHEREAS, the permit was extended on January 19, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 21, 1941, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended* the conditions of the resolution of January 21, 1941 shall be complied with; and that a certificate of occupancy shall be obtained."

806-40-BZ

APPLICANT—Arthur H. Haaren, for Edlar Realty Corporation, owner; (Cogat Garage, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and extension of variance and time—re Application (decision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting in a business use district, the extension of a gasoline station use to include the parking and storage of more than five motor vehicles for a temporary term.

PREMISES AFFECTED—4566 Broadway and 2 Nagle avenue, northeast corner (Block 2172, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: James McC. Coker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, permit and time extended.

THE VOTE TO REOPEN AND EXTEND PERMIT AND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (806-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the extension of a gasoline service station use to include the parking and storage of more than five motor vehicles for a temporary term, affecting premises 4566 Broadway and 2 Nagle avenue, northeast corner (Block 2172, Lot 1), Borough of Manhattan, was granted by the Board March 18, 1941, on certain conditions, time extended on March 24, 1942 and time and permit extended on March 16, 1943 and time extended on March 7, 1944, the applicant requested a further extension of the permit and a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 18, 1941, as amended through March 7, 1944, only so far as it has reference to the term of the variance and extension of time to obtain permits and complete the work, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the additional use of parking and storage of more than five cars, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 18, 1941 shall be complied with; and that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

1026-40-BZ

APPLICANT—Prudence-Bonds Corporation, for City Bank Farmers Trust Company, as trustee.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—430-438 West 41st street, south side, 300 ft. west of Tenth avenue (Block 1050, Lots 49 to 52, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Blewett.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1026-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution permitting in a retail use district for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 430-438 West 41st street, south side, 300 ft. west of Tenth avenue (Block 1050, Lots 49 to 52, inclusive), Borough of Manhattan, was granted by the Board February 25, 1941, on certain conditions, time to obtain permits and complete work extended September 16, 1941 and December 16, 1941 and permit extended on March 9, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 25, 1941, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a term of two years from the date of this *amended* resolution, to permit parking and storage of more than five motor vehicles *on condition* * * * and that other than as herein *amended* the conditions of the resolution of February 25, 1941 shall be complied with; and that a Certificate of Occupancy shall be obtained."

426-42-BZ

APPLICANT—Hyman Fisch, for Leonore Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—695-699 Utica avenue, east side, 50 ft. south of Clarkson avenue (Block 4637, Lot 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Hyman Fisch and Nathan Weisberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (426-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 695-699 Utica avenue, east side, 50 ft. south of Clarkson avenue (Block 4637, Lot 44), Borough of Brooklyn, was granted by the Board on February 9, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 9, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended* the conditions of the resolution of February 9, 1943 shall be complied with."

514-42-BZ

APPLICANT—Arthur H. Haaren, for Pennsylvania Railroad Company, owner. (Kesbec Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—39-11 to 39-33 Skillman avenue, north side, 100 ft. east of 39th street (Block 183, part of Lot 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: James McC. Coker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (514-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five

motor vehicles, affecting premises 39-11 to 39-33 Skillman avenue, north side, 100 ft. east of 39th street (Block 183, part of Lot 1), Long Island City, Borough of Queens, was granted by the Board on February 16, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 16, 1943, as to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended* the conditions of the resolution of February 16, 1943 shall be complied with (Misc. Applic. 2950-42)."

7-44-BZ

APPLICANT—William Gehron, for Department of Public Works, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the acting borough superintendent) previously granted on condition under section 21 of the zoning resolution, permitting in a residence use, E and F area districts, and also one-half times and one-times height districts, the erection and maintenance of a building, one-half times height, F area setback from street lines and F area plot coverage and floor area requirements of the zoning resolution.

PREMISES AFFECTED—161-25 Grand Central parkway, north side, from 161st street to 164th street (Block 6858, Lot 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Prober and S. John Andruzzi.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (7-44-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use, E and F area districts, and also one-half times and one-times height districts, the erection and maintenance of a building, one-half times height, F area setback from street lines and F area plot coverage and floor area requirements of the zoning resolution, affecting premises 161-25 Grand Central Parkway, north side, from 161st street to 164th street (Block 6858, Lot 1), Jamaica, Borough of Queens, was granted by the Board on February 1, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 1, 1944, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of February 1, 1944, shall be complied with (N.B. Applic. 269-43)."

462-44-BZ

APPLICANT—Walter Lang & Son, Inc., lessee, for Walter Lang and Son, Inc., and Macoy Holding Corporation, owners.

SUBJECT—Application for consideration—reopening and extension of time to submit plans—re Application (decision of the Commissioner of Marine and Aviation) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station.

PREMISES AFFECTED—3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry E. Lang.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (462-44-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station, affecting premises 3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn, was granted by the Board on October 17, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to submit plans, as required in the conditions of the resolution of the Board of October 17, 1944.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 17, 1944 only in so far as it has reference to the requirement that complete working drawings shall be submitted for approval by the Board prior to filing with the Commissioner of Marine and Aviation, so that as amended, this portion of the resolution shall read:

"that such plans shall be submitted within six (6) months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of October 17, 1944, shall be complied with."

836-22-BZ

APPLICANT—Harry Hurwit, for Flo-El Realty Corp., new owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, permitting partly in a business district and partly in a residence district, the erection of a theatre building.

PREMISES AFFECTED—85 Burnside avenue and 2035 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Hurwit.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MINUTES

330-29-BZ

APPLICANT—Lama and Proskauer, for Hannah Harmon, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the superintendent previously granted on condition, under sections 7f and 21, for a temporary term of two (2) years, partly in business use and partly in residence use district, the erection and maintenance of a gasoline service station (expired by limitation 4/29/43).

PREMISES AFFECTED—70-58 to 70-66 Kissena Boulevard and 153-08 to 153-18 Vleigh road, southwest corner (Block 6697, Lot 1), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

1182-39-BZ

APPLICANT—Benjamin A. Wilder, for Abraham Rubinstein, lessee; Post Sherman Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58), Borough of The Bronx.

APPEARANCES—
For Applicant: Benjamin A. Wilder.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on February 14, 1945 at 10 A. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

761-42-BZ

APPLICANT—The Bank for Savings in the City of New York, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a retail-1 use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles (previously withdrawn).

PREMISES AFFECTED—879-887 Eighth avenue and 300-308 West 53d street, southwest corner (Block 1043, Lots 33½ to 38, inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: David Weinberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

628-44-BZ

APPLICANT—Anthony M. De Rose, for Paladino Bros. Holding Corp., owner.

SUBJECT—Application for consideration—reopening and consideration of new proposal—temporary change of occupancy for two years, for occupancy of building as storage warehouse for cosmetic bottles—re Application (decision of the borough superintendent) previously denied under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from garage for more than five motor vehicles, to a paper-box factory for a temporary period of two years and to revert to garage storage thereafter.

PREMISES AFFECTED—437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan.

APPEARANCES—
For Applicant: Anthony M. De Rose and Frank A. Paladino.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 4:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse fo rneglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, laquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an in-

dividual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing, drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1.1 Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustile materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1" of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8" unsanded gypsum plaster or 7/8" of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire-fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each

oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal

of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and pipe protected from the woodwork by at least a 1" blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, flourescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10′) feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10′) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2 Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug where the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully engaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinet ventilated to the outer air. Such cabinet to be metal covered on all sides, including the door and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule 1.3.4 Heating of Rooms.

Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.

Rule 4.0 Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electric Lighting.

Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule 6. Material, Storage and Mixing.

Rule 7. General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-5600.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, January 30, 1945, at 2 P. M., Affecting Calendar Numbers 709-44-A, 711-44-A, 19-45-A, 298-39-A, 360-44-A, 5-45-A, 534-44-A, 31-45-A, 369-37-BZ, 644-25-BZ and 266-41-BZ.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to January 30, 1945.

Cal. No. Dept. · Permises Affected.

35-45-SM—Russwin Panic Bolts, types 566, 60, 66, T-7080, T-7086, 080 and 86, manufactured by Russell and Erwin Division of American Hardware Corp., Material.

36-45-A—F.D.—285-289 Prospect Park West, south side, 40 ft. east of 18th street (Block 877, Lot 3), Borough of Brooklyn, 98391-LC and Decision.

37-45-A—H.B.Bx.—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx, Amendment to Alt. 583-44.

38-45-A—H.B.M.—507-509 East 75th street, north side, 173 ft. east of York avenue (1st to 4th floors); (Block 1487, Lot 8), Borough of Manhattan, Alt. 1536-44.

39-45-A—F.D.—644-646 Broadway, northeast corner of Bleecker street (8th floor); (Block 529, Lot 1), Borough of Manhattan, Decision.

40-45-BZ—H.B.R.—705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond, Alt. 7-45.

41-45-A—H.B.Q.—95-41 to 95-45 Roosevelt avenue and 37-87 Warren street, northeast corner (2nd and 3rd floors); (Block 1484, Lot 54), Jackson Heights, Borough of Queens, Alt. 1674-44.

42-45-SM—Spraykote (Insulation and Acoustics), manufactured by Sprayed Insulation, Inc., Material.

Restored to Calendar.

369-37-BZ—H.B.Bx.—1212 Grand Concourse, 179-197 East 167th street, northeast corner and 1209 Sheridan avenue (Block 2457, Lot 1), Borough of The Bronx, Alt. 638-44.

360-44-A—F.D.—949-953 Kent avenue, east side, 250 ft. north of DeKalb avenue (Block 1926, Lot 10), Borough of Brooklyn, 98389-LC.

298-39-A—H.B.M. and F.D.—62 East 92nd street, south side, 153.3 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lot 44), Borough of Manhattan, Alt. 1801-44 and 32979-LF.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
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Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Nov. 14, 1944—Vol. 29, No. 45
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

FEBRUARY 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

606-44-BZ—Application, October 24, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner, to permit in an F area district, a one and two family residential development not conforming to the area district requirements; premises South side of West 249th street (Spauldings Lane), between Henry Hudson Parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

370-41-BZ—Application of Ferdinand Savignano, applicant, on behalf of Sophie Rigler, owner, reopened December 12, 1944 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

CALENDAR

330-42-BZ—Application of Eugene De Rosa, applicant on behalf of Jeron Co., Inc., owner, reopened and restored to Calendar, September 12, 1944 (previously withdrawn), under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

50-42-BZ—Application of Harry Barkoff, applicant and lessee, on behalf of Helen Mahoney, owner, reopened January 16, 1945 for consideration as to extension of permit (expired by limitation)—Application, previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx.

94-19-BZ—Application of Herman Kron, applicant, on behalf of Bergen Management Co., Inc., owner (Brownsville Motor Sales Co., Inc., lessee), reopened June 22, 1943, under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to a garage for more than five motor vehicles and motor vehicle repair shop for a temporary period of two years and the maintenance of a 2nd story on a portion of the building; premises 1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

182-44-BZ—Application, March 27, 1944, under section 21 of the zoning resolution, of Frank C. Keller, applicant, on behalf of John Celmer and Stanley Celmer, owners, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard; premises 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

Appeals from Administrative Decisions.

183-44-A—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens (under section 35, General City Law—re bed of mapped street—70th (Edsall) avenue).

610-44-A—372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond (under section 35, General City Law—re proposed widening of avenue—Seaview avenue).

644-44-A—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.

737-44-A—62-88 (also known as 62-160) Scott avenue, northeast corner of Meserole street (1st floor); (Block 2972B, Lot 1), Borough of Brooklyn.

Material for Approval.

584-44-SM—Atlantic 3 Hour Hollow Metal Door #9 Flush and #10 Panel Types.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 6, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, February* 6, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

617-44-A—West side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Pier 2, Erie Basin, Borough of Brooklyn.

277-44-A—546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan (reopened and restored to calendar; previously withdrawn).

706-44-A—79-81 Chambers street, north side, 143 ft. 11 in. west of Broadway (1st floor); (Block 149, Lot 3), Borough of Manhattan.

605-44-A—110-128 Waterbury street and 283-291 Ten Eyck street, northwest corner (Block 3021, Lot 1), Borough of Brooklyn.

1-45-A—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

13-45-A—487-515 Clermont avenue, east side, 204 ft. north of Atlantic avenue (Basement, Bldg. 5); (Block 2009, Lot 1), Borough of Brooklyn.

12-45-A—917-923 (919 displayed) Avenue J and 986-996 East 10th street, northwest corner (Block 6522, Lot 43), Borough of Brooklyn.

20-45-A—43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (Block 191, Lot 19), Long Island City, Borough of Queens.

643-44-A—337-341 Kingsland avenue, west side, 95 ft. north of Norman avenue (2nd floor); (Block 337, Lot 1), Borough of Brooklyn.

620-44-A—11-23 Broad street, east side, 115 ft. 5¾ in. south of Wall street, 51-55 Exchange place and 35 Wall street (36th, 37th and 38th floors); (Block 26, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, February* 14, 1945, at 10 o'clock in

CALENDAR

Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

1182-39-BZ—Application of Benjamin A. Wilder, applicant, on behalf of Abraham Rubinstein, lessee; Post Sherman Corporation, owner, reopened January 23, 1945 for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58) Borough of The Bronx.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

747-44-BZ—Application, December 28, 1944, under section 7e of the zoning resolution, of F. P. Platt & Bro., applicants, on behalf of Helen V. Kelchner, owner, to permit in a residence use district, for a temporary period of two years, the change of occupancy of the basement and 1st story of a vacant multiple dwelling to storage use and the return of the premises to its original use at the end of the temporary period; premises 68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan.

Appeal from Administrative Decision.

748-44-A—68 and 70 Irving place, east side, 27 ft. north of East 18th street (basement and 1st floors); (Block 874, Lots 21 and 22), Borough of Manhattan.

Material for Approval.

477-44-SM—Thortel "100" Fireproof Fabrics.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, February* 14, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

534-44-A—224 Tompkins street, southeast corner of Warren street (Block 552, Lots 23-26, inclusive), Stapleton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

458-44-BZ—Application, July 26, 1944, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of Alstevlen Realty Corporation, owner, to permit in a business use district, two vehicular entrances to a driveway from garage and service station located in an unrestricted use district; premises 400-418 East 61st street and 1110-1112 First avenue, southeast corner (Block 1455, Lot 46), Borough of Manhattan.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

679-44-BZ—Application, November 28, 1944, under section 21 of the zoning resolution, of Henry C. Brucker, applicant, on behalf of Julia Haeberle, owner, to permit in an F area district, the maintenance of a brick stoop and terrace 8 feet instead of 15 feet back from the building line; premises 109-40 205th place, west side, 93 ft. north of Hollis avenue (Block 10911, Lot 24), Hollis, Borough of Queens.

628-44-BZ—Application of Anthony M. De Rose, applicant, on behalf of Paladino Bros. Holding Corp., owner, reopened January 23, 1945, under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles to a storage building for cosmetic bottles; premises 437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of Jamaica avenue (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JANUARY 30, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, January 23, 1945, and Tuesday afternoon, January 23, 1945, were approved as printed in Bulletin No. 5, Volume 30.

ZONING CASES

422-39-BZ

APPLICANT—Lama and Proskauer, for Bonded Lien Corporation, owner.

SUBJECT—Application reopened July 25, 1944, for consideration as to extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman for Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1945 at 10 A. M. on request of applicants' representative.

182-44-BZ

APPLICANT—Frank C. Keller, for John Celmer and Stanley Celmer, owners.

SUBJECT—Application (decision of the acting borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractors equipment storage yard.

PREMISES AFFECTED—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.
For Opposition: Edward N. Kassel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 6, 1945 at 10 A. M. on request of applicant.

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the acting borough superintendent) under Section 21-C of the zoning resolution, to permit in a C and F area district, a one-family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311, and Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert E. Wheeler.
For Opposition: None.
For Administration: Fred Dahlem, Dept't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Application placed on the Reserve Calendar.

284-36-BZ

APPLICANT—W. T. McCarthy, for The House of St. Giles the Cripple, owner.

SUBJECT—Application reopened December 12, 1944—re Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a C area district and partly in an E area district, the alteration and extension to height of an existing hospital building, and the erection of additions thereto, to occupy a greater area than that permitted by the zoning resolution.

PREMISES AFFECTED—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

337-33-BZ

APPLICANT—Robert Teichman, for City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner.

SUBJECT—Application reopened January 9, 1945 for consideration as to extension of permit (expired by limitation)—Application (decision of the acting borough superintendent) previously granted on condition, permitting in a business use district, under section 7h of the zoning resolution, for a term of two years, the maintenance of a storage space for more than five motor vehicles.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Teichman.
For Opposition: Harold Klorfein, Dept. of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (337-33-BZ)

WHEREAS, this application, permitting in a business use district, for a term of two years, the maintenance of a storage space for more than five motor vehicles, affecting premises: east side of River avenue, 100 ft. north of East 161st street (Block 2484, Lot 9), Borough of The Bronx, was granted by the Board on February 14, 1934, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension, having been granted on October 20, 1942; and

WHEREAS, the applicant requested a further extension of the permit which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on January 9, 1945, restored to the calendar and set for hearing on January 30, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing on January 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 14, 1934, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, permitting the plot to be used as a storage space for more than five automobiles of the pleasure-car type, during periods when the Yankee Stadium is used for baseball games or exhibitions and in no event to permit this storage space to be used for over-night storage or parking, *on condition* * * * and that, other than as herein *amended,* the conditions of the resolution of February 14, 1934 shall be complied with."

120-39-BZ

APPLICANT—F. D. Koehler Co., Inc., owner (Horace C. Carter, lessee).

SUBJECT—Application reopened January 9, 1945 (decision of the acting borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop (previously granted by the Board for a temporary term of two years) on a plot with an existing gasoline service station.

PREMISES AFFECTED—1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: W. E. Gerke, Jr.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (120-39-BZ)

WHEREAS, this application, permitting in a business use district, for a term of two-years, the maintenance of a motor vehicle repair shop in part of an existing building located on a plot with an existing gasoline service station, affecting premises 1646 Hylan boulevard and 301-309 Seaview avenue, northeast corner (Block 3379, Lot 89), Dongan Hills, Borough of Richmond, was granted by the Board on February 27, 1940, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on January 9, 1945, and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Hylan boulevard is in a business use, D area and Class 1 height district and Seaview avenue is in a local retail and business use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated December 18, 1944, re B.N. App. 8-39 and request for certificate of occupancy reads:

"Your application for a certificate of occupancy is denied because—

1. The resolution of the Board of Standards and Appeals, Cal. 120-39-BZ, limited the occupancy of these premises as a motor vehicle repair shop and gasoline service station to a term of two years, expiring February 27, 1942."

and

WHEREAS, the applicant states that the premises consist of a plot 100 ft. frontage by 106 ft. in depth, on which is located a one-story, Class 3 constructed building, 20 ft. by 84 ft. in area; the plot is occupied as a gasoline and oil selling station accessories, motor vehicle repair shop and storage of four cars; and

WHEREAS, the applicant contends that this is an application for the extension of a variance previously granted by the Board, which has expired by limitation; that it was originally granted to Charles Hofmann, lessee; Cecelia Hofmann, owner, subject to limitations and expiring on February 27, 1942; that the premises were vacant and unoccupied, because of gasoline rationing and war conditions, for nearly three years, from December 29, 1941 until the present owner leased the premises as of September 16, 1944, to Horace Carter, a medically discharged war veteran and skilled auto mechanic; that the applicant acquired title on April 7, 1942 and had no knowledge, until recently, that the original variance was of a temporary nature and had expired February 27, 1942, almost one and one-half months before the applicant took title; that no new work is proposed; that there has been no change in the area, and conditions are the same now as they were on February 27, 1940, when it was originally granted; that the records of the Dept. of Housing and Buildings, show the original building was erected in 1924 and a certificate of occupancy issued July 30, 1924, for use as a gasoline and oil selling station, and accessory store, and covered a 1½ story concrete block building, approximately 20 by 36 ft.; that in 1924, an additional 20 ft. by 48 ft. was built for use as a battery station and a small motor vehicle repair shop; that in 1935 a further addition consisting of toilet rooms and a work room was built; that since 1926, the premises have been continuously occupied as a gasoline, oil and accessory station, and from February 27, 1940, under the variance granted by the Board, as a motor vehicle repair shop, until December 29, 1941, when it was unoccupied temporarily because of war conditions producing a scarcity of skilled auto mechanics; that the lessee, a medically discharged war veteran and a skilled mechanic, requires a small motor vehicle repair shop in order to carry on the business; that such a shop is needed for the residents of the adjoining area, there being none for a distance of one mile in one direction and three miles in another direction; that most of the land immediately adjoining on Hylan boulevard is vacant and unimproved; that there is no intention either to operate a large motor vehicle repair shop or to increase the area which has been operated for that purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 27, 1940, so that as amended, the resolution shall read:

"*Granted* under section 7i for a temporary term of two (2) years from the date of this *amended* resolution, to permit the building as proposed to be occupied for motor vehicle repair work as shown on plans filed with this application marked "Received December 27, 1944," *on condition* that such repair work shall be limited to work to be done by hand tools except that a motor-driven grinder, drill and lathe may be permitted, provided that no such machine has a motor greater than ½ h.p.; that no sign shall be erected on the premises advertising the repair work; that the area now so used shall not be further extended; that a new Certificate of Occupancy shall be obtained to include the existing gasoline station and the motor vehicle repairing herein permitted and a garage for not over four (4) motor vehicles; that no cars shall be parked along the sidewalk of Seaview avenue; that all permits shall be obtained and all work completed within three (3) months from the date of this *amended* resolution."

MINUTES

599-44-BZ

APPLICANT—Paul Friedman, for Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee).

SUBJECT—Application (decision of the acting borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory.

PREMISES AFFECTED—85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Samuel Gardstein, Samuel Einhorn and Isser Einhorn.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (599-44-BZ)

WHEREAS, Paul Friedman, for Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee), filed October 20, 1944, an application under section 7c and 21 of the zoning resolution, to permit in a residence use district, the addition of a second story on an existing paint storage building and its connection to an existing two story paint factory, affecting premises: 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 135th avenue and 84th street are in a residence use, D area and 1 times height district; and

WHEREAS, the decision of the borough superintendent, dated October 9, 1944, re Alt. App. 1219-44, reads:

"1. The proposed addition to existing commercial building located within a residence district, is contrary to Article 2, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that this is an application under sections 7c and 21 of the zoning resolution, to permit in a residence district, the erection of a fireproof, second story (to be used for storage of paints) to an existing, fireproof, one story building (used for storage of paints), and to connect the proposed second story by means of horizontal exits to the existing, adjoining second story of a fireproof building (used for office, stockroom and factory for manufacture of paints); that the premises consist of a plot having a frontage of 184.16 ft. and an irregular depth of from 160 ft. to 197 ft., on which 5 buildings are erected, which are designated on the plot plan as buildings #1 to 5, inclusive.

Building #1—is a one story fireproof building, having a frontage of 61 ft. and an irregular depth of from 70.6 ft. to 90.10 ft., 11 ft. in height, erected in 1936, under permit 437-36. Certificate of Occupancy #52449, issued on December 14, 1936, permits occupancy for storage. It is proposed to erect a fireproof second story to this building for paint storage use and to connect the 2nd story by means of horizontal exits to the existing, adjoining second story of Building #2.

Building #2—is a two story fireproof building, 72 ft. by 90.10 ft. in area, erected in 1933 under Alt. Applica. 1769-33, to replace a two story building (used for paint factory), which was entirely destroyed by fire in 1931, except for the four walls. Altered Building Certificate of Occupancy #2763, issued on June 30, 1933, permits occupancy for office, stockroom and factory. It is proposed to alter this building by creating horizontal exits to the proposed second story of building #1.

Building #3—is a one story fireproof building in the rear of the lot, 43 ft. by 40 ft. in area, 14.8 ft. in height, erected in 1932 under Alt. 1030-32, to replace a one story building (used for varnish factory) which was entirely destroyed by the same fire in 1931. Certificate of Occupancy 2568, issued on November 30, 1936, permits occupancy for "boiling varnish." No change is proposed for this building.

Building #4—is a brick building 28 ft. by 32 ft. in area, erected in 1940 under NB7692-40. No certificate of occupancy has been issued although the occupancy approved by the permit is watchman's residence. No change is proposed for this building.

Building #5—is a one story brick building, 18 ft. by 85 ft. in area, erected in 1940, also under N.B. 7692-40. No certificate of occupancy has been issued, although the occupancy approved by the permit is storage. No change is proposed for this building; and

WHEREAS, the applicant contends that the Board of Standards and Appeals has jurisdiction to grant this application under section 7c of the zoning resolution, because this is an application "where premises are devoted to a non-conforming use" and where the proposal is for "* * * the extension of an existing building * * * into a district restricted against the proposed use under such conditions as will safeguard the character of the district," and

WHEREAS, the applicant further contends that the Board of Standards and Appeals has jurisdiction to grant this application under section 21 of the zoning resolution, because this is a specific case where it would be a unique hardship on the owner to carry out the strict letter of the zoning resolution and where the resolution could be varied in harmony with its general purpose and intent, so that the public health, safety and general welfare may be secure and substantial justice done, and contends further that the application should be granted for the following reasons: that additional storage space is required to accommodate the shipping and receiving of paints and paint materials in carload lots; that the proposal will not alter the essential character of the neighborhood, because no new use is sought to be intruded, only the existing storage use is sought to be extended to the proposed second floor, level with the adjoining two story paint factory, which already exists, and which existed before the character of the neighborhood became residential; that the proposed additional story will not constitute a fire hazard nor increase insurance rates of nearby buildings nor otherwise affect the public health, safety and general welfare, because it will not be used for manufacture of paints, but only for unobnoxious storage, and because the additional story will be fireproof; that the granting of this application will not be an opening wedge for similar applications in the neighborhood, because the situation in which the owner of this property finds himself is unique; that the owner of the premises is one of the persons active in the ownership and control of the tenant corporation; that in February of 1920, the premises was leased to the present tenant corporation for use of a paint factory; that Certificate of Occupancy 328 was issued on February 10, 1922, to the Adelphi Paint and Color Works, Inc., based on Alt. Applic. 288-1920, permitting the two story brick building, then existing, to be used as a factory; that in 1929, the land and buildings on Lot 32 were purchased by the present owner, who rebuilt buildings numbered 2 and 3, after a fire had entirely demolished them, except for the four walls; that in rebuilding, fireproof construction was used instead of non-fireproof; that in 1936, the owner purchased Lot 25 and built a fireproof structure for storage purposes; that at the same time, the row of dwellings on the south side of 135th avenue, just east of the instant premises, was constructed; that on May 15, 1941, the City Planning Commission rezoned the neighborhood from business to residence; that thereafter, the rows of one family dwellings on 85th and 86th streets, shown on the block plan,

were erected and sold; that from the foregoing, it is submitted that the situation in which the owner of this property finds himself, is unique; that the granting of this application will not adversely affect property values in the neighborhood, because the non-conforming uses already exist and because the owners of the one family homes in the neighborhood purchased their properties with full knowledge of the existence of the paint factory and presumably paid prices commensurate with the values of such properties in such a neighborhood; that a grant herein will benefit the neighborhood, because it will enable the Board to impose ameliorating conditions regulating the maintenance of the property, which conditions could not otherwise be imposed and that a grant would do substantial justice, because it would permit a reasonable, beneficial use of the premises without adversely affecting nearby property owners; in view of the foregoing, it is requested that the application be granted, subject to such appropriate conditions and safeguards as the Board may impose; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the building as proposed and substantially as indicated on plans filed with this application marked "Received October 20, 1944", *on condition* that the building shall not be further increased in height or area; that there shall be no openings in the proposed second story to the west; that one of the shipping doors, on the first story on the building line of 135th avenue to the west, shall be permanently closed; that a sprinkler system, complying with the requirements therefor, shall be installed throughout the two story factory building as existing and as extended; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

749-44-BZ

APPLICANT—Joseph Saravis, for The Swinger Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7a and 21 of the zoning resolution, to permit in a retail use district, a manufacturing occupancy of 25% of the floor area of the building, of which more than 5% is not connected with the retail business conducted on the premises.

PREMISES AFFECTED—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Saravis, Philip Ginsberg and Mr. Ansell.

For Opposition: Ruth Ronson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (749-44-BZ)

WHEREAS, Joseph Saravis, for The Swinger Realty Corporation, owner, filed December 28, 1944, an application under sections 7a and 21 of the zoning resolution, to permit in a retail use district, a manufacturing occupancy of 25 per cent of the floor area of the building, of which more than 5 per cent is not connected with any retail business conducted in the premises, affecting premises 1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Broadway is in a retail use, B area and 2 times height district, West 27th and West 28th streets are in a business and retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated December 22, 1944, re Alt. App. 1029-44, reads:

> "Amendments disapproved Dec. 22, 1944 with objections 3, 7, 9, 10 repeated as follows:
>
> 3. State type of manufacturing to be done on premises, also extent. Note that premises are located in a retail district and Sec. 4A, Zone Resolution, and so stated in specification sheet. Answer to objection cannot be accepted, as manufacturing is required to be incidental to the conduct of a retail business conducted on the premises, except that other manufacturing to the extent of 5% of the floor space of the building is permitted, the total manufacturing, however, not to exceed 25%."

and

WHEREAS, the applicant contends that the records show the building was built in 1871 and the occupancy was as follows: 1st floor and cellar, stores; 4 upper floors, light manufacturing, offices and rooms; occupancy was later changed to stores and offices; that it is now occupied as storage and boiler room in cellar; restaurant on the 1st floor—upper floors, vacant; that it is desired to change the occupancy as follows—cellar, storage, light cartons; 1st floor, store and show room; 2nd floor and 3rd floor, storage and offices (light cartons—parts of belts and suspenders); 4th and 5th floors, factory (belts and suspenders); that the manufacturing will be of a type permitted in a business district and will not exceed 25% of floor area of the building, of which 5% will be manufacturing, not incidental to the retail business conducted on the premises; that the manufacturing will be the assembly of belts and suspenders; that the first story store will be used as a showroom in connection with wholesale sales of these articles manufactured on the premises; that this use would be permitted by the Zoning Resolution, except that the manufacturing on premises will not be limited to the 5% permitted thereby; that the owner wishes to avoid any subterfuge in the operation of his business and has therefore made this application for permission to exceed the 5% manufacturing permitted by the Zoning Resolution; that the proposed use will be in harmony with the character of the neighborhood, as there are adjoining and adjacent manufacturing occupancies; that the applicant would suffer a hardship if compelled to limit his manufacturing to 5% and the proposed manufacturing will not be a detriment to the neighborhood, nor tend to reflect itself on the adjoining properties in any way; that the character of the neighborhood is such—by reason of adjoining and adjacent manufacturing occupancies—that the proposed use of the premises will have a beneficial influence on the character of the neighborhood and will tend to bring into harmonious development, the use of adjacent buildings when the alteration becomes economically feasible and their tenancies change; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision *a* and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulties and unnecessary hardships.

MINUTES

Resolved, that the decision of the borough superintendent dated December 22, 1944 re Alt. Applic. 1029-44 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

183-44-A

APPLICANT—Frank C. Keller, for John Celmer and Stanley Celmer, owners.
SUBJECT—Appeal from a decision of the acting borough superintendent.
PREMISES AFFECTED—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens, (Under section 35, General City Law re bed of mapped street—70th (Edsall) avenue).
APPEARANCES—
For Applicant: Frank C. Keller.
For Opposition: Edward N. Kassel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to February 6, 1945 at 10 A. M. on request of applicant.

700-44-A

APPLICANT—W. T. McCarthy, for House of St. Giles the Cripple, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

750-44-A

APPLICANT—Joseph Saravis, for The Swinger Realty Co., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1160 Broadway, east side, 26 ft. 5¼ in. north of West 27th street (Block 829, Lot 29), Borough of Manhattan.
APPEARANCES—
For Applicant: Joseph Saravis, Philip Ginsberg and Mr. Ansell.
For Opposition: Ruth Ronson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn in view of action on Cal. 749-44-BZ.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MATERIAL SUBMITTED FOR APPROVAL

583-44-SM

APPLICANT—Atlantic Metal Products, Inc., owner.
SUBJECT—Atlantic 1½ Hour Hollow Metal Door, #11 Flush Type and #12 Panel Type, approval of.
APPEARANCES—
For Applicant: Murray Ross.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (583-44-SM)

WHEREAS, the Atlantic Metal Products, Inc., owner, filed on October 16, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Atlantic 1½ Hour Hollow Metal Door, #11 Flush Type and #12 Panel Type; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 11, 1945.

Cal. 583-44-SM
Subject: Atlantic 1½ Hour Hollow Metal Door, #11, Flush Type, #12, Panel Type, Approval of.

The Atlantic Metal Products, Incorporated, of Long Island City, New York, filed an application with the Board of Standards and Appeals, under the requirements of C26-178.0, b, of the Administrative Building Code for the approval of their 1½ hour hollow metal flush and panel type doors (Fig. 1) for approval under the Board's authority as provided in C26-191.0,a, for uses under C26-661.0, C26-662.0, C26-663.0 of the Administrative Building Code and as a fireproof one hour opening protective assembly under the Multiple Dwelling Law.

Description

The test panel consisted of a pair of swinging hollow metal doors of the paneled and flush type, details as shown in Figure 1, equipped with a single point lock in the active door and throw bolts in the inactive door, mounted in a single type 14 USG frame designed for mounting in an 8-in. brick wall.

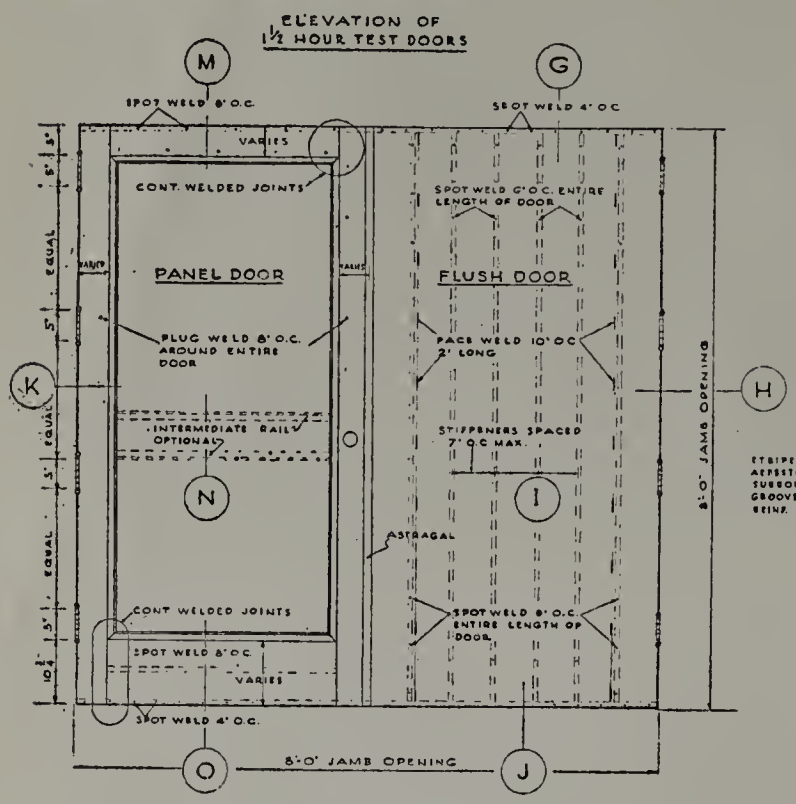
No. "12" Panel Type Door

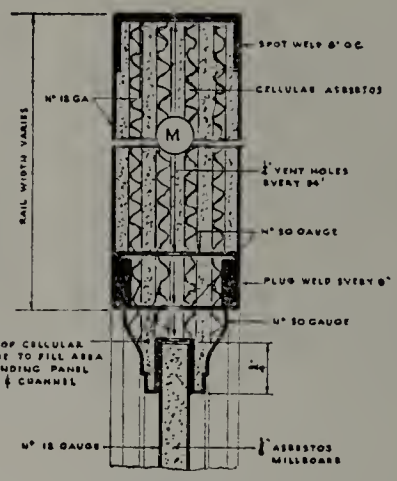
Stiles are made of one piece No. 18 USG steel to form the sides, edges and return for the panel recess of the stile and reinforced by a No. 20 gauge channel running the full length of the stile. The stile was 1¾ in. thick and 4½ in. wide, exclusive of the panel moulding. Both stiles are insulated with laminated cellular asbestos block for the full length and width of stiles. Top rail to be constructed similar to the styles. The intermedaite rail is formed of two pieces of No. 18 gauge steel forming the sides and return for the panel recess, reinforced by two No. 20 gauge channels running the full length of the rail. The construction and insulation are as shown on Fig. 1.

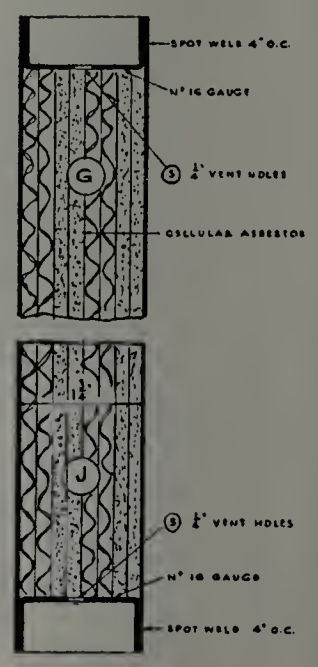
The bottom rail is formed of two pieces of No. 18 gauge steel to form the sides. The top edge of rail has a return for the recess which receives the panel moulding and reinforced at that point by a No. 20 gauge channel running the full length of rail and welded to same as shown. A No. 18 gauge stiffener channel is applied to the center of rail running the full length of the rail and spot-welded every 8 in. to same. The bottom reinforcing channel is of No. 16 gauge steel and runs the full width of the door, spot-welded on both sides every 4 in.

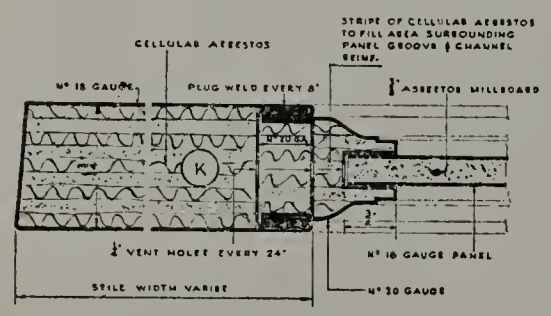
The panels are made of ⅜-in. thick asbestos, covered on both sides with No. 18 gauge steel. The edges of panels fit into the groove of panel moulding for a distance of at least ¾ in. The panel moulding is made of No. 20 gauge steel and reinforced with a No. 20 gauge steel channel running along the entire length of same. Panel moulding is fastened to the stiles and rails with

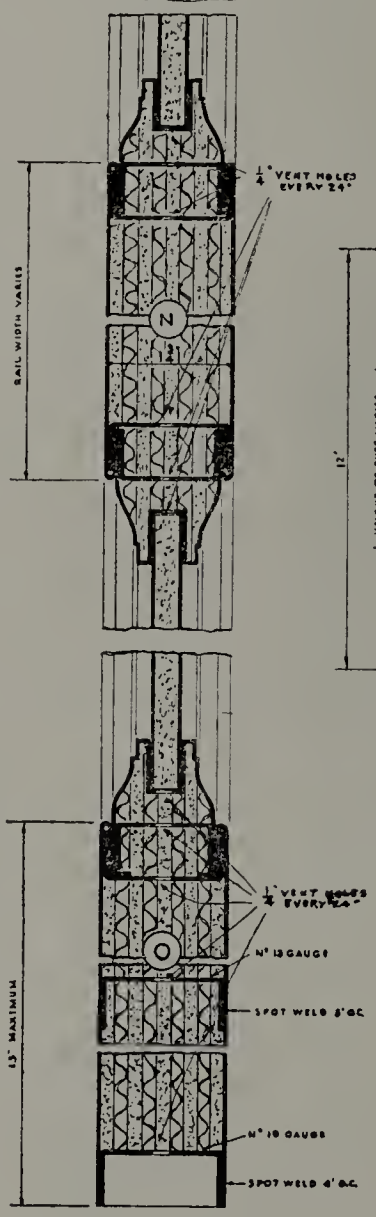
MINUTES

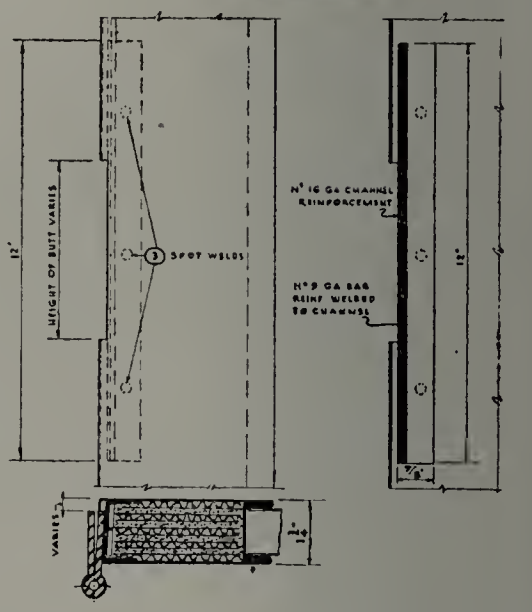


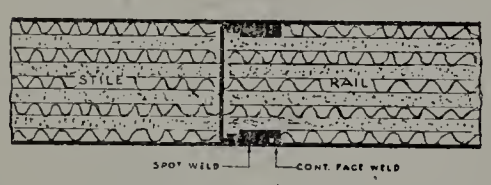




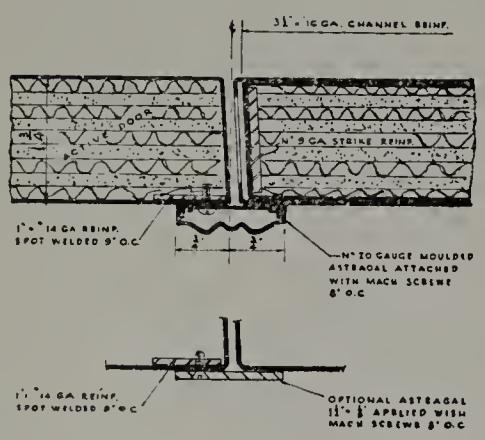


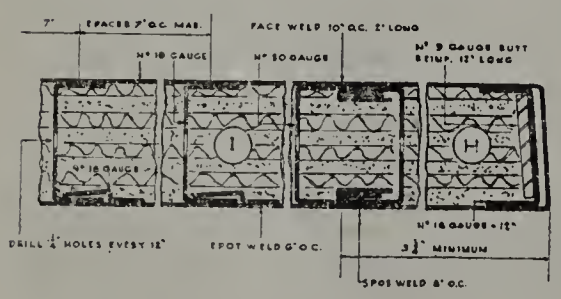


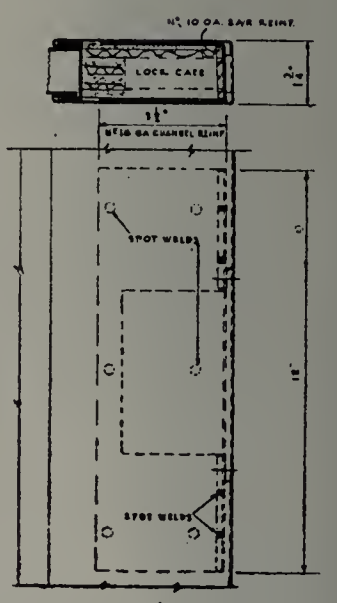




JOINTS AT STILES & RAILS







HARDWARE

④ PAIR BUTTS 5" x 5" (STEEL)
① MORTISE LOCK (¾" THROW)
① PAIR FLUSH BOLTS (12" STEEL RODS)

FIG. 1

welds every 8 in. on both sides and runs along the entire perimeter of panel. The moulding is mitered and welded at corners. The area surrounding panel groove of moulding and channel reinforcement to be filled with strips of laminated cellular asbestos. The stiles extend the full height of the door. The rail is recessed to set between the stiles and the joints welded and filled on the outer surface of doors.

#"11" Flush Type Door

The flush doors are made up of two No. 18 USG in. one-piece stiles not less than 4½ in. wide and 1¾ in. thick. The stiles are reinforced with No. 20 USG. steel channels running the full length of stile and spot welded every 8 in. on both sides. The flush panels are of No. 16 gauge and are recessed to be set between both stiles and reinforced with "Z" bar clip stiffeners spaced not more than 7 in. on centers and running the full height from top of bottom horizontal reinforcing channel, to underside of top horizontal reinforcing channel. The hollow spaces between vertical stiffeners shall be filled with laminated cellular asbestos 1⅝ in. thick. The top and bottom of door is reinforced by a No. 16 USG steel channel running the full width of door. These channels are spot-welded on both sides every 4 in. The joints between the flush panel and door stiles are electric welded and filled 10 in. on center, 2 in. long.

General

When doors are mounted in pairs, they are provided with one astragal attached to one door face. Astragal to be of No. 20 USG moulded type or ⅛ in. thick steel bar. The astragal extends beyond the edge of door not less than ¾ in. and is fastened to door by machine screws 8 in. o.c.

Doors not exceeding 5 ft. in height are provided with two hinge cut-outs and reinforcements. Doors in excess of 5 ft. in height are provided with one hinge cut-out and reinforcement for each additional 2½ ft. in height or fraction thereof. Reinforcements for half or full surface hinges to be constructed as shown on Fig. 1.

The lock stile to be cut out and reinforced for the lock as shown on Fig. 1. Reinforcement in top rail to be constructed and secured in position as shown on same figure. Likewise the cut-out and reinforcement for the throw bolt unit shall be similar to the details as shown thereon.

The door frame was constructed of 14 USG steel of the single type provided with a channel-shaped sill piece secured to the jambs of the frame and designed for an 8-in. brick wall. The jambs and head were provided with a ⅝ in. stop. The jambs were provided with adjustable nonremovable anchors spaced adjacent to the hinges.

Each door section was equipped with four 5-in. steel mortise hinges secured to reinforcements attached to the hinge stiles of the door and the jambs of the frame. The active door was provided with a single point lock having a steel bolt with ¾ in. throw, secured to reinforcements in the lock stile, and when in a locked position the bolts enter the opening in the steel strike plate in the lock stile of the inactive door. The inactive door was provided with mortise-steel throw bolts extending into keepers in the head and sill of the frame. Each door was painted on the inside and on the outside with seven coats of paint as is normally furnished on these types of doors before shipment.

Tests

The opening protective assemblies (Fig. 1) was subjected to fire endurance and hose stream tests in accordance with details and procedures as outlined in Article 11 of the Administrative Building Code, and reported by the Underwriters Retardant 2819, Application No. 44C428, as follows:

The door assembly previously mounted in a 12-in. brick wall opening, after the fire was started in a furnace exposing one face of the assembly to a gas furnace controlled in accordance with standard temperature curves for a period of one and one half hours after which the panel was withdrawn from the furnace and the exposed face was immediately subjected to the impact and cooling action of a 30-lb. water stream applied for one minute. Temperatures within the furnace were maintained within the 5% area tolerance for 1½ hour period. The average temperature at the end of one-half hour on the panel door 553 deg. F.; for the flush door 605 deg. F., which is well within the limitations prescribed in C26-610.0 of the Administrative Building Code.

At the end of one and one-half hours, the assembly was successfully subjected to a hose stream test. There was no passage of flame through around the door during the fire exposure. The assembly movement throughout the test did not exceed 4½ in. deflection towards the furnace, which was reduced by the pressure of the hose stream to one and one-half inches. The visibility was considerably reduced because of the application of 7 coats of paint to the doors being tested. Between 15 and 25 minutes from the start of the test, this visibility was reduced 93% but this is to be expected with doors painted as these specimens were and are required to be painted by the purchasers. The temperature curve indicated that flammable material placed against the exposed face of the doors would ignite but under conditions of installation it is a fair assumption that there will be considerable air space between any such door and adjacent flammable material.

Recommendations

On the basis of the foregoing data, wherein the test meets the requirements of C26-610.0, the Committee recommends the approval of the Atlantic Metal Products, Inc. Hollow Metal Door known as Atlantic #"11" Flush, #"12" Panel types One and one-half Hour Hollow Metal Doors under C26-191.0,a, when constructed and hung as described herein and as having met the fire resistive requirements for a rating of one and one-half hours for uses as follows: Under C26-661.0, as opening protective assembly for use in fire partitions wherein a 1½ hour fire resistive rating is required, under C26-662.0, wherein a ¾ hour fire resistive rating is required under C26-663.0 for the protection of openings in interior shafts which require a fire resistive rating of 1½ hours, under Article 1, Section 4, Item 10 of the Multiple Dwelling Law, which provides for a fire resistive rating of one hour when used in fireproof partitions.

The foregoing recommendations include the use of either the panel or flush type doors used singly or in pairs with astragal and for the increase in permissable sizes as provided in C26-610.0. It is further recommended that all opening protective assemblies manufactured under this approval shall in addition comply with all the detail requirements contained herein and shall be marked and inspected as provided for in the Opening Protective Assembly Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Atlantic 1½ Hour

Hollow Metal Door, #11 Flush Type and #12 Panel Type, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:30 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JANUARY 30, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

709-44-A

APPLICANT—Louis Sigloch, for Delevan Northeast Corporation, owner (Arthur Tickle Engineer Works, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—36-44 Delevan street and 57-63 Richard street, northeast corner (1st floor); (Block 519, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Sigloch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (709-44-A)

WHEREAS, Louis Sigloch, for Delevan Northeast Corporation, owner (Arthur Tickle Engineer Works, Inc., lessee), filed December 7, 1944, an appeal from a decision of the borough superintendent, affecting premises 36-44 Delevan street and 57-63 Richard street, northeast corner (1st floor); (Block 519, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 20, 1944 on Alt. Applic. 2776-44, reads:

"1. Provide two means of egress from each floor, complying with the requirements of Section 270 of the Labor Law. Note: Building was erected under permit N.B. 3742-16."

and

WHEREAS, the applicant states that the building is 1 and 3 stories (38 ft.) in height, 100 ft. by 100 ft. in area at 1st floor, 40 ft. by 100 ft. in area at typical floor, of class 6 construction, erected in 1916, located in an unrestricted use district and used and occupied as follows: cellar—boiler room and warehouse; 1st, 2nd and 3rd floors—garage, factory, smelting and refining; proposed to be used and occupied as follows: cellar—boiler room and warehouse—1 person; 1st floor—non-storage garage, cabinet shop and warehouse—8 persons; 2nd floor—cabinet shop—10 persons; 3rd floor—offices—14 persons; that the building is equipped with a one source sprinkler system and will be provided with one fireproof stair tower 4 ft. 6 in. wide, enclosed in 12 in. brick, equipped with metal doors and bucks and leading to the roof bulkhead; that the building is equipped with one fire escape at the rear of the three story portion, extending to the roof by a ladder and to the yard by an exterior stairway; and

WHEREAS, Violation 5037-44 was issued for constructing a fire tower without a permit; and

WHEREAS, the applicant contends that the lessee is engaged in ship repairs and conversions for the Maritime Commission and the U. S. Army and Navy; that the work to be done in the building cannot be deferred, as it is essential to occupy the premises at once in connection with war contracts on hand; that the 1st and 2nd floors will be used as a cabinet shop and the rear one story portions for warehousing materials and the third floor will be occupied as offices; that the building was constructed in 1916 as a smelting and refining factory and has been occupied in its entirety, for the manufacture and processing of pumice and similar grits; that the main stairway was an open wood stairway in the center of the building on the easterly wall with a fire escape from the 2nd floor and a ladder to the street on the Delevan street front; that plans now filed with the borough superintendent undertook to provide two means of egress from the 2nd and 3rd floors; that to prepare the building occupancy, a fireproof stair tower was built at the easterly side of the three story building and the fire escape was removed from the Delevan street front, due to its unsafe condition; that with the presence of high tension wires at the second story level in Delevan and Richard streets in close proximity to the building line, it was considered unsafe to provide a fire escape on these fronts; that the means of egress proposed is better and safer than a fire escape on these street fronts; that the only factory occupancy affected will be the 2nd floor cabinet shop, which will have a maximum occupancy of 10 persons; that windows have been cut in the easterly wall of the three-story building at 2nd and 3rd floors, providing doorways to the fire escape, which leads to the roof of the one story building to the east, thus permitting egress across the roof, to a 5 ft. wide fireproof concrete and steel open stairway to adjoining court yard, which has three means of egress to the street, as indicated on plans filed with this appeal marked "Received January 25, 1945;" that the property to the east is under the same ownership and control; that the roof, which it is proposed to traverse as a means of egress, will be fire-retarded with 4 in. rock wool batts, placed between the beams and the ceiling underneath covered with ⅜ in. sheetrock; that this roof is a built-up roof with asbestos felts and is splinklered underneath; that although the proposed means of egress does not comply with section 270, it does provide adequate and safe egress; that to comply with section 270, would create a hardship and reduce the area of the three story building, which at the present time is just adequate for the tenant's needs; that in view of the great improvement made to the general safety of the building by the installation of a sprinkler system, and the placing of ⅜ in. sheet rock on the ceilings of all floors over existing exposed wood beams, it is felt that the safety factor is more than adequate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 2776-44, and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the second means of exit, as indicated on plans filed with this appeal, marked "Received December 7, 1944," shall be maintained; that the number of occupants in the building shall be limited to the capacity of the primary means of exit; that the one-source wet sprinkler system shall be maintained to the satisfaction of the fire commissioner; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

711-44-A

APPLICANT—Saul Goldsmith, for Gimpel Farms, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—57-10 59th avenue and 59-01 57th street, southeast corner (Block 2622, Lots 8, 12, 17 and 19), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

MINUTES

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (711-44-A)

WHEREAS, Saul Goldsmith, for Gimpel Farms, Inc., owner, filed December 9, 1944 an appeal from a decision of the borough superintendent, affecting premises 57-10 59th avenue and 59-01 57th street, southeast corner (Block 2622, Lots 8, 12, 17 and 19), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 29, 1944, on amendment to N.B. Applic. 346-44, reads:

"1. The proposed use of precast slabs as a means of bracing top flanges of steel beams is not acceptable. Approval by Board of Standards and Appeals 28-38-SM does not indicate that metal clips at ends of slabs were approved for this purpose."

and

WHEREAS, the applicant states that the building will be one story (17 ft.) in height, 193 ft. by 50 ft. in area, of class 1 construction, located in an unrestricted use, A area, class 1 height district and used as a non-storage garage for more than five motor vehicles; and

WHEREAS, the applicant contends that the building will be constructed of brick walls, concrete floor and precast concrete roof slab on steel beams and girders; that "Cantilite" concrete plank as approved by the Board under Cal. 28-38-SM will be used; that on steel girders and beams, the Building Code allows the full fibre stress of 18,000 lbs. wherever the L/b does not exceed 15, as stated under Sec. 7.4.5.3.1; that it has been the practice in the past that any poured concrete arch serves as limiting the L/b to 15, also when wood joists are strapped to steel girders and beams as per Sec. 8.4.1.4 and Sec. 8.7.1.3.2, then the maximum L/b is 15, or 18,000 lbs. fibre stress may be used in bending; that the question involved in this appeal is whether a precast reinforced concrete slab of approved type and clipped to the steel beams at every slab joint, may also be considered as limiting the L/b to 15 or allowing the maximum fibre stress of 18,000 lbs.; that empiracally, the stiffness, construction and clipping of the precast slabs is far superior to wood beams strapped to the steel beams in class 3 construction; that precast slab construction has been used by the applicant in the past and placed as proposed, without objections and the construction is in perfect shape; that it is therefore requested that the Board grant this appeal, to permit precast reinforced concrete roof slab as a brace of the upper flange of the steel beams or girders, where it is clipped at every joint.

WHEREAS, the Board deemed that the requirements of C26-629.0 (10.3.11) should be complied with and that the approval of the "Cantilite" concrete planks under Cal. 28-38-SM did not include omission of the tie rods required by the Code section.

Resolved, that the decision of the borough superintendent, acting on amendment to N.B. Applic. 346-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

19-45-A

APPLICANT—W. G. Storch, for Horowitz Brothers and Margareten, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—29-06 Review avenue, southwest corner of 29th street (Block 294, Lot 150), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Wallace G. Storch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (19-45-A)

WHEREAS, W. G. Storch, for Horowitz Brothers and Margareten, owners, filed January 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 29-06 Review avenue, southwest corner 29th street (Block 294, Lot 150), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated January 2, 1945, on Alt. Applic. 1488-44, reads:

"8. Fire wall is not to be removed, since height of building is excessive, section 4.2.1."

and

WHEREAS, the applicant states that the building is 4 stories (60 ft. 4 in.) in height, 198 ft. by 200 ft. in area, of class 3 construction, erected in 1905, located in an unrestricted use, A area, class 2 height district and now vacant, proposed to be used and occupied as follows: cellar—storage of food products—3 persons; 1st floor—shipping and storage of food products—20 persons; 2nd floor—storage of food products—8 persons; 3rd floor—packaging and storage of food products—20 persons; 4th floor—bakery and grinding material—20 persons; that the building is equipped with a two source sprinkler system and four 5 ft. wide interior wood stairs, enclosed in brick partitions, equipped with class A Underwriters' label self-closing doors and extending from the roof bulkhead directly to the street and one fire escape at the rear, extending to the roof by a gooseneck ladder and to the yard by a stationary iron stairs with egress from the yard to the street; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, Certificate of Occupancy 2045, issued November 10, 1931, permits the use of the building throughout as a factory with a liveload of 120 lbs. on each floor; and

WHEREAS, the applicant contends that the building has an area of approximately 30,000 sq. ft., divided by fire walls into three units and is equipped with an approved two source sprinkler system; that it is proposed to use the building for the manufacture of food products, including matzohs; that these matzohs will be baked in gas fired ovens of the travelling belt type, 109 ft. long; that in order to accommodate these ovens, it is necessary to remove 19 ft. 6 in. of one fire wall on the 4th story; that there is no extension in height of the building proposed; that the only effect of the alteration proposed will be to increase the area inside the fire walls on the 4th story to approximately 20,000 sq. ft., which is within the allowable limits of 24,000 sq. ft. permitted by section 4.2.1, for a building facing on two streets and equipped with an approved two source sprinkler system; that the proposed ovens will not constitute a fire hazard; that they will be automatically controlled, gas fired, with an internal temperature of not over 700 degrees F. and will be set on 4 in. terra cotta blocks with 3/16 in. steel plate above; that all four sides of the ovens will be surrounded by 6 in. of 85% magnesia and a steel jacket; that the exterior of the ovens will be cool; that the ovens will be ventilated to the outer air by vents through and above the roof; that the building is equipped with exits having a capacity far in excess of the proposed occupancy; that the ovens are being removed from their present location in Manhattan, to the building in question and cannot be reduced in length without interference with proper baking of the product and cannot be installed in the building in question unless the proposed opening in the fire wall is permitted; that to reduce the building in height to the limits permitted by section 4.2.1, is impracticable, as it would require the razing of an entire story; that it would not be practical to change the building to class 1 or class 2 construction; that the building could not be used by the owner unless the ovens can be installed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1488-44, objection 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted*

on condition that the fire wall may be omitted, except that it shall extend from the ceiling down to a point not over 6 ft. 6 in. from the floor; that the space between the top of the oven and the lintel supporting such wall section, shall be fire-stopped with incombustible material; that between the ovens there shall be a vertical 3-hour fire door, operating within channel frames, properly secured, and with fusible link to close the opening to floor; that such door shall be counter-weighted so as to not operate too fast as to be dangerous; that the sprinkler system shall be maintained as proposed and a line of sprinkler heads shall be not over one foot away from each side of the fire wall.

298-39-A

APPLICANT—C. H. Simmons, Jr. for The Corporation of the Brick Presbyterian Church of the City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—62 East 92nd street, south side, 153 ft. 3 in. west of Park avenue (Block 1503, Lot 44), Borough of Manhattan.

APPEARANCES—

For Applicant: C. H. Simmons, Jr., Rev. Paul Wolfe, James M. Nicely and Russel L. Tarbox.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

360-44-A

APPLICANT—Grosfeld House, Inc., lessee, for Rubanjo Realties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar re new order of fire commissioner—re Appeal from an order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—949-953 Kent avenue, east side, 250 ft. north of DeKalb avenue (Block 1926, Lot 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sigurd A. Swenson.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

5-45-A

APPLICANT—William B. Still, for Tyson Realty Corp., owner (Jamaica Radio Television Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William B. Still.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without prejudice, for reconsideration upon resubmission of revised plan and decision of the borough superintendent.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

534-44-A

APPLICANT—Randolph H. Almiroty, for The Salvation Army, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—224 Tompkins street, southeast corner of Warren street (Block 552, Lots 23 to 26 incl.), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Randolph H. Almiroty.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 14, 1945 at 2 P. M. for further consideration.

31-45-A

APPLICANT—Joseph S. Rodell, for Paul and Esther Blackarsh and Rose and Isidore Podolsky, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—153-19 Jamaica avenue, north side, 175.05 ft. east of Jamaica avenue (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph S. Rodell.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 13, 1945 at 2 P. M., pending an inspection by a committee of the Board.

ZONING CASES

369-37-BZ

APPLICANT—Henry Nordheim, for Edso Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under sections 7b, 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in a business use district, the inclusion of a store in a six-story multiple dwelling (previously withdrawn).

PREMISES AFFECTED—1212 Grand Concourse, 1209 Sheridan avenue and 179-197 East 167th street, northeast corner (Block 2457, Lots 1, 2 and 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

644-25-BZ

APPLICANT—F. P. Platt & Bros., for Cleta Realty Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—change of occupancy for duration of war emergency—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the

erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—301-305 East 97th street, north side, 74 ft. 6 in. east of Second avenue (Block 1669, Lot 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles L. Platt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (644-25-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 301-305 East 97th street, north side, 74 ft. 6 in. east of Second avenue (Block 1669, Lot 5), Borough of Manhattan, was granted by the Board on November 24, 1925, on certain conditions; and

WHEREAS, the resolution was amended on July 13, 1926, and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on November 24, 1925, and amended on July 13, 1926, by adding thereto:

"* * * that in the event the owner desires to occupy the building temporarily, during the term of the present war emergency, for a conforming use as proposed and as submitted to the Department of Housing and Buildings under Alt. Applic. 1701-44, namely, for the shipping and storage of refrigerator parts, such use may be permitted, provided the building is not increased in height or area and is not altered or occupied for manufacturing purposes; and that upon the termination of the temporary permit herein granted, the garage use may be restored; and that the gasoline storage system shall be sealed temporarily to the satisfaction of the fire commissioner and that other than as herein *amended,* the conditions of the resolution of July 13, 1926, shall be complied with."

266-41-BZ

APPLICANT—Edwards Bros., owners.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under sections 7c and 7g of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a group of four (4) buildings for the storage, in the aggregate, of more than five motor vehicles.

PREMISES AFFECTED—55-02 to 55-32 Flushing avenue, south side, from 55th to 56th streets, 60-01 to 60-09 55th street and 60-02 to 60-18 56th street (Block 2648, Lots 15, 26, 28, 29, 31, 34, 36, 37 and 39), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Martin Edwards.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (266-41-BZ)

WHEREAS, this application under sections 7c and 7g of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a group of four buildings for the storage, in the aggregate, of more than five motor vehicles, affecting premises 55-02 to 55-32 Flushing avenue, south side, from 55th to 56th streets, 60-01 to 60-09 55th street and 60-02 to 60-18 56th street (Block 2648, Lots 15, 26, 28, 29, 31, 34, 36, 37 and 39), Maspeth, Borough of Queens, was granted by the Board September 30, 1941, on certain conditions, resolution amended December 2, 1941, May 19, 1942, November 4, 1942 and November 16, 1943; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted September 30, 1941, as amended by resolutions adopted through November 16, 1943, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by the owner that all plans have been approved and all permits issued, all work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of September 30, 1941, December 2, 1941 and November 4, 1942, shall be complied with (N.B. Applic. 844-41)."

Adjourned: 3:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 13, 1938, as they appeared in Bulletin No. 51, Vol. 23, are hereby corrected to read as follows:

720-38-SA

APPLICANT—Alro Plumbing Specialty Company, owner.

SUBJECT—Alro Fill Pipe Terminal for Fuel Oil—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(720-38-SA)

WHEREAS, the Alro Plumbing Specialty Company, owner, filed August 15, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Alro Fill Pipe Terminal for fuel oil; and

WHEREAS, the appliance was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board included description and recommendation as follows:

This appliance comprises a heavy galvanized cast iron body which has a tapered standard pipe thread at the bottom and a straight thread at the top with a brass screw plug to fit in. There is a recess in the top for a gasket against which the threaded cap is secured with a special wrench to make it water and gas tight and prevent tampering.

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* Correction—The word "not" changed to *"hot"* in line 28 of the resolution, as indicated in italics.

It is recommended that the Alro Fill Pipe Terminal for fuel oil be approved on condition that the appliance be installed in accordance to the Oil Burner Rules of the Board of Standards and Appeals and in accordance with certain additional requirements.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Alro Fill Pipe Terminal for use in fuel oil installations, *on condition* that the appliance shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

"The fill pipe terminal shall be of cast or malleable iron *hot* galvanized, with not less than ten machine-cut threads on the nipple end and with not less than seven on the sealcap. The sealcap shall be of brass or bronze.

The fill pipe terminal shall be provided with at least three (3) lugs on the outside, so that the fill pipe terminal can be imbedded in concrete or masonry to prevent the terminal from being loosened from the fill line or in lieu thereof, the fill pipe terminal shall be fastened to the fill line by means of an Allen or similar set screw.

The outer flange of fill pipe terminal shall be provided with letters not less than ½-inch in height and raised 1/16-inch reading "Fuel Oil" and with the calendar number under which the fill pipe terminal was submitted for approval and with BSA in smaller letters.

An oil-proof gasket shall be provided, inserted in a groove in the sealcap end of the fill pipe terminal, so that it cannot readily be removed."

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0 Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") $CC1^2F^2$ also dichlorotetrafluoroethane ("F-114") $C^2C1^2F^4$ and monofluorotrichloromethane ("F-11") CFC^3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit system containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	¼	1	6
	50	250	⅓	1½	12
	100	400	½	2	16
	150	550	⅔	2½	19
	200	680	⅔	3	25
	250	800	1	3½	29
	300	900	1	4	32
	400	1,100	1¼	4½	38
	500	1,275	1¼	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0 Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1	Col. 2 Low Pressure Side	Col. 3 Low Pressure Side
	High Pressure Side	With Safety Valves	Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.).

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane, No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons	1—½"	1—½"
30 to 60 tons	1—½"	1—¾"
60 to 100 tons	1—½"	1—1"
100 to 175 tons	1—½"	1—1¼"
175 to 250 tons	1—¾"	1—1½"
250 to 450 tons	1—1"	1—2"
450 to 900 tons	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO^2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

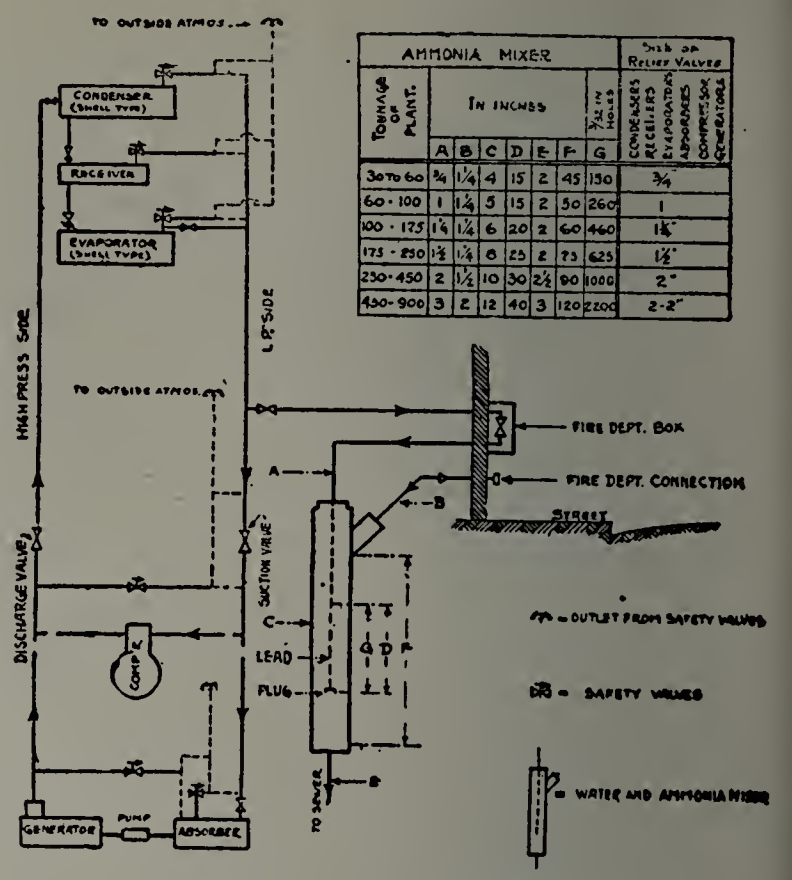
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

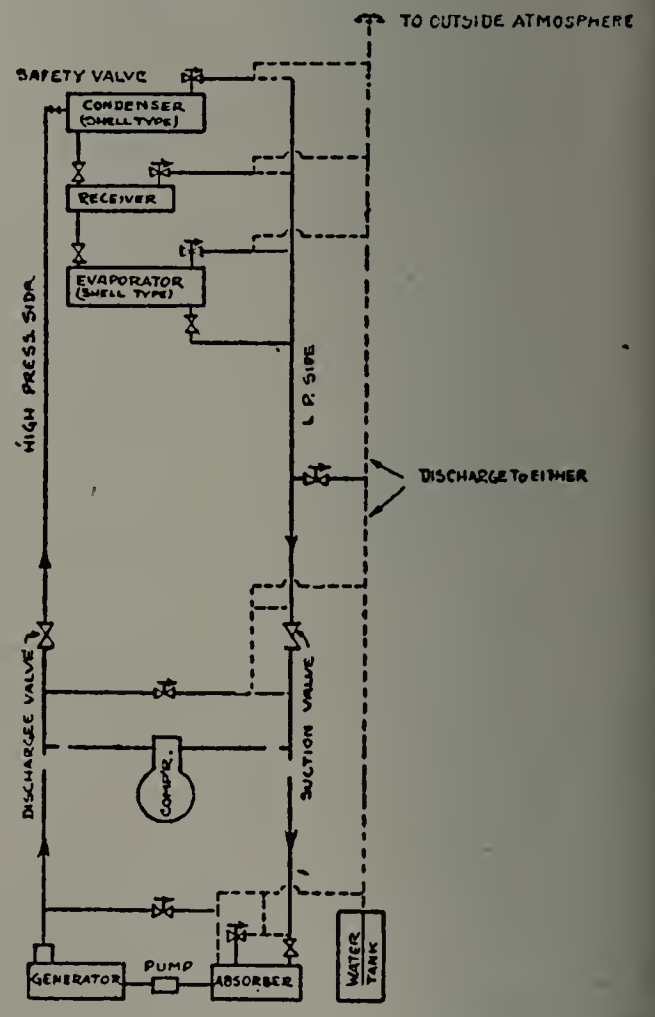
§C19-152.0. Violations.

Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.



AMMONIA MIXER								Size of Relief Valves
Tonnage of Plant	In Inches						Size in Holes	Condensers Receivers Evaporators Absorbers Compressors Generators
	A	B	C	D	E	F	G	
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT
SECTION C19-107.0

RULES

RULES FOR USE OF METHYL CHLORIDE IN CLASS B AND C REFRIGERATING SYSTEMS.

Adopted by the Board of Standards and Appeals June 23, 1944, effective July 17, 1944.

(Cal. 333-44-SR.)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *Par.* 2 *of the Charter of the City of New York and Section* C19-98.0 *of the Administrative Code.*

SCOPE:

These rules are supplementary and additional to the requirements of C19-98.0 providing for the use of methyl chloride in class B and class C refrigerating systems.

The promulgation of these rules has become necessary because of the military requirements for Freon (F12). Methyl chloride, while not permitted to be used in class A systems, is permissively allowed in class B and C systems. However, when used in refrigerating systems which formerly used Freon, additional precautions and safeguards are necessary to adapt the refrigerating equipment for use with methyl chloride.

NOTE: References given herein preceded by C19– or C26- refer to specific sections of the Administrative Code. Wherever decimal numbers occur, such system of numbering refers to these rules.

C19-96.0 Permits—a. Except as provided in this article, it shall be unlawful to maintain or operate a refrigerating system without a permit.

b. A permit will not be required for a class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house, or a business building.

c. It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the commissioner necessary in the interest of public safety.

d. A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

e. Only the refrigerant specified in the permit shall be used in the system.

f. Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the commissioner.

C19-97.0 Classifications.—a. The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

b. A class A system is a system containing one thousand pounds or over of refrigerants, or capable of thirty tons capacity or over.

c. A class B system is a system capable of less than thirty tons capacity, or containing less than one thousand pounds of refrigerant and more than the amounts provided for in a class C system.

d. A class C system is a system containing not more than twenty pounds of refrigerant.

C19-98.0 Permissible locations.—a. It shall be unlawful to install any class A or class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, or no refrigerant shall be placed in the system until a permit has been obtained from such commissioner.

b. The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room; except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings when the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building in which a non-irritant and non-inflammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to the thirteenth day of December, nineteen hundred twenty-seven.

c. It shall be unlawful to use brine in any brine circulating system that will generate inflammable vapor at a temperature below one hundred degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

d. It shall be unlawful to install or maintain a class A system using ammonia in any building above the first floor level unless such building is exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to the thirteenth day of December, nineteen hundred twenty-seven.

e. Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten pounds of refrigerant.

f. It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits, or auditoriums of any building;

2. Dance halls, courtrooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre or where persons are detained or confined;

5. A school, unless the refrigerating system is used exclusively for instruction or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment, or are helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction. The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight fitting, solid self-closing doors, and located in a room having a window to the outside air.

g. An intermittent absorption type of refrigerating machine shall not be permitted in a class A system. Such type of machine shall be permitted in a class B system only when a heating medium of low pressure steam is used in its operation.

h. The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant is not permitted in class A system.

i. A class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches of brick or six inches of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing fireproof doors.

RULE 1.0 Prohibited Uses of Methyl Chloride Refrigerant.

1.1 No direct system or indirect open spray system of air conditioning employing methyl chloride shall be permitted in a public building as defined in C26-235.0.

1.2 The direct method of refrigeration may be permitted when the installation satisfies the requirements of Section C19-98.0 and only when the percentage of methyl chloride to the volume of conditioned space is not over .7 of 1 per cent. (Methyl chloride to equal 8.0 cubic feet per lb.)

RULE 2.0 Requirements, for Permissible Uses of Methyl Chloride Refrigerant in Class B and C Refrigerating Systems.

2.1 That the refrigerating equipment room shall be isolated from human occupancies by reasonably gas tight opening closures.

2.2 A mechanical exhaust system with a capacity of ten changes of air per hour shall be provided for the refrigeration equipment room and so controlled electrically and automatically that it shall start with the refrigerating system and be kept running while the system is in operation; that an independent switch remotely located and labeled shall be provided for the mechanical exhaust system so that such ventilating system may operate independently if it should become necessary to stop the refrigerating system during an emergency; that the intake to the exhaust fan shall be located as near the floor as practicable. The capacity of such ventilating system shall in no event be less than the requirements in Section C19-99.b,3.

2.3 That the service company making the conversion shall check with the manufacturer of the specific equipment and certify in writing that conversion to methyl chloride can be safely made and shall list the changes in the system and controls as recommended by the manufacturer to make the equipment suitable for use with methyl chloride. The service company shall, after complying with the recommended changes by the manufacturer, certify to the Fire Commissioner that such recommended changes have been made and shall certify that all the requirements of these rules have been complied with.

2.3.1 The system shall be completely purged of all freon and the lubricating oil replaced with fresh oil suitable for use in refrigeration.

2.3.2 The system shall be thoroughly cleansed, dehydrated and tested for tightness and leaks by pressure immediately after methyl chloride is added. After the system has been purged as provided in Rule 2.3.1 and before methyl chloride is added, special tubes shall be attached on the feed side of the line, containing either silica gel (high test solid material specifically designed for refrigerant drying), activated alumina or suitable drying agent to insure thorough dryness of the refrigerant.

2.3.3 Expansion valves shall be reset or replaced as required.

2.3.4 Relief valves and pressure limiting device shall be reset to conform to the Administrative Code requirements.

2.3.5 All gaskets in the system shall be replaced with gaskets suitable for use with methyl chloride.

2.3.6 Only the exact amount of methyl chloride shall be charged into the system. Capacities shall be measured on the basis of weight of the refrigerant and not volume. Under no circumstances shall external heat, steam, open flame, or otherwise, be applied to the cylinder containing the refrigerant and only the exact amount of refrigerant required for charging shall be permitted to be delivered to the premises. After charging the cylinder shall be immediately disconnected and removed. No reserve storage of methyl chloride shall be permitted nor shall there be any open flames in the same room with the refrigeration equipment.

2.3.7 Before charging any refrigeration system with methyl chloride, all parts which are in contact with the refrigerant and are composed of aluminum, magnesium, zinc or their alloys, shall be replaced with parts made of suitable metals.

2.3.8 Upon completion of the conversion from freon to methyl chloride, and before the equipment is put in operation, the service company shall make a complete check for leaks using a Halide torch and immediately remedy any leaks.

2.3.9 A mask or helmet as approved by the Bureau of Mines of the U. S. Dept. of Interior for use with methyl chloride shall be provided in a suitable wall cabinet located immediately outside the equipment room.

2.3.10 A weekly inspection by the person holding a certificate of fitness to supervise refrigerating equipment as provided in C26-214.0 shall be made of the refrigeration equipment and all piping and connections for leakage.

2.3.11 Refrigeration equipment within the purview of these rules shall bear a metal sign reading: "Caution: Methyl Chloride Refrigerant, Guard against Leaks."

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

THE LIBRARY OF THE

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, February 6, 1945, at 2 P. M., Affecting Calendar Numbers 605-44-A, 620-44-A, 643-44-A, 12-45-A, 13-45-A, 20-45-A, 51-44-A, 612-39-A, 277-44-A, 617-44-A, 706-44-A, 1-45-A, 585-42-BZ, 104-37-BZ, 480-37-BZ and 702-38-BZ.

Resolution Relating to Approval of Sites for Bus Stations Adopted by The Board of Estimate February 1, 1940 (Calendar No. 15).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to February 6, 1945

Cal. No. *Dept.* *Premises Affected*

43-45-BZ—H.B.B.—4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn, Alt. 3487-44.

44-45-A—F.D.—203A Nassau avenue, north side, 25 ft. west of Russell street (1st floor); (Block 2654, Lot 30), Borough of Brooklyn, 98493-C.

45-45-A—H.B.B.—211-249 Lombardy street, north side, 188 ft. east of Stewart avenue (2nd floor, penthouse); (Block 2822, Lot 1), Borough of Brooklyn, Decision re XO-161-43.

46-45-BZ—H.B.B.—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn, Alt. 2675-44.

47-45-A—F.D.—533-537 West 34th street, north side, 350 ft. east of 11th avenue (cellar); (Block 706, Lot 15), Borough of Manhattan, 32304-LF and Decisions.

48-45-A—F.D.—1201 Flushing avenue, southwest corner of Harrison place (basement); (Block 3007, Lot 3), Borough of Brooklyn, 13158-LF and Decision.

49-45-SA—Safety Oil Heater (Preheater), Appliance.

50-45-BZ—H.B.B.—1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn, Alt. 3577-44.

51-45-A—F.D.—30-30 Thomson avenue, south side and 47th (Nelson) avenue, north side, from 30th place (Manly street) to 31st (Mount) street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1), Long Island City, Borough of Queens, Decision.

52-45-BZ—H.B.Q.—214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens, Alt. 1425-44.

53-45-SM—Alpha 275 Gallon Fuel Oil Storage Tank, Cylindrical and Obround, manufactured by Alpha Tank Co., Inc., Material.

54-45-A—F.D.—564 Jackson avenue, east side, 75.10 ft. north of East 149th street (street floor); (Block 2641, Lot 4), Borough of The Bronx, 40137-LC.

55-45-BZ—H.B.B.—51-61 Kingsland avenue (51-65 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn, N.B. 4-45.

56-45-BZ—H.B.Bx.—125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx, Amendment to Alt. 644-44.

Restored to Calendar.

585-42-BZ—H.B.R.—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond, N.B. 555-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
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Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

FEBRUARY 14, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, February* 14, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

1182-39-BZ—Application of Benjamin A. Wilder, applicant, on behalf of Abraham Rubinstein, lessee; Post Sherman Corporation, owner, reopened January 23, 1945 for

CALENDAR

consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58) Borough of The Bronx.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

747-44-BZ—Application, December 28, 1944, under section 7e of the zoning resolution, of F. P. Platt & Bro., applicants, on behalf of Helen V. Kelchner, owner, to permit in a residence use district, for a temporary period of two years, the change of occupancy of the basement and 1st story of a vacant multiple dwelling to storage use and the return of the premises to its original use at the end of the temporary period; premises 68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan.

Appeals from Administrative Decisions.

748-44-A—68 and 70 Irving place, east side, 27 ft. north of East 18th street (basement and 1st floors); (Block 874, Lots 21 and 22), Borough of Manhattan.

596-44-A—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.

475-44-A—42-56 Crescent street, west side, 84 ft. north of 43rd (Harris) avenue (Block 429, Lot 31), Long Island City, Borough of Queens.

Material for Approval.

477-44-SM—Thortel "100" Fireproof Fabrics.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 14, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, February* 14, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

534-44-A—224 Tompkins street, southeast corner of Warren street (Block 552, Lots 23-26, inclusive), Stapleton, Borough of Richmond.

617-44-A—West side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Pier 2, Erie Basin, Borough of Brooklyn.

48-45-A—1201 Flushing avenue, southwest corner of Harrison place (basement); (Block 3007, Lot 3), Borough of Brooklyn.

7-45-A—1201 Flushing avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn.

706-44-A—79-81 Chambers street, north side, 143 ft. 11 in. west of Broadway (1st floor); (Block 149, Lot 3), Borough of Manhattan.

33-45-A—35-18 37th street, west side, 165 ft. south of 35th avenue (Block 640, Lot 31), Long Island City, Borough of Queens.

65-45-A—35-18 37th street, west side, 165 ft. south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens.

655-44-A—1472 Ocean avenue, west side, 150 ft. north of Avenue J (Block 6712, Lot 88), Borough of Brooklyn (reopened and restored to calendar, January 23, 1945; previously withdrawn).

693-44-A—735-741 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn (reopened and restored to calendar, January 23, 1945; previously withdrawn).

41-45-A—95-41 to 95-45 Roosevelt avenue and 37-87 Warren street, northeast corner (2nd and 3rd floors); (Block 1484, Lot 54), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

458-44-BZ—Application, July 26, 1944, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of Alstevlen Realty Corporation, owner, to permit in a business use district, two vehicular entrances to a driveway from garage and service station located in an unrestricted use district; premises 400-418 East 61st street and 1110-1112 First avenue, southeast corner (Block 1455, Lot 46), Borough of Manhattan.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

679-44-BZ—Application, November 28, 1944, under section 21 of the zoning resolution, of Henry C. Brucker, applicant, on behalf of Julia Haeberle, owner, to permit in an F area district, the maintenance of a brick stoop and terrace 8 feet instead of 15 feet back from the building line; premises 109-40 205th place, west side, 93 ft. north of Hollis avenue (Block 10911, Lot 24), Hollis, Borough of Queens.

628-44-BZ—Application of Anthony M. De Rose, applicant, on behalf of Paladino Bros. Holding Corp., owner, reopened January 23, 1945, under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor

CALENDAR

vehicles to a storage building for cosmetic bottles; premises 437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan.

Material for Approval.

468-44-SM—Ormax Vacuum Breaker, Model 3.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, February* 20, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

277-44-A—546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan (reopened and restored to calendar; previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

398-44-BZ—Application, June 27, 1944, under section 7e of the zoning resolution, of Raymond Irrera, applicant, on behalf of Hi Heat Coal and Coke Co., owner, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard; premises 77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit in a residence use and business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 6, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

1-45-A—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of Jamaica avenue (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, FEBRUARY 6, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, January 30, 1945, and Tuesday afternoon, January 30, 1945, were approved as printed in Bulletin No. 6, Volume 30.

MINUTES

ZONING CASES

422-39-BZ

APPLICANT—Lama and Proskauer, for Bonded Lien Corporation, owner.

SUBJECT—Application reopened July 25, 1944, for consideration as to extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M. on request of applicant.

597-44-BZ

APPLICANT—Lama & Proskauer, for Abraham, Morris & Samuel Sorkin, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution.

PREMISES AFFECTED—2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3955, Lot 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M., pending an inspection by a committee of the Board; no further argument and for decision by the Board.

691-44-BZ

APPLICANT—Judson E. Schnall, for 8010 Fifth Avenue Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district.

PREMISES AFFECTED—8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Judson E. Schnall, Julius Lewis, Solomon Lewis and John Cincotto.

For Opposition: Walter F. Cahill, Mary M. Smith, Dominic Divine, Olga Klein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945, at 10 A. M. pending an inspection by a committee of the Board. No further argument and for decision by the Board.

606-44-BZ

APPLICANT—Albert E. Wheeler, for Marie P. Campagna, owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 21-C of the zoning resolution, to permit in an F area district, a one and two family residential development not conforming to the area district requirements.

PREMISES AFFECTED—South side of West 249th street (Spauldings lane), between Henry Hudson parkway and Arlington avenue (Block 3419, Lot 91), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

94-19-BZ

APPLICANT—Herman Kron, for Bergen Management Co., Inc., owner (Brownsville Motor Sales Co., Inc., lessee).

SUBJECT—Application reopened, June 22, 1943 (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to a garage for more than five motor vehicles and motor vehicle repair shop for a temporary term of two years and the maintenance of a 2nd story on a portion of the building.

PREMISES AFFECTED—1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION—94-19-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn, was granted by the Board on March 26, 1919, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the inclusion of a motor vehicle repair for a temporary term of two years and the maintenance of a 2nd story on a portion of the building; and

WHEREAS, this case was reopened by vote of the Board on June 22, 1943, and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Eastern parkway and Bergen street are in a business use, C area and Class 1 height district and that East New York avenue is in an unrestricted use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 15, 1944, re Alt. App. 1317-43, reads:

"2. Proposed change in occupancy from garage for more than five (5) motor vehicles to garage for more than five (5) motor vehicles and motor vehicle repair shop and the connection to adjoining two story building and change of use of the two story building from store to accessory to garage for more than five (5) motor vehicles and motor vehicle repair shop in a business use district is contrary to Art II, Sec. 4 (a), Subdivision 15 and 29 of the Zoning Resolution.

NOTE: Premises were the subject of conditional variation of the Board of Standards and Appeals. 94-19-BZ."

and

WHEREAS, the applicant states the premises consist of a plot, 168.8 feet frontage by 160.10 feet in depth, irregular, on which is located a 1 and 2-story, Class 3, structure, occupied as a garage for more than five motor vehicles and motor vehicle repair shop and to maintain the second story; and

WHEREAS, the applicant contends that this application is made necessary by reason of changed circumstances of the present war conditions; that the occupant was known as the BROWNSVILLE CHEVROLET CO. (Now The Brownsville Motor Sales), a dealer in new Chevrolet cars; that due to the curtailment of manufacturing of new cars, he must supplement his income by selling used cars and also repairing same; that the Fire Department has made an order requiring the lessee to vacate the portion used as a repair shop on the ground the certificate of occupancy, in accordance with Board's resolution of 1919, limits the use of it to a public garage; that the lessee of this building took it subject to its tenancy as a public garage and repair shop; that he now finds the certificate of occupancy does not permit a repair shop and this application became necessary; that without the income from repair shop purposes, the lessee will be unable to pay the rent and his invesiment will be jeopardized; that the building was approved under Cal. 94-19-BZ and resolution therein stated that same shall be erected as 1-story garage with no entrance on Eastern parkway and that window sills facing Eastern parkway shall not be less than 6 ft. above grade; that the Building Department approved plans in 1919 shown as follows: one 1 story garage building and adjoining one 2 story store building with no entrance on Eastern parkway, into the garage; that the plans show there are two entrances on Bergen street; that the windows facing Eastern parkway are 4 ft. above grade instead of 6 ft; that the same applies to the windows on the Bergen street side; that the machine equipment used in connection with the automobile repair shop are as follows: 1 bench grinder ¼ H.P., 1 bench lathe ¾ H.P., 1 valve refacing machine ¼ H.P., 1 movable auto lift and necessary tools for the work as stated above; that the Building Dept. issued a new objection, stating that the adjoining two story building (approved under original plans) as a store and used as an accessory to the garage, is, in the Building Dept's estimation, contrary to the Zone Resolution; that the original plan shows a window, whereas present applicant's plans show an entrance and a show window facing Eastern parkway, corner of Bergen street; that this work was done many years ago under a Building Notice, but the Building Department has no record of the same; that the 1100 gallon tank was also installed in 1919 and no gasoline is sold to the public; that the lessee has a second-hand dealer's license #B 5561, expiring Jan. 31, 1945, issued by the Department of Licenses; that it is requested the Board vary the Zoning Resolution under Art. II, Sec. 4, subdiv. 7i for a temporary term of two years, as to the inclusion of the repair shop; and

WHEREAS, the premises and the adjacent area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 26, 1919, by adding thereto:

"*Granted* under section 7i to permit the building to be also occupied as a garage and motor vehicle repair shop *on condition* that the motor vehicle repair shop shall not extend beyond the area as proposed and shall be maintained with the equipment as proposed; that there shall be no forge or anvil; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that any signs on the front of the building, not in accordance with the lawful requirements, shall be removed; that all roof signs shall be removed and no roof signs shall be constructed or maintained; that the building shall not be increased in height or area; that the repair work shall be solely in connection with the existing use and not operated by a separate tenant; that otherwise, the building shall be maintained in accordance with the resolution adopted by the Board on March 26, 1919, and as herein permitted including the existing second story and except that the existing windows may have sills approximately 4 ft. above the sidewalk instead of 6 ft. as required in 1919; that all permits shall be obtained and all work completed within three (3) months from the date of this *amended* resolution; that this variance shall continue for not over five (5) years from the date of this *amended* resolution and shall be discontinued in the event that the building is not continued for the present use; that a new Certificate of Occupancy shall be obtained."

370-41-BZ

APPLICANT—Ferdinand Savignano, for Sophie Rigler, owner.

SUBJECT—Application reopened December 12, 1944 for consideration as to extension of permit (expired by limitation) re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter L. Siciliano.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (370-41-BZ

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 443-451 Myrtle avenue and 137-155 Waverly avenue, northeast corner (Block 1889, Lots 96, 94 and 1), Borough of Brooklyn, was granted by the Board on April 7, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on December 12, 1944, restored to the calendar and set for hearing on January 9, 1945 and laid over to February 6, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 7, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a temporary term of two years from the date of this *amended* reso-

lution, to permit the premises, consisting of lots 96, 94 and 1, as indicated on plans filed with this application, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 7, 1942, shall be complied with; and that a certificate of occupancy shall be obtained."

50-42-BZ

APPLICANT—Harry Barkoff, for Helen Mahoney, owner.
SUBJECT—Application reopened January 16, 1945 for consideration as to extension of permit (expired by limitation)—Application (decision of the borough superintendent) under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a motor vehicle repair shop.
PREMISES AFFECTED—1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx.
APPEARANCES—
For Applicant: B. Rhine and Harry Barkoff.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Permit extended.
THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (50-42-BZ)

WHEREAS, this application under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building, to a motor vehicle repair shop, affecting premises 1261 Jerome avenue, west side, 70 ft. south of West 169th street (Block 2855, Lot 28), Borough of The Bronx, was granted by the Board on May 12, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by limitation; and

WHEREAS, this case was reopened by vote of the Board on January 16, 1945, restored to the calendar and set for hearing on February 6. 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting. February 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 12, 1942, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"* * * *granted* under section 7i for a temporary term of two (2) years, from the date of this *amended* resolution, to permit the premises to be occupied for motor vehicle repairing, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 12, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

330-42-BZ

APPLICANT—Eugene De Rosa, for Jeron Company, Inc., owner.
SUBJECT—Application reopened on September 12, 1944 (decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores.
PREMISES AFFECTED—95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens.
APPEARANCES—
For Applicant: Joseph V. McKee, Gilbert Lazerus, Eugene De Rosa and Sol L. Firstenberg.
For Opposition: Paul Jacoby, Jr., Edna L. Livezey, Mrs. A. G. Main and Jabez E. Dunningham.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION—(330-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores, affecting premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block 3080, Lots 30 and 31), Rego Park, Borough of Queens, was withdrawn after argument, on October 14, 1942; and

WHEREAS, the applicant requested a reopening of the application and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on September 12, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 28, 1944 and laid over from time to time to February 6, 1945 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Queens boulevard is in a business use, C area and 1-times height district and that Saunders street is in a residence use, D area and 1-times height district; and

WHEREAS, the decision of the borough superintendent dated June 28, 1944, re NB App. 397-42, reads:

"1. The erection of a theatre on that portion of a lot which is in a residence use district, is contrary to Art. II Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 86 ft. by 145 ft. frontage, and 100 ft. by 200 ft. in depth, now vacant, on which it is proposed to erect a one and two-story fireproof theatre building with a nonfireproof portion to be occupied by stores; and

WHEREAS, the applicant contends that the portion of property facing Queens boulevard is in a business use district, while the rear portion, facing Saunders street, is in a residential use district; that the affected property is surrounded on the east by highly developed business property, on the north by business property, on the west by apartment houses and on the south (across Saunders street) by private dwellings; that a prior application was made to the Board under Cal. 330-42-BZ, but was withdrawn by the applicant on October 14, 1942, because of the restrictions imposed on construction by the War Production Board; that while those restrictions still exist, the possible imminent end of the war may result in their removal in the immediate future; that it is therefore necessary to plan for the construction and operation of the proposed project at the earliest possible time; that it is believed by applicant that the granting of this appeal will in no way adversely affect the character of the surrounding area; that, on the contrary, there is a definite need for a theatre in the immediate vicinity and its construction would be a benefit to the neighborhood; that there is no theatre in the vicinity at present and no other property suitable for that purpose; that the erection of the proposed structure in this highly developed business and residence area is, therefore, a very appropriate and desirable development; that the proposed structure will be so erected as to safeguard the character of the residential area; that

the main entrance will be on Queens boulevard, which is in a business area; that the door openings to Saunders street will be solely for emergency exits; that the front wall facing Saunders street, will be treated with face-brick, granite base and such architectural embellishments as shown on a drawing to be submitted, as will preserve the residential aspect of the street; that there will be no advertising signs or billboards displayed on any part of the building facing on Saunders street; and

WHEREAS, after public hearing on November 28, 1944, the hearing was adjourned to permit the applicant to obtain a new decision of the borough superintendent, in view of the amendments to the Zoning Resolution, which became effective December 3, 1944, and to submit revised plans; and

WHEREAS, the new decision of the borough superintendent was obtained, dated January 13, 1945, re N.B. 397-1942, reading:

"1. The erection of a theatre on that portion of lot which is in a residence use district is contrary to Article II, Section 3 of the Building Zone Resolution.

2. The building occupies at the curb level more than 60% of the area of that portion of the lot located in a 'business c' district, contrary to section 13 (b) of the Building Zone Resolution. Not further considered."

and

WHEREAS, the revised plans submitted to the borough superintendent as disapproved January 13, 1945, and as submitted thereafter to the Board on January 18, 1945, showed substantial compliance with the requirements for a residential "D" area district as to coverage, according to the Zoning Resolution as amended effective December 3, 1944, and in compliance as to the business "C" area except as to the construction not over 23 feet in height for 40% of the plot; and

WHEREAS, the applicant claimed that it would not only be of no benefit to anyone to leave 40% of the plot in the business use area unbuilt upon, inasmuch as the buildings on either side have unpunctured walls for the full depth of the lot on the lot line and 23 feet or more in height, but that it would constitute an unnecessary deprivation of the use of the land for which there would be no gain as to light and air for the common good; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the zoning resolution, as to the extension of the business use into the residence use, D area district; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship as to building beyond the area permitted in the business use district; and

WHEREAS, the Board deemed that no loss of light and air would result from permitting the entire portion of the lot to be built upon within the business use area, especially as adjoining lot line walls on both sides are blank and for the full depth of the lots.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted,* under section 7c thereof, to permit the extension of the proposed theatre building into the residence district, substantially as indicated on revised plans marked "Received January 18, 1945", *on condition* that the design of the building and its area shall be substantially as shown thereon; that the portion of the building within the residence use district shall comply with the requirements of the zoning law in all other respects; that the open spaces indicated to the east and to the west shall remain unbuilt upon, except for the fire escapes as indicated; that cement walks from the emergency exit doors shall be maintained to Saunders street; that along Saunders street at the building line to the east and to the west, there shall be erected an ornamental iron fence with an ornamental iron gate which shall normally be kept closed and shall be fitted with a panic bolt on the inside so as to make it openable outwardly at all times; that the height of such fence shall be not less than 6 feet; that the open areas shown as Court 1 and Court 2 shall otherwise be kept planted; that a similar iron fence shall be erected on the westerly lot line, separating this plot from the adjoining apartment house plot under the same ownership, except where lot line walls occur; and *granted,* under section 21, as to the portion of the building to be erected within the business area, *on condition* that the building complies with the requirements of the existing zoning law, except that such space required under the present amended zoning law to be left vacant, may be built upon to a height not exceeding 23 feet; that signs on the building shall comply with all requirements therefor; that no vertical signs shall be erected above the marquee and no sign shall be placed on the front of the building above the marquee, or on the roof; that no signs of any nature shall be erected on any portion of the exterior of the building within the residence use district; that the ventilating system exhaust fan shall be constructed within the business use area and arranged to exhaust toward Queens boulevard and away from Saunders street; that the exits from the theatre to the side courts 1 and 2 shall be used for emergency purposes only and not as a regular means of exit; that the operators of the theatre shall carry this requirement into effect, so that all exiting under normal conditions shall be through the main lobby to Queens boulevard and the emergency exit doors shall be so labeled; that there shall be no openings in the walls within the residence use district other than as indicated for exit purposes on the plans submitted marked "Received January 18, 1945;" that complete working drawings, including landscape drawings, shall be submitted to the Board for general approval before same are filed with the borough superintendent; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

182-44-BZ

APPLICANT—Frank C. Keller, for John Celmer and Stanley Celmer, owners.

SUBJECT—Application (decision of the acting borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard.

PREMISES AFFECTED—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and John Celmer.

For Opposition: Edward N. Kassel, Helen A. Guthlein and Marie C. Montag.

For Administration: Fred Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (182-44-BZ

WHEREAS, Frank C. Keller, for John Celmer and Stanley Celmer, owners, filed March 27, 1944, an application under section 21 of the zoning resolution, to permit in a residence use district, the erection of a garage for two commercial cars (trucks) and the maintenance of a contractor equipment storage yard; affecting premises: 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing, February 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 71st place is in a residence use, C area and Class 1 height district and that (Edsall) 70th avenue is in a residence and business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 3, 1944, re N.B. App. 7-44, reads:

"2. The use of property located within a residence district for the storage of business machinery, etc., is contrary to Art. 2, Section 3 of the Zone Resolution.

3. The erection of a garage, not accessory to a dwelling located on the same lot, in a residence district is contrary to Art. 2, Section 3 of the Zone Resolution.

4. The storage of business trucks in a garage located in a residence district is contrary to Art. 2, Sect. 3 of the Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 75.06 ft. frontage by 91.21 ft. in depth, irregular, on which is to be located a one-story, Class 3 construction, 30 ft. by 25 ft. garage for two trucks, the remainder of plot to be used for the storage of contractor's equipment, consisting of scaffold, horses, wheelbarrows and like equipment used in general contracting; and

WHEREAS, the applicant contends that this plot, although originally zoned as unrestricted, was changed to residential at some time between October 3, 1924, and July 28, 1927; that it is a hardship on the owner to be compelled to pay taxes and be unable to improve this land with a conforming residential use and therefore be deprived of its use; that directly opposite on the 70th avenue frontage is the Long Island Railroad, as shown on block survey filed with this application; that the traffic on this railroad line is mostly freight; that the noise and dust from these freight trains and the smoke and soot from the coal-fueled steam locomotives would prevent any improvement of this land for residential use; that beyond these tracks to the north lies the Lutheran Cemetery; that although this portion is not as yet filled with graves and tombstones, it will be in the very near future since no other land in the city can be obtained for this purpose; that opposite this plot on the 71st place side to the west is a factory used and operated by the Weirfield Rug and Carpet Cleaning Co., whose condition can be seen on Photograph #1 filed with this application; that on the 70th avenue side within the area of influence on the southwest corner of 72nd place, is a factory operated by the G. F. Richter Mfg. Co.; that the aforementioned are facts which contribute to the hardship of the owners; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this is a proper case in which to exercise its discretion to grant under section 7, subdivision e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted*, under section 7e thereof, for a term of two years from this date, *on condition* that no building shall be erected on the premises; that the wood fence shall be maintained; that there shall be no addition to the present unlawful use consisting of the storage of contractor's equipment; that no trucks or other motor vehicles shall be stored on the premises; and that all permits required shall be obtained and all work completed within one (1) month from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

183-44-A

APPLICANT—Frank C. Keller, for John Celmer and Stanley Celmer, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens (Under Section 35, General City Law re bed of mapped street—70th (Edsall) avenue).

APPEARANCES—

For Applicant: Frank C. Keller and John Celmer.

For Opposition: Edward N. Kassel, Helen A. Guthlein and Marie C. Montag.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (183-44-A)

WHEREAS, Frank C. Keller, for John Celmer and Stanley Celmer, onwers, filed March 27, 1944 an application pursuant to section 35 of the General City Law as stated in a decision of the borough superintendent, affecting premises 70-01 to 70-07 71st place, southeast corner 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens, relating to the use of a portion of the premises in a mapped street (70th avenue) for the storage of contractors' equipment and materials; and

WHEREAS, the decision of the borough superintendent on N. B. Applic. 7-44 dated March 3, 1944 reads:

"1. The use of premises in the bed of a mapped street for business purposes, is contrary to Art. 3, Section 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consist of a plot 75 ft. by 91 ft. in depth irregular in area, located in a residence use, C area class 1 height district and used and occupied for the storage of contractor's equipment and materials as described in application for a zoning variance filed under Cal. 182-44-BZ; and

WHEREAS, the applicant contends that he has filed an application for a modification of the zoning resolution to permit the use of the premises for a non-conforming use and that in the event such application is granted, it is requested that the Board give consideration to this application and grant the request; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board in connection with Cal. 182-44-BZ.

Resolved, that the decision of the borough superintendent of buildings acting on N. B. Applic. 7-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, *on condition* that no structure shall be erected on the portion of the premises within the bed of the proposed street other than the existing fence; and that the use of the premises shall be maintained in accordance with the requirements of the resolution adopted this day under Cal. 182-44-BZ for a term of two years as stated therein, and for no other use.

610-44-A

APPLICANT—Frank J. Buttermark, for Gaetano Raia, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond (under Section 35, General City Law—re proposed widening of avenue—Seaview avenue).

APPEARANCES—

For Applicant: Angelo Constantino.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (610-44-A)

WHEREAS, Frank J. Buttermark, for Gaetano Raia, owner, filed October 24, 1944, an appeal from a decision of the borough superintendent and an application pursuant to Section 35 of the General City Law affecting premises 372 Seaview avenue, south side, 140 ft. east of Laconia avenue (2nd floor); (Block 3380, Lot 68), Dongan Hills, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated September 27, 1944, on Alt. Applic. 134-44, reads:

"This proposed alteration of an increase in height of the 1 story front to 2 stories of this proposed 2 family dwelling is not permitted, as it will encroach within the proposed widening line of 10 feet, together with the required front yard of 10 feet in this area district.

(Section 35, General City Law and Zoning Resolution, Art. IV, Section 15)."

and

WHEREAS, the applicant states that the structure is a duplex building 22 ft. front by 56 ft. 4 in. in depth, 2 stories (30. ft. 6 in.) in height, of class 4 construction, erected in 1920, located in a residence use, E area and class 1 height district and used and occupied as follows: front section—1 family; rear section, 1st floor—1 family, 2nd floor—1 family; that the structure is divided with two 3 ft. wide frame stairs, enclosed in partitions of wood studs and plaster, equipped with wood doors and leading directly to the street; and

WHEREAS, it is proposed to increase the height of the front section of the structure to 2 stories and to occupy the front half of the building as a 2 family dwelling; and

WHEREAS, the applicant contends that the proposed alteration will in no way interfere with the integrity of the City plan and will in no wise increase the cost of opening the proposed street, as the proposed alteration will not extend the building beyond its present lines; that the proposed widening of Seaview avenue from 40 ft. to 60 ft. in width was approved by the Board of Estimate April 25, 1930; that the existing building is 13 ft. from the existing street line and will be 3 ft. from such line if the street is widened as proposed; that the income is insufficient to pay the expenses of running the property; that the proposed alteration will permit the owner's daughter to occupy the proposed three room apartment on the second floor front and thus yield a return to the owner without prejudicing or jeopardizing the interests of the City.

Resolved, that the decision of the borough superintendent on Alt. Applic. 134-44 be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under Section 35 of the General City Law, *on condition* that no part of the building shall be erected within the bed of the proposed street as widened; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

644-44-A

APPLICANT—Ferdinand Savignano, for Gussie Schwartz, owner. (A. A. Woolstock Co., lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (644-44-A)

WHEREAS, Ferdinand Savignano, for Gussie Schwartz, owner, (A. A. Woolstock Co., lessee), filed November 13, 1944, an appeal from an order of the fire commissioner, affecting premises 237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

737-44-A

APPLICANT—Wickes, Riddell, Bloomer, Jacobi and McGuire, for Republic Steel Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—62-88 (62-160) Scott avenue, northeast corner of Meserole street (1st floor); (Block 2972-B, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: John K. Clark, Jr. and H. F. Eisengrein.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (737-44-A)

WHEREAS, Wickes, Riddell, Bloomer, Jacobi and McGuire, for Republic Steel Corporation, owner, filed December 18, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 62-88 (62-160) Scott avenue, northeast corner of Meserole street (1st floor); (Block 2972B, Lot 1), Borough of Brooklyn; and

WHEREAS, order 96995-LC issued by the fire commissioner May 2, 1944 and repeated in a decision of the fire commissioner dated December 12, 1944 reads:

"You are hereby notified that an inspection of the above premises used to store and use oils, acids, etc., shows the following must be done before the permit requested by you can be issued.

2. Provide a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or a storage room constructed fireproof in a fireproof building or fire resisting in a non-fireproof building for the storage of spray material in excess of 100 gallons.

Storage rooms shall have a window opening to the outer air, but such window shall not be on a lot line enclosed court nor opposite within 20 ft. of windows of adjacent buildings; nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by a metal duct or fan at least 8 in. in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 in. from the floor and be properly pitched for drainage purposes to a low point within enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 in. above the finished floor. All doors to be tin-clad approved fireproof and self-closing. Rule 6.1.3 Spray Rules."

and

WHEREAS, the applicant states that the building is 5 stories (75 ft.) in height, 80 ft. by 287 ft. in area, of class 1 construction, erected in 1926, located in an unrestricted use, A area and class 1½ height district and used and occupied

since erection as follows: cellar, boiler room, 2 persons; 1st to 4th floors, manufacturing steel and tubing, 15 persons on the 1st floor, 35 persons on the 2nd floor, 20 persons on the 3rd floor and 10 persons on the 4th floor; 5th floor, machine shop and maintenance department, 65 persons; that the building is equipped with a one source sprinkler system, a standpipe system, interior fire alarm system, but fire drills are not maintained; that there are two fireproof stairs from the roof to the street, one is 44 in. in width and the other 55½ in. wide; and

WHEREAS, Certificate of Occupancy 39622 issued July 2, 1926 on N. B. permit 15018-25, permits the use of the building as a factory; and

WHEREAS, the applicant contends that the order refers to a storage room for the storage of spray materials in excess of 100 gallons located on the 1st floor; that it is impossible to build either a storage building or a storage room on the premises which would be 20 ft. or more from any adjacent building, except on the portion of the premises used for a lumber yard; that it would therefore be impossible to construct such a storage building of storage room which would have a window not opposite within 20 ft. of windows of adjacent buildings; that it is proposed that the storage room, as indicated on plans filed with this appeal, be equipped with a metal duct to exhaust fumes from the storage room, as indicated on plans filed with this appeal; that the storage room is constructed as follows: 6 inch concrete roof except the portion of the roof which is under the stair well, which is 7 inches thick; that the easterly wall of the room is 8 in. concrete, southerly wall, 8 in. concrete with two former doorways bricked up with brick and cement to a thickness of 8 inches; that the westerly wall is terra cotta tile 6 in. thick; that the northerly wall is terra cotta tile 6 in. thick with one doorway to be closed up with terra cotta tile 6 in. thickness; that the floor of the room is concrete 4 in. thick; that a new door will be installed in the westerly wall, opening into the fireproof first floor of the building; that the storage room is equipped with five sprinkler heads connected to the sprinkler system of the building; that the room will be equipped with a tin-clad fireproof, self-closing door with 6 in. sill; that floors will be waterproofed to a height of 6 in. with a 5 degree pitch for floor rise on each side of the sill; that the building is fireproof with eight remote exits on the first floor; that it is felt that the storage room with the proposed vent and other changes herein proposed, will comply with the spirit of the rules and it is therefore requested that the Board grant a variance, permitting the use of the room as proposed.

Resolved, that the decision of the fire commissioner as to Order 96995-LC, Item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that such paint and spray materials as are proposed, shall be stored in a fireproof room, constructed substantially as indicated on plans filed with this appeal marked "Received December 18, 1944;" that in addition to the exhaust duct as shown, such duct shall also be extended within the room, downwardly to approximately one (1) foot above the floor line; that the amount of paint to be stored in this room shall at no time exceed two thousand gallons; that in all other respects, the room, as proposed, shall be maintained; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that this variance shall continue only so long as conditions are maintained substantially as proposed and to the satisfaction of the fire commissioner; that permits shall be obtained for the construction of the fireproof room from the borough superintendent.

MATERIAL SUBMITTED FOR APPROVAL

584-44-SM

APPLICANT—Atlantic Metal Products, Inc., owner.
SUBJECT—Atlantic 3 Hour Hollow Metal Door, #9 Flush and #10 Panel Types, approval of.

APPEARANCES—
For Applicant: George Weiterer.
ACTION OF BOARD—Material approved in accordance with the report of the committee of the Board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (584-44-SM)

WHEREAS, the Atlantic Metal Products, Inc., owner, filed on October 16, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Atlantic Three Hour Hollow Metal Door, #9 Flush and #10 Panel Types; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

January 18, 1945.

Cal. 584-44-SM

Subject: Atlantic 3 Hour Hollow Metal Door, "#9" flush and "#10" panel types, approval of.

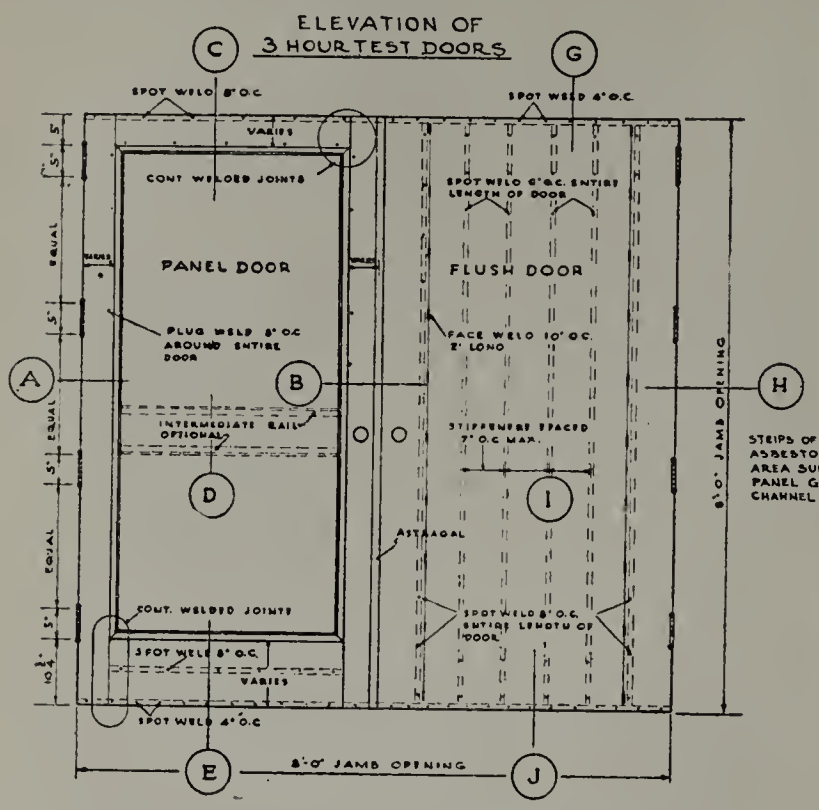
The Atlantic Metal Products, Inc., of Long Island City, New York, filed an application with the Board of Standards and Appeals, under the requirements of C26-178.0,b of the Administrative Building Code for the approval of their three hour hollow metal flush and panel type doors (Fig. 1) for approval under the Board's authority as provided in C26-191.0,a, for uses under C26-660.0, C26-661.0, C26-662.0, C26-663.0 of the Administrative Building Code and as a fireproof one hour opening protective assembly under the Multiple Dwelling Law.

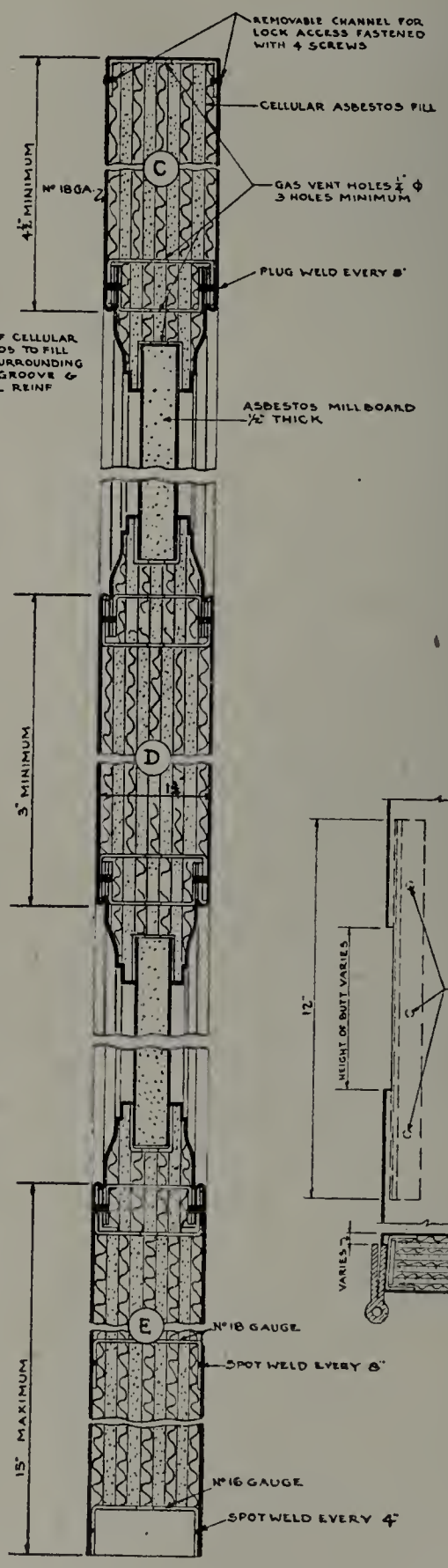
Description

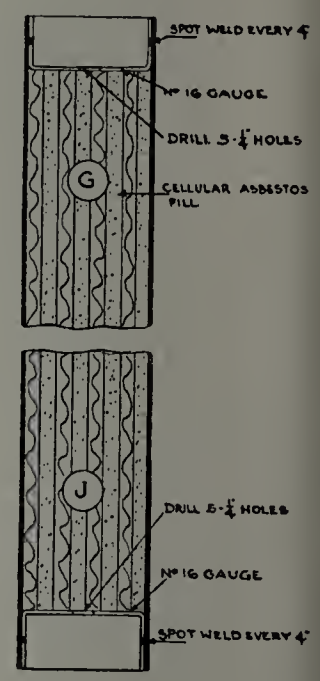
The test panel consisted of a pair of swinging hollow metal doors of the paneled and flush type, details as shown in Fig. 1, equipped with a two-point lock in the inactive door and a three-point lock on the active door, mounted in a 14-gauge steel frame designed for mounting in a 12-in. brick fire wall. The test assembly was designed for the protection of an opening in a 12-in. brick wall 8 ft. in width and 8 ft. in height.

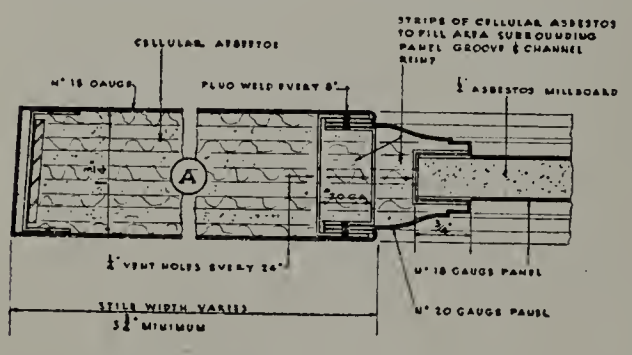
#"10" Panel Type Door

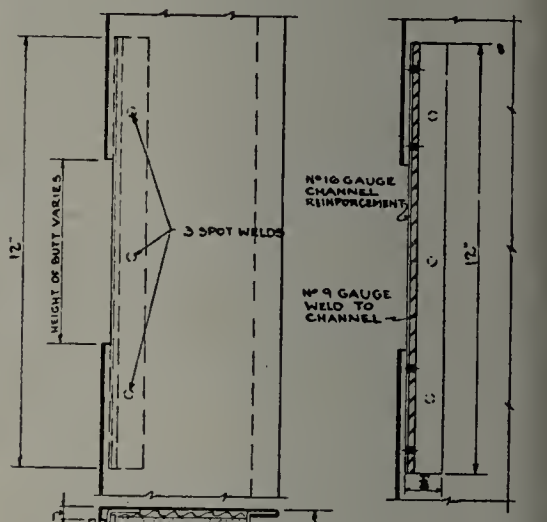
Stiles are made of one piece No. 18 USG steel forming the sides, edge and return for the panel recess of the stile and reinforced by a No. 20 gauge continuous channel. The recess in the stile receives the panel molding for a depth of ¾ in. and then a welding operation every 8 in. on both sides of the stile joins the stile with the panel assembly. The stile is not less than 1¾ in. thick and 5¾ in. wide exclusive of the panel molding. The insulation of the hinge stile is cellular asbestos laminated sheets for the full width and length of stiles. Top rail is constructed similar to the stiles as shown in Fig. 1. The intermediate rail is formed of two pieces of No. 18 USG steel forming the sides and return for the panel recess reinforced by two No. 20 gauge channels running the full length of the rail. The construction and insulation are shown in Fig. 1. The bottom rail is formed of two pieces of No. 18 gauge steel to form the sides. The top edge of the rail has a return for the recess to receive the panel molding and reinforced by a No. 20 gauge channel running the full length of rail. A No. 18 gauge stiffener channel is applied in the center of the rail running the full length of the rail and welded to rail as shown. The bottom channel is of No. 16 gauge and across the full width of the door, spotwelded on both sides every 4 in. Panels are made of ½ in. thick millboard asbestos covered on both sides with No. 16 gauge USG sheet steel. The edges of panels fit into the recessed groove of panel molding for a distance of at least ¾ in. The panel molding is made of No. 20 USG steel and reinforced with a No. 20 USG steel continuous channel and fastened to the stiles and

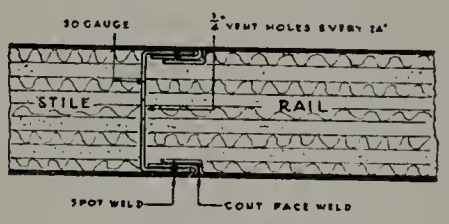




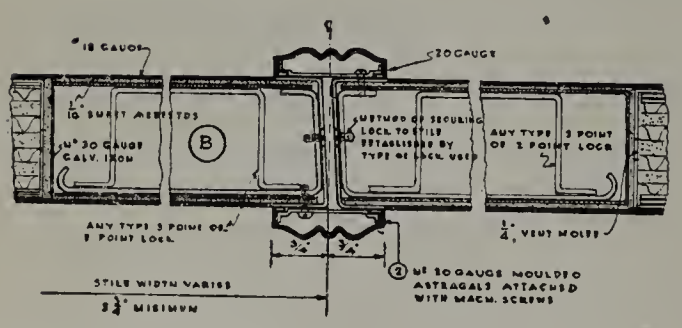


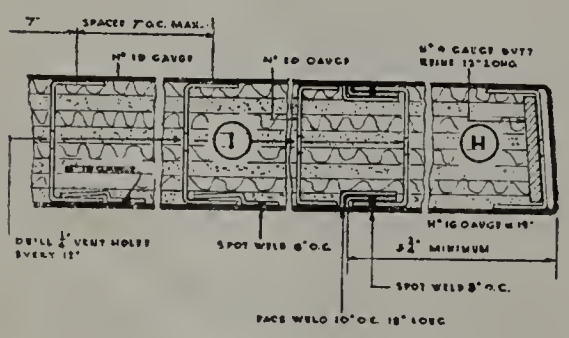






JOINTS AT STILES & RAILS





HARDWARE

④ PAIR BUTTS 5"x5" (STEEL)
① THREE POINT LOCK IN ACTIVE DOOR
① TWO POINT LOCK IN INACTIVE DOOR

FIG. 1

rails with welds every 8 in. on both sides along the entire perimeter of panel. The molding is mitered and welded at corners. The area surrounding panel groove of molding and channel reinforcement is filled with strips of laminated cellular asbestos. The stiles extend the full height of the door. The rail is recessed to set between the stiles and the joint is welded on the outer surfaces of the door, the full width of the joints between the stiles and rails.

#"9" Flush Type Door

The flush door is made up of two No. 18 USG one-piece stiles not less than 5¾ in. wide and 1¾ in. thick. The stiles are reinforced with No. 20 USG steel channels running the full length of stile and spotwelded every 8 in. on both sides. The flush panels are of No. 16 gauge and are recessed for setting between both stiles and reinforced with "Z" bar clip stiffeners spaced not more than 7 in. on centers for the full height from top of bottom horizontal reinforcing channel to the underside of top horizontal reinforcing channel. The hollow spaces between vertical stiffeners are filled with laminated cellular asbestos 1⅝ in. thick. The top and bottom of door is reinforced by a No. 16 USG steel channel running the full width of door. These channels are spotwelded on both sides every 4 in. The joints between the flush panel and door stiles are electric welded 10 in. centers, 2 in. long, and filled. The lock stiles for the three point and two-point locks only are insulated with 1/16 in. thick sheet asbestos and then lined with 30-gauge galvanized iron.

General

When doors are mounted in pairs, they are provided with an astragal attached to each door face. Astragals are of No. 20 USG molded type or ⅛ in. thick steel bar, as shown in Fig. 1. Astragal extends beyond edge of door not less than ¾ in. and is fastened to door by machine screws 8 in. o.c.

Each door was painted one primer coat, while outside was painted with the usual 7 coats of paint normally furnished on these types of doors.

Reinforcement for Hinges-Doors not exceeding 5 ft. in height are provided with two hinge reinforcement and cutouts (see Fig. 1). Doors in excess of 5 ft. in height are provided with one hinge reinforcement and cutout for each additional 2½ ft. in height or fraction thereof. For mortise type hinges, the hinge stile is reinforced with a No. 9 gauge steel bar, the width of the bar not less than the cutout of the hinge. The bar is not less than 12 in. long and extends not less than 3 in. above and below the cutout of the hinge. The bar is held in position with a No. 16 gauge steel channel to which it is welded. The channel is spotwelded to hinge stile of door. Reinforcements for half or full surface hinges are to be constructed as shown in Fig. 1. Reinforcements for door closers or checks are to be constructed and secured in position as shown on Fig. 1.

The frame is constructed of 14 USG steel designed for a 12-in. brick wall. The jambs and head are provided with a ¾ in. stop. The jambs of the frame extend into the masonry at the sill. The jambs of the frame are provided with adjustable non-removable anchors spaced adjacent to each hinge.

Each door section is equipped with four 5 in. ball bearing steel hinges. The leaves of the hinge are constructed of 0.180 in. steel and secured to reinforcements attached to the hinge stiles of the door sections and the jambs of the frame. The active door is provided with an Underwriters' labeled three-point locking mechanism inserted in the lock stile, and when in a locked or thrown position the bolts enter sockets or strike plates in the lock stile of the inactive door. The inactive door is provided with an Underwriters' two-point locking mechanism consisting of a vertical bolting mechanism extending into keepers in the head of the frame and in the sill when in a locked position. The bolts which mesh with the adjacent door and extend into the sill and head of the frame are constructed of steel, but the outer trim is made of bronze.

Tests

The opening protective assemblies (Fig. 1) were subjected to fire endurance and hose stream tests in accordance with details and procedures as outlined in Article 11 of the Administrative Building Code, and reported by the Underwriters Retardant 2817, Application No. 44C400, as follows:

The door assembly previously mounted in a 12 in. brick wall opening, was subjected to a fire in the furnace exposing one face of the assembly to a gas furnace controlled in accordance with standard temperature curves for a continuous period of three hours after which the panel was withdrawn from the furnace and the exposed face was immediately subjected to the impact and cooling action of a 30-lb. water stream applied for one minute and 36 seconds. Temperatures within the furnace were maintained with the area tolerance for the 3 hour period. The average temperature at the end of one-half hour on the panel door 582 deg. F.; for the flush door 603 deg. F., which is well within the limitations prescribed in C26-610.0 of the Administrative Building Code.

At the end of three hours, the assembly was successfully subjected to a hose stream test. There was no passage of flame through around the door during the fire exposure. The assembly movement throughout the test did not exceed 5½ in. deflection towards the furnace, which was reduced by the pressure of the hose stream to one and one-half inches. The visibility was considerably reduced because of the application of 7 coats of paint to the doors being tested. At 20 minutes from the start of the test, this visibility was reduced 93%, but this is to be expected with doors painted as these specimens were and are required to be painted by the purchasers. The temperature curve indicated that flammable material placed against the exposed face of the doors would ignite, but under conditions of installation, it is a fair assumption that there will be considerable air space between any such door and adjacent flammable material.

Recommendations

On the basis of the foregoing data, wherein the test meets the requirements of C26-610.0, the Committee recommends the approval of the Atlantic Metal Products, Inc. Hollow Metal Door known as Atlantic Three Hour Hollow Metal Door # 9, flush type, and #10, panel type, with or without intermediate rail (Fig. 1), under C26-191.0,a, when constructed and hung as described herein and as having met the fire-resistive requirements for a rating of three hours for uses as follows: Under C26-660.0, as an opening protective assembly in fire walls wherein a three hour fire resistive rating is required; under C26-661.0, as opening protective assembly for use in fire partitions wherein a 1½ hour fire-resistive rating is required; under C26-662.0, wherein a ¾ hour fire resistive rating is required; under C26-663.0 for the protection of openings in interior shafts which require a fire resistive rating of 1½ hours, under Article 1, Section 4, Item 10 of the Multiple Dwelling Law, which provides for a fire resistive rating of one hour when used in fireproof partitions.

The foregoing recommendations include the use of either the panel or flush type doors used single or in pairs with astragal and for the increase in permissible sizes as provided in C26-610.0. It is further recommended that all opening protective assemblies manufactured under the approval shall, in addition, comply with all the detail requirements contained herein and shall be marked and inspected as provided for in the

MINUTES

Opening Protective Assembly Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Atlantic Three Hour Hollow Metal Door, #9, Flush and #10 Panel Types, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:50 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 6, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

605-44-A

APPLICANT—Arnold W. Lederer, for Anna Yarmark, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—110-128 Waterbury street and 283-291 Ten Eyck street, northeast corner (1st and 2nd floors); (Block 3021, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buidings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (605-44-A)

WHEREAS, Arnold W. Lederer, for Anna Yarmark, owner, filed October 24, 1944, an appeal from a decision of the borough superintendent, affecting premises: 110-128 Waterbury street and 283-291 Ten Eyck street, northeast corner (1st and 2nd floors); (Block 3021, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintedent, acting on Amendment to Alt. Applic. 2250-44, dated January 29, 1945, reads:

"1. As two story building was erected under N.B. permit 2624-29, provide two means of egress complying with the requirements of Sec. 270 of the Labor Law.

Proposed exits consisting of an existing fire escape to yard and a fire-retarded enclosed stairway to street are contrary to Sec. 270 of the Labor Law."

and

WHEREAS, the applicant states the building is two stories (26 ft.) in height, 34 ft. 7 in. by 96 ft. in area at 1st story, 34 ft. 7 in. by 75 ft. in area at typical floor; Class 3 construction; erected in 1929; located in an unrestricted use, A area, Class 2 height district, now vacant; proposed to be used and occupied: 1st floor, manufacturing electrical supplies, 30 persons; 2nd floor, machine shop and lunchroom, 30 persons; that the building is equipped with one 3 ft. 8 in. steel and concrete stairs enclosed with terra cotta blocks on the first floor, equipped with fireproof, self-closing doors leading directly to the street and one fire escape at the side of the building leading to the roof by a ladder and to the yard by stationary stairs, with egress to the street through open rear yards; that the windows and doors on course of fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the building, which is a corner building, was erected as a macaroni factory; that the present owners purchased it along with three adjoining buildings for the purpose of manufacturing electrical equipment and are now replacing a one-story building adjoining that in question with a new structure; that the corner two-story building in question was built with one stairway enclosed in fireproof partition on the first floor and open on the 2nd floor; that about 1930, the Fire Department placed an order to install a fire escape; that this violation was complied with; that the building was purchased on the assumption it could be used as a factory; that upon obtaining approval for the proposed one-story building at 114 Waterbury street, it was required that two fireproof stairways be installed in the two-story building; that the two-story building in question will be limited in occupancy as stated herein; that the fire escape at the rear has two 1 ft. 10 in. doors swinging outwardly and the windows on the course of same are fireproof; that the stairs are 22 in. wide, stationary, constructed according to the Labor Law requirements and lead to an open yard; that the balcony on the 2nd floor has a stationary ladder to the main roof; that the primary means of egress consist of a steel stairs with fireproof enclosure on the 1st floor and wood on the 2nd floor; that the closet under these stairs will be discontinued as shown; that no cooking will be done on the 2nd floor, as the lunchroom is to be provided for employees, due to inaccessibility of restaurants; that it is proposed to place a fire-retarded enclosure on the 2nd floor primary means of egress with a scuttle and ladder within such enclosure, leading to the roof; that this enclosure is to be equipped with a ¾-hour fireproof, self-closing door at the 2nd floor level; that the first floor stair enclosure is to be remodeled as indicated on plans filed with this appeal; that to provide fireproof enclosures as required by the Labor Law for a new building, would create unnecessary hardship, due to the limited occupancy of the 2nd floor; that 3 ft. aisles will be maintained, leading to all exits; that exit signs, directional signs and exit lights will be provided.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 2250-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the building and its primary means of exit shall comply in all respects with the requirements therefor, except that the enclosure of the primary means of exit at the second floor may consist of fire retarded partitions as indicated, with an exit to the roof by means of a scuttle with an easy opening device and with a double rung steel ladder leading thereto, as indicated; that the secondary means of exit may be by means of the fire escape as proposed and as shown on plans filed with this appeal marked "Received October 24, 1944"; that from the foot of the fire escape, there shall be a free access at all times to Ten Eyck street; that the number of persons on the second floor shall not exceed that lawfully permitted for the primary means of exit; that in all other respects, the building and occupancy shall comply with all laws and rules applicable.

620-44-A

APPLICANT—John W. Pickworth, for Chase National Bank of the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—11-23 Broad street, east side, 115 ft. 5¾ in. south of Wall street, 51-55 Exchange place and 35 Wall street (36th, 37th and 38th floors); (Block 26, Lot 1), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: John W. Pickworth and Norman W. Coates.
For Administration: Fred Dahlem, Dep't of Housing and Buidings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (620-44-A)

WHEREAS, John W. Pickworth, for Chase National Bank of the City of New York, owner, filed October 27, 1944, an appeal from a decision of the borough superintendent, affecting premises 11-23 Broad street, east side, 115 ft. 5¾ in. south of Wall street, 51-55 Exchange place and 35 Wall street (36th, 37th and 38th floors); (Block 26, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1252-44, dated October 11, 1944, reads:

"4. Provide access to fire tower from 37th and 38th floors as per section 6.5.2, 6.5.1 and 6.1.2.3 Code."

and

WHEREAS, the applicant states the building is 42 stories (about 500 ft.) in height; 165 ft. by 151 ft. in area; of Class 1 construction; erected 1928; located in a business use, B area, Class 2½ height district and used and occupied as follows: Basement C, storage, vault and mechanical equipment, 5 persons; Basement C Mezzanine, mechanical equipment, 5 persons; Basement B, storage, vault and bank, 40 persons; Basement A, storage, vault and bank, 45 persons; ground story, bank, 90 persons; 1st story, bank, 70 persons; Mezzanine, offices, 20 persons; 2nd to 20th stories, offices, 150 persons on each floor; 21st to 24th stories, offices, 110 on each floor; 25th to 30th stories, offices, 95 on each floor; 31st and 32nd stories, private luncheon club, 95 on each floor; 33rd to 36th stories, offices, 40 persons on each floor; 37th story, offices and tower, ventilating system; 38th story, tower, ventilating system; 39th story, tower and ventilating system, and proposed to be used and occupied without change except that the 37th story will be used for office space and mechanical equipment, 30 persons; 38th story for office space and mechanical equipment, 30 persons; and

WHEREAS, the applicant contends that it is not physically possible to extend the fire tower above the existing 36th floor level; that the proposed alteration consists of increasing the office space on the 37th floor and converting part of the 38th floor to offices; that the 38th floor at present contains the ventilating equipment, which will be rearranged; that this area is served by an interior fireproof stairway in which there is a standpipe; that a secondary remote means of egress will be provided by a new fireproof stairway as shown on plans; that two elevators will be extended to serve this floor; that the 37th floor contains office space and mechanical equipment; that there is one interior fireproof stairway in which there is a standpipe accessible to this area; that the use as office space was approved by the Board of Buildings April 8, 1937; additional office space in is now required; that a secondary means of egress will be provided by a fireproof stairway as shown on plans; that at present, one elevator serves this space and one will be added; that the new fireproof stairway will land on the 36th floor; directional signs will be provided to direct occupants to the existing fire tower stair; and

WHEREAS, the action of the Board of Buildings under date of April 8, 1937, purporting to clarify the law as to its application in connection with Alt. Applic. 918-37, is of no lawful effect.

Resolved, that the decision of the borough superintendent on Alt. Application 1252-44, Objection 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed supplementary stair from the 36th floor to the 38th floor shall be constructed and maintained substantially as indicated; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the corridor leading from the proposed supplementary stair to the fire tower at the 36th floor, and the corridors on the 37th and 38th floors shall be maintained at all times so as to provide access to both means of exit on such floors.

643-44-A

APPLICANT—Arnold W. Lederer, for Kingsland Estate, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—337-341 Kingsland avenue, west side, 95 ft. north of Norman avenue (2nd floor); (Block 2608, Lots 84 and 87), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buidings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (643-44-A)

WHEREAS, Arnold W. Lederer, for Kingsland Estate, Inc., owner, filed November 14, 1944 an appeal from a decision of the borough superintendent, affecting premises 337-341 Kingsland avenue, west side, 95 ft. north of Norman avenue (2nd floor); (Block 2608, Lots 84 and 87), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 8, 1944, on Alt. Applic. 3140-44, reads:

"1. Unobstructed egress from foot of stair in rear yard, to the street must be provided in accordance with Rule 8 Factory Exit Rules (Board of Standards and Appeals) and Section 273 Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories (23 ft.) in height, 30 ft. by 90 ft. in area, of class 3 construction, erected 60 years ago, located in an unrestricted use, A area, class 2 height district and used and occupied since 1941 as follows: cellar, storage; 1st floor, assorting and shipping room, 20 persons; 2nd floor, office and lunch room, 55 persons; that the building is equipped with one 4 ft. wide wood fire-retarded stair at the front, equipped with fireproof, self-closing door and leading directly to the street; that there is a ladder and a scuttle to the roof; that the building is also equipped with one fire escape at the rear of building, extending from the 2nd story to the yard by a stationary iron stairs with egress through the one story building at the southerly side; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the proposed exit should be accepted on the following grounds; that the 2nd floor is provided with a 4 ft. wide fire-retarded stairway directly to the street; that the second means of egress consists of an outside stairway 4 ft. wide with a canopy over the same, leading to the rear yard; that the borough superintendent required a fireproof passageway from the rear stairway to the street; that to provide an underground fireproof passageway through unexcavated areas, would cause an unnecessary hardship; that no manufacturing will take place on the 2nd floor; that the owner will maintain an open door from the second means of egress to the adjoining one story building; that no cleaning or dyeing will be done at either of the buildings involved; that easy access can be had from the second story of the building in question, to the roof of the new one story adjoining building under the same ownership; and

WHEREAS, the building was altered and reduced to two stories in height under Alt. Applic. 2767-42, work completed July 6, 1944, and Certificate of Occupancy No. 110931 issued August 15, 1944.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor

Law, as cited in the decision of the borough superintendent and that the appeal be and it hereby is *granted* as to Alt. Applic. 3140-44, objection 1, *on condition* that the primary means of exit shall be maintained as approved by the borough superintendent under Certificate of Occupancy 110931, issued August 15, 1944; that the second means of exit may be by means of the fire escape as indicated at the rear and the access from the street therefrom may be by means of a fireproof, self-closing double acting door, as indicated, with access through the adjoining one story building under the same ownership, through to Kingsland avenue, with a 4 ft. clear passageway, as indicated on such plans, to be maintained at all times and indicated by stripes painted on the floor; that in addition, a means shall be provided for exit to the roof of the one story adjoining building from the second story and a loose iron ladder, shall be maintained on the roof of the one story building, of sufficient length to reach the street; that this variance shall continue only so long as the buildings are in the same ownership and occupied jointly; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that no factory occupancy shall be permitted on the second floor; and that the number of persons on the 2nd floor shall be limited to the capacity of the primary means of exit; that in addition, there shall be an iron balcony constructed at the 2nd floor rear at the window toward the southerly side, to permit additional access to the roof of the adjoining one story building.

12-45-A

APPLICANT—Ferdinand Savignano, for Anna Spinello, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—917-923 Avenue J (919 displayed) and 986-996 East 10th street, northwest corner (Block 6522, Lot 43), Borough of Brooklyn.
APPEARANCES—
For Applicant: Peter L. Siciliano.
For Administration: Fred Dahlem, Dep't of Housing and Buidings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (12-45-A)

WHEREAS, Ferdinand Savignano, for Anna Spinello, owner, filed January 9, 1945, an appeal from a decision of the borough superintendent, affecting premises: 917-923 Avenue J (919 displayed) and 986-996 East 10th street, northwest corner (Block 6522, Lot 43), Borough of Brooklyn, and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 3338-44, dated December 11, 1944, reads:

"1. Proposed change of occupancy from one to two families within a frame structure over two stories and attic in height, is contrary to Sec. 2.1.3.5 Bldg. Code, since it would violate the provisions of Sec. 8.7.2.1 and Sec. 4.2.1 Bldg. Code."

and

WHEREAS, the applicant states that the building is 3 stories and attic (35 ft.) in height, 32 ft. by 56 ft. 6 in. in area at 1st floor, 24 ft. by 46 ft. 6 in. in area at 2nd floor; of Class 4 construction; erected in 1908; located in residence use, E area, Class 1 height district; and used and occupied as a one-family dwelling; proposed to be used and occupied: Cellar, ordinary; 1st and 2nd floors, combined one family; 3rd floor, one family; attic, storage; that the building is equipped with one 2 ft. 8 in. wide wood stairs, enclosed in wood and lath and plaster partitions, equipped with wood doors, which are not self-closing; and

WHEREAS, the applicant contends that the building does not exceed 35 ft. in height; that a regulation fire escape leading directly to street, will be installed at the rear, reasonably remote from the existing interior stair; that an exterior masonry-enclosed stairway will be erected adjacent to the interior stair; that both families will have access to this proposed stair, which will be not less than 3 ft. in the clear and will lead directly to the street; that the stair to the attic will be removed and a scuttle provided; that the third floor was previously used by one family for living purposes, in conjunction with the 1st and 2nd floors; that it will be a hardship to be compelled to occupy a building of this size for one family, due to the present high maintenance costs, and the proposed alterations is essential to the owner's ability to meet his financial obligations.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3338-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the building shall be occupied only as proposed, as one family on the 1st and 2nd floor combined and one family on the third floor; that the attic shall be unoccupied except for storage of household furniture; that the stairway enclosure on the 3rd floor of the existing stair shall be of fire retarded partition with a fireproof, self-closing door leading thereto; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied substantially as proposed.

13-45-A

APPLICANT—Fairbanks Morse and Co., for A. Schrader's Son, Division of Scovill Manufacturing Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—487-515 Clermont avenue, east side, 204 ft. north of Atlantic avenue (Basement, Building 5); (Block 2009, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: George S. Thompson and Eugene Miller.
For Administration: Fred Dahlem, Dep't of Housing and Buidings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (13-45-A)

WHEREAS, Fairbanks Morse and Co., for A. Schrader's Son, Division of Scoville Manufacturing Co., Inc., owner, filed January 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 487-515 Clermont avenue, east side, 204 ft. north of Atlantic avenue (Basement, Building 5); (Block 2009, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated December 22, 1944, on amendment to Alt. Applic. 3312-44, reads:

"1. Refer proposal to the Board of Standards and Appeals for a variation to use an auxiliary tank of a capacity greater than 60 gallons. Rule 2.3.1. Oil Burner Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 7 stories (93 ft. 3 in.) in height; 156 ft. by 90 ft. in area; of Class 1 construction; erected 1926; located in an unrestricted use, B area, Class 1½ height district and used and occupied as follows: cellar, boiler room, engine room and coal storage, 6 persons; 1st floor, engine room and garage, 12 persons; 2nd floor, kitchen, employment and personnel office, 26 persons; 3rd floor, hospital storage, inspection department and electric shop, 37 persons; 4th, 5th, 6th and 7th floors, manufacturing tire valves, 146 persons on the 4th floor, 165 persons on the 5th floor, 64 persons on the 6th floor, 61 persons on the 7th floor; that the building is equipped with a two

source sprinkler system, interior fire alarm system, but fire drills are not maintained; that there are two 3 ft. 8 in. fireproof stairs from the roof bulkhead directly to the street; and

WHEREAS, Certificate of Occupancy 37797, issued January 29, 1926, permits the use and occupancy of the building as follows: basement, boiler room; 1st floor, two male employees, 2nd to 7th floors, 25 males and 25 females; occupancy, factory and storage throughout; and

WHEREAS, it is proposed to install a Diesel engine generator with oil supply tanks; that the oil will be stored in approved tanks underneath the sidewalk, in accordance with the requirements of the Oil Burner Rules; that an additional oil storage tank is required near the engine; that this tank will be placed below the engine base, supported on a concrete base resting on the cellar floor and will have a capacity of 275 gallons; that the oil will be pumped from this tank to the cylinders of the engine through injectors and that this tank will be vented to the outer air; and

WHEREAS, the applicant contends that Rule 2.3.1 defines an auxiliary tank as a container having a capacity of not over 60 gallons, used as an auxiliary tank for gravity feed and equipped with an automatic or manually operated pump; that the proposed auxiliary fuel tank is not used for gravity feed as defined in the rules; that the oil will be pumped from this tank, up to the injectors of the engine; that Rule 6.1.1 permits a 275 gallon tank above ground on the lower story, when mounted on a substantial incombustible foundation, and where there is no exposed flame or furnace within 7 ft. horizontally; that oil from the main storage tanks under the sidewalk will be pumped to the auxiliary fuel storage tanks through a 10 gallon per minute motor driven rotary pump or an emergency hand pump, both properly valved; that the motor driven pump will be so arranged, that when the auxiliary tank is partially emptied, the pump will automatically fill the tank to a predetermined level; that controls will be so designed that should the pump motor fail to start at low level, there will be a 20 minute oil supply left for the engine and if the pump should fail to stop at the predetermined high level, the engine still may operate for approximately 20 minutes before the auxiliary fuel storage tank is full; that an automatic alarm will warn the operator when either of these conditions arise, in ample time to take necessary action; that such leeway in control is not possible with a 60 gallon auxiliary tank, but is possible with the proposed 275 gallon storage tank; that the proposed Diesel engine will use oil at a rate which would make it difficult to operate the automatic controls with a 60 gallon auxiliary tank.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3312-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the auxiliary tank as proposed shall comply with the Oil Burner Rules in all respects other than capacity.

20-45-A

APPLICANT—Abraham Farber, for Granville B. Winthrop, Jr., and Fulton Trust Co. of New York, trustees (Etched Products Corp., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (1st floor); (Block 191, Lot 19), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Farber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (20-45-A)

WHEREAS, Abraham Farber, for Granville E. Winthrop, Jr. and Fulton Trust Co. of New York, trustees (Etched Products Corp., lessee), filed January 12, 1945, an appeal from a decision of the borough superintendent, affecting premises: 43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (1st floor); (Block 191, Lot 19), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 1582-44, dated December 20, 1944, reads:

> "1. The request to change the use of a building from a public garage to a factory use with the privilege of reverting back to garage use six months after termination of war, must be approved by the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is one story (15 ft.) in height, 100 ft. by 125 ft. in area; Class 3 construction; erected in 1928; located in an unrestricted use, B area, Class 1½ height district; used and occupied as a public garage; proposed to be used and occupied as follows: Cellar, boiler room and storage; 1st floor—general storage and separating metal waste and cleaning metal electrodes, 6 persons; such use and occupancy to be maintained only for the duration of the war and six months thereafter; and

WHEREAS, Violation 3935-44 was issued for failing to secure approval and permits for the erection of partition and for change of use from garage to factory and storage building; that Certificate of Occupancy 31,188 issued June 28, 1944, on Alt. 1728-42, permits the use of the building for garage for more than five cars, metal storage and light manufacture; and

WHEREAS, Certificate of Occupancy 41534 issued on N. B. Applic. 5786-28, permits the use of the building throughout as a public garage; and

WHEREAS, the portion of the building now in question is that permitted to be used for garage under Certificate of Occupancy 31188; and

WHEREAS, the applicant contends that the lessee is the owner of the two story fireproof factory building adjoining the south half, equal to 125 ft. by 100 ft. of the building in question and such south half is used as a factory under Certificate of Occupancy Q31188; that subsequently, the lessee erected a partition of 4 in. fireproof block, equipped with fireproof doors to separate the metal wastes and clean metal electrodes, employing six persons; that the remainder of the garage space is now used for general storage of materials; that Violation 3935-44 was served and the applicant was then instructed to file plans; that such plans were filed under Alt. Applic. 1582-44, to change the use of the building in question for the duration of the war and six months thereafter, from a public garage to general storage in connection with the adjoining factory of the lessee and then to revert to its original use as public garage; that the building is located in an unrestricted use district and there would be no objection to its use as a public garage after the war, provided the use district is not changed; that the owner feels he has a right to the assurance he will not lose the right to revert to garage use; that it is only due to war conditions that he has been induced to lease the premises for the duration of the war and six months thereafter; that under normal conditions, the garage use would be maintained continuously.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1582-44, and that the appeal be and it hereby is *granted*, as to objection 1, *on condition* that the building shall not be increased in height or area, and permitting the garage occupancy to be resumed after the temporary occupancy as proposed is maintained, provided the garage occupancy is restored within six (6) months from the end of the present emergency; that the gasoline storage tank shall be sealed during such temporary occupancy, to the satisfaction of the Fire Department; that during such

proposed temporary occupancy, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

51-44-A

APPLICANT—Harrison, Fouilhoux & Abramovitz, for The Equitable Life Assurance Society of The United States, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—345 Clinton avenue, southeast corner of Lafayette avenue (Block 1944, Lots 13, 15, 18 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph D. Stasio and William E. Erb.

For Administration: Fred Dahlem, Dep't of Housing and Buidings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (51-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 345 Clinton avenue, southeast corner of Lafayette avenue (Block 1944, Lots 13, 15, 18 and 22), Borough of Brooklyn, was granted by the Board on January 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the applicant proposes that the columns shall be of 14 in. minimum for the least dimension for any column directly supporting flat slab construction, and 12 in. minimum when columns are braced by beams in two directions, and maintains that such columns are preferable to the round columns required by the Code, and further maintains, that the stresses of such columns, as are proposed, are within the stresses required by the Building Code.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 25, 1944, by adding to the resolution in the last clause, which reads:

"* * * that in all other respects, the requirements of the Building Code as are applicable shall be complied with, and computations shall be submitted and approved by the borough superintendent, except that the requirements of Section C26-494,0,e,2, need not be complied with, provided the columns are constructed as indicated and meet the requirements of the Building Code, as to stress."

612-39-A

APPLICANT—Betty White, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—2739 Bedford avenue, northeast corner of Farragut Road (Block 522, Lot 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Betty White.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

277-44-A

APPLICANT—John C. Burt, for Pearl Street Realty Corporation, owner.

SUBJECT—Application reopened and restored to calendar September 19, 1944—Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan.

APPEARANCES—

For Applicant: John C. Burt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1945 at 2 P. M. on request of applicant.

617-44-A

APPLICANT—Beard's Erie Basin, Inc., owner (International Freighting Corp., Inc., lessee).

SUBJECT—Appeal from a decision and an order of the fire commissioner.

PREMISES AFFECTED—Pier 2, west side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to February 14, 1945 at 2 P. M. on written request of applicant's representative.

706-44-A

APPLICANT—Leon and Lionel Levy, Franklin Building Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—79-81 Chambers street, north side, 143 ft. 11 in. west of Broadway (1st floor); (Block 149, Lot 3), Borough of Manhattan.

APPEARANCES—

For Applicant: S. J. Silbert and Lois Katz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 14, 1945 at 2 P. M. for further consideration.

1-45-A

APPLICANT—Judson E. Schnall, for Agudath Israel Youth of Borough Park, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Judson E. Schnall.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945 at 2 P. M. pending an inspection by a committee of the Board.

ZONING CASES

585-42-BZ

APPLICANT—Lama and Proskauer, for Abraham and Sophie Schneider, owners.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as an auto laundry and lubritorium (previously withdrawn after argument).

PREMISES AFFECTED—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

104-37-BZ

APPLICANT—Renander and Miller, for Adeline Granello, owner (Nunley Parking Company, Inc., lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block 835, Lots 25 and 22), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Arthur W. Renander.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (104-37-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 89-37 to 90-07 161st street, east side, and 89-40 to 89-42 162nd street, west side, 357.04 ft. south of 89th (Shelton) avenue (Block 835, Lots 22 and 25), Jamaica, Borough of Queens, was granted by the Board March 11, 1941, on certain conditions; and

WHEREAS, the resolution was amended on February 24, 1942 and permit extended on March 16, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 11, 1941, as amended through March 6, 1943, so that as amended, this portion of the resolution shall read:

"* * * *Granted* under Section 7h, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles for a term of one year, ending February 8, 1946, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 11, 1941, as amended February 24, 1942, shall be complied with and that a new certificate of occupancy shall be obtained (Misc. Applic. 8785-40)."

480-37-BZ

APPLICANT—John R. Davies, for Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously *granted on condition,* under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—21-25 Union Square West, west side, 52 ft. north of East 15th street (Block 843, Lots 22 and 25), Borough of Manhattan.
APPEARANCES—
For Applicant: James P. Callendar.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (480-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a temporary term of two years, the packing and storage of more than five motor vehicles, affecting premises 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block 843, Lots 22 and 25), Borough of Manhattan, was granted by the Board on June 14, 1938, on certain conditions; and

WHEREAS, the permit was extended on June 11, 1940 and on January 19, 1943, the resolution was amended and the permit further extended; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 14, 1938, as amended through January 19, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the plot under appeal to be used for the parking and storage of five motor vehicles in conjunction with the existing parking lot and gasoline station to the west, located in the unrestricted use district, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of January 19, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

702-38-BZ

APPLICANT—Herman Kron, for Holy Name Mission of the Bowery District, Inc., and Second Street Holding Co., Inc., owners.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—7-19 East 2nd street, south side, 95 ft. east of Bowery (Block 457, Lots 13 to 19, inclusive), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (702-38-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, for a tem-

MINUTES

porary term of two years, the parking and storage of more than five motor vehicles, affecting premises 7-19 East 2nd street, south side, 95 ft. east of Bowery (Block 457, Lots 13 to 19, inclusive), Borough of Manhattan, was granted by the Board February 6, 1940, on certain conditions; and

WHEREAS, the permit was extended on January 19, 1943 and on January 18, 1944, the resolution was amended and the permit was further extended to expire on January 19, 1945; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 6, 1940, as amended through January 18, 1944, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of January 18, 1944, shall be complied with and that a certificate of occupancy shall be obtained."

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

RESOLUTION RELATING TO APPROVAL OF SITES FOR BUS STATIONS ADOPTED BY THE BOARD OF ESTIMATE FEBRUARY 1, 1940 (CALENDAR NO. 15).

Whereas, The existence and operation of bus stations is a matter of vital public interest affecting the welfare of the City and, in particular, street vehicular and pedestrian traffic as well as bus passengers; and

Whereas, The existence and operation of bus stations create unique street problems; and

Whereas, The special nature of such problems requires that no new bus station be constructed or operated except by and with the consent of the Board of Estimate after reports by the City Planning Commission, the President of the Borough affected, the Police Commissioner, the Art Commission and the Department of Housing and Buildings if curb cuts are involved; now, therefore, be it

Resolved, That the following be and hereby are adopted as the rules and regulations for the handling of applications to the Board for its consent to the construction and operation of bus stations:

1. No new bus station shall hereafter be constructed or operated in the city of New York except by and with the consent of the Board.

2. Any person, firm or corporation desiring to construct or operate a bus station shall present to the Board a duly verified petition, plus 25 copies, setting forth, among other things, the following information in regard to the proposed bus station: Exact location and size; design; preliminary building plans or sketches including lane layouts and approaches; facilities for storing or handling of laid-over buses; maximum number of buses to use the entrance to and exit from the station during each 15 minute period on week days, Saturdays, Sundays and holidays.

3. (a) The petition shall be referred to the following agencies for report and recommendation: The City Planning Commission and the President of the Borough in which the proposed station is to be located for a general report: the Police Commissioner for report as to the adequacy of the approaches and the traffic conditions on the streets which would be traversed by buses using the proposed station, and the maximum number of buses that such streets can reasonably accommodate throughout each day; the Art Commission for report as to the design; if curb cuts are involved, the Department of Housing and Buildings for report as to whether or not there are objections to the proposed curb cuts.

(b) The Borough President, the Police Commisisoner, the Art Commission and the Department of Housing and Buildings shall, within fifteen days after receipt of the petition, render their reports, in writing, to the City Planning Commission. The City Planning Commission shall, within thirty days after receipt of the petition, render its report and recommendations to the Board, approving or disapproving the petition, to which there shall be annexed a copy of all of the reports which the City Planning Commission received from the other agencies. The City Planning Commission shall transmit to the Board a copy of its findings and decision.

4. In the event the City Planning Commission does not approve the petition the Board may approve it by a three-fourths vote. If the Board determines to approve the petition it shall impose such terms and conditions as will best serve public convenience.

5. The fee for filing each application for the Board's consent to a bus station shall be one hundred and twenty-five dollars ($125.00), payable to the Treasurer of the City of New York. No application may be placed on the Board's calendar unless it is accompanied by a receipt issued by the Treasurer certifying that such fee has been paid.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, February 14, 1945, at 2 P. M., Affecting Calendar Numbers 655-44-A, 706-44-A, 41-45-A, 65-45-A, 1006-40-A, 534-44-A, 33-45-A, 617-44-A, 693-44-A, 7-45-A, 48-45-A, 721-23-BZ, 92-31-BZ, 541-32-BZ, 79-41-BZ, 1002-41-BZ, 215-42-BZ and 304-42-BZ.

Rules for Tests of Fire-resistive, Flameproof Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures.

Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to February 13, 1945.

Cal. No. *Dept.* *Premises Affected*

57-45-BZ—H.B.M.—733 9th avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan, Alt. 22-45.

58-45-A—H.B.B.—87-89 Osborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn, Alt. 1736-44.

59-45-A—H.B.Bx.—851-863 Courtland avenue, 313 East 160th street, northwest corner and northeast corner of Park avenue and East 160th street (ground and 1st floor); (Block 2419, Lot 28), Borough of The Bronx, Amendment to Alt. 634-44.

60-45-BZ—H.B.B.—449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn, Alt. 3444-44.

61-45-A—F.D.—1509 Morris avenue, west side, 126.89 ft. south of Mt. Eden avenue (street floor and basement); (Block 2820, Lot 59), Borough of The Bronx, Decision.

62-45-A—H.B.B.—9701-9709 Church avenue, northeast corner of Rockaway parkway (Block 4694, Lot 8), Borough of Brooklyn, Alt. 1676-44.

63-45-A—H.B.B.—9, 10 and 11 Court Square, east side, 48 ft. 4 in. north of Livingston street (Block 153, Lots 3, 4 and 5), Borough of Brooklyn, Alt. 53-45.

64-45-A—H.B.B.—4301-4313 Avenue H, northeast corner of East 43rd street (1st floor); (Block 7727, Lots 9 and 5), Borough of Brooklyn, F.O. 2137-44.

65-45-A—H.B.Q.—35-18 37th street, west side, 165 ft. south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens, Amendment to Alt. 3086-41.

66-45-A—H.B.Q.—120-46 to 120-60 Queens boulevard, south side, 167.45 ft. west of 82nd avenue (Block 3358, Lot 18), Kew Gardens, Borough of Queens, Misc. 1949-43.

67-45-BZ—H.B.M.—322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan, Amendment to Alt. 2200-41.

68-45-A—H.B.B.—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn, Alt. 253-44.

69-45-A—F.D.—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan, 19913-LF and Decision.

Restored to Calendar.

644-44-A—F.D.—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication In Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
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Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
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Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
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Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
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Smoking in Factories, Rules for	Feb. 6, 1945—Vol. 30, No. 6
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

FEBRUARY 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit

CALENDAR

in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

705-44-BZ—Application, December 4, 1944, under section 21 of the zoning resolution, of Ellen Roffler, applicant and owner, to permit in a residence use B area district, the erection of a one story building covering more than 65% of the area of the lot and to be occupied for office and storage building material; premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

458-44-BZ—Application, July 26, 1944, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of Alstevlen Realty Corporation, owner, to permit in a business use district, two vehicular entrances to a driveway from garage and service station located in an unrestricted use district; premises 400-418 East 61st street and 1110-1112 First avenue, southeast corner (Block 1455, Lot 46), Borough of Manhattan.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

679-44-BZ—Application, November 28, 1944, under section 21 of the zoning resolution, of Henry C. Brucker, applicant, on behalf of Julia Haeberle, owner, to permit in an F area district, the maintenance of a brick stoop and terrace 8 feet instead of 15 feet back from the building line; premises 109-40 205th place, west side, 93 ft. north of Hollis avenue (Block 10911, Lot 24), Hollis, Borough of Queens.

628-44-BZ—Application of Anthony M. De Rose, applicant, on behalf of Paladino Bros. Holding Corp., owner, reopened January 23, 1945, under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles to a storage building for cosmetic bottles; premises 437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan.

Appeals from Administrative Decisions.

16-45-A—325-341 Classon avenue, east side, 40 ft. south of DeKalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn.

644-44-A—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan (reopened and restored to calendar February 14, 1945—previously dismissed for lack of prosecution).

24-45-A—101-115 West 21st street, 675-691 6th avenue, northwest corner and 102-114 West 22nd street (2nd floor); (Block 797, Lots 33, 34, 35, 37, 39, 40, 43, 44, 45, 47 and 52), Borough of Manhattan.

Material for Approval.

468-44-SM—Ormax Vacuum Breaker, Model 3.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, February* 20, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

48-45-A—1201 Flushing avenue, southwest corner of Harrison place (basement); (Block 3007, Lot 3), Borough of Brooklyn.

7-45-A—1201 Flushing avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn.

693-44-A—735-741 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn (reopened and restored to calendar, January 23, 1945; previously withdrawn).

277-44-A—546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan (reopened and restored to calendar; previously withdrawn).

746-44-A—709-715 8th avenue and 300 West 45th street, southwest corner (Block 1035, Lot 36), Borough of Manhattan.

27-45-A—558Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

398-44-BZ—Application, June 27, 1944, under section 7e of the zoning resolution, of Raymond Irrera, applicant, on behalf of Hi Heat Coal and Coke Co., owner, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard; premises 77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, appli-

CALENDAR

cants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

623-44-BZ—Application, October 27, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Realty Associates Securities Corp., owner (Whitman Hotel, lessee), to permit in a residence use district, the parking and storage of more than five motor vehicles as an accessory use to a hotel in a business use district; premises 160-11 89th avenue, north side, 127 ft. west of 161st street (Block 9764, Lot 97), Jamaica, Borough of Queens.

539-44-BZ—Application, September 21, 1944, under section 7e of the zoning resolution, of George W. Swiller, applicant, on behalf of Morris Rosen, owner (Moncel Trading Co., lessee), to permit in a business use district, the change of occupancy of a two story building from stores and place of public assembly to cutting and baling of wiping cloths, offices and stores; premises 1272-1274 Hoe avenue, northeast corner of Freeman street (Block 2987, Lot 1), Borough of The Bronx.

71-45-BZ—Application, February 14, 1945, under section 7e of the zoning resolution, of Western Electric Company, Inc., applicant, on behalf of Metropolitan Life Insurance Co., owner (Consolidated Edison Company of New York, Inc., lessee), to permit in a business use district, for a temporary period of two years, the conversion of an existing office building to a factory building with an area approximating 35% of the area of the building devoted to manufacturing purposes; the remainder of the building to be used for offices, storage of component materials and parts and cafeteria; premises 109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

Appeals from Administrative Decisions.

596-44-A—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.

85-45-A—42-17 West (Barn) street, east side, 60.84 ft. south of Jackson avenue (1st and mezzanine floors); (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens (under section 35, General City Law-re bed of mapped street—West street).

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 6, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

1-45-A—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

617-44-A—West side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Pier 2, Erie Basin, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 13, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

56-45-BZ—Application, February 6, 1945, under section 7a of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of Jamaica avenue (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street—150th street).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, FEBRUARY 14, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, February 6, 1945, and Tuesday afternoon, February 6, 1945, were approved as printed in Bulletin No. 7, Volume 30.

ZONING CASES

595-44-BZ

APPLICANT—Thirty Central Park South, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7d, 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of doctor's and dentists offices in a residence building, some of whom do not reside on the immediate premises.

PREMISES AFFECTED—30 Central Park South, south side, 320 ft. east of 6th avenue (Block 1274, Lot 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis A. O'Neill, Albert J. Stone, Dr. Lambert Cone, Dr. Thomas H. Johnson, Dr. Hirschman, Dr. J. Friedman, Dr. Earl F. Limbach, Dr. Howard D. H. Brown and MacDonald Mayer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M. pending an inspection by a committee of the Board. No further argument and for decision by the Board.

1182-39-BZ

APPLICANT—Benjamin A. Wilder, for Post Sherman Corporation, owner (Abraham Rubinstein, lessee).

SUBJECT—Application reopened January 23, 1945 for consideration as to extension of permit—Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin A. Wilder.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1182-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block 2506, Lot 58), Borough of The Bronx, was granted by the Board on November 26, 1940, on certain conditions; and

WHEREAS, the permit was extended on November 17, 1940 and the applicant requested a further extension of the permit, which had expired by limitation of time; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945, restored to the calendar and set for hearing on February 14, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on February 14, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 26, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of November 26, 1940 shall be complied with and that a certificate of occupancy shall be obtained."

747-44-BZ

APPLICANT—F. P. Platt and Brother, for Helen V. Kelchner, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district for a temporary term of two years, the change of occupancy of the basement and 1st story of a vacant multiple dwelling, to storage use and the return of the premises to its original use at the end of the temporary term.

PREMISES AFFECTED—68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Platt and Duncan White.

For Opposition: Jacob Weisswacker, M. Kenneth Boss, W. H. Baxter, Mr. Silberman, Jerome S. Blumenthal, Peter D. Belles and William H. Bird.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (747-44-BZ)

WHEREAS, F. P. Platt and Brother, for Helen V. Kelchner, owner, filed December 28, 1944, an application under section 7e of the zoning resolution, to permit in a residence use district, for a temporary term of two years, the change of occupancy of the basement and first story of a vacant multiple dwelling, to storage use and to return the premises to its original use at the end of the temporary term; affecting premises 68 and 70 Irving place, east side, 27 ft. north of East 18th street (Block 874, Lots 21 and 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting February 14, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Irving place, East 18th street and East 19th street are in a residence use, B area and Class 2 height district and that Third avenue is in a business use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated September 27, 1944 on Alt. Applic. 1232-44, as repeated November 28, 1944, reads:

"A1. A certificate of occupancy must be obtained and the building may not be reoccupied as a multiple dwelling until it is made to conform to all provisions of Art. 6, M.D.L.

Proposed occupancy in relation to the zoning resolution not considered at this time.

2. Proposed change from residence building to storage for basement and 1st floor and upper floors to be kept vacant is contrary to Art. II, Sec. 3, Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 52 ft. frontage by 106⅔ ft. in depth on which are located 2 multiple dwellings now vacant, of Class 3 construction 4 stories and basement (50 ft.) in height, each 26 ft. by 49 ft. 6 in. in area; that it is proposed to occupy the basement and 1st story for storage of empty bottles, cardboard cartons, cans and containers and the upper floors to remain vacant; that the use is to be for the Mem Company, now occupying 69 Irving place, for manufacturing soaps and perfumes, which is a factory building; and

WHEREAS, the applicant contends, that due to the shortage of space in this section of the city, permission is asked to use the above premises for storage purposes; that these buildings are multiple dwellings under the multiple dwelling law and the zone is residential under the zoning law; that the buildings have been vacant for many years; that the use will be confined to the two lower floors of each of these buildings, with the upper floors entirely cut off in a manner satisfactory to the Department of Housing and Buildings; that the amount of business usage is inconsiderable; that business is for storage of empty bottles, cardboard cartons, cans and containers; that this particular usage is of the type that is not detrimental, in amount or nature, to the school and hospital that are within the prescribed limits; that this limited occupancy of the buildings for the purpose described, creates less of a neighborhood hazard than if the buildings were to remain entirely vacant; that the "business" use will be temporary only for the duration of the war emergency, and the hardship in refusing this tenancy, would injure both the owner of the premises and the business to be accommodated, as both are feeling the impact of war time restrictions; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1232-44, objections 1A and 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

APPEALS FROM ADMINISTRATIVE DECISIONS

596-44-A

APPLICANT—Thirty Central Park South, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.
APPEARANCES—
For Applicant: Francis A. O'Neill, Albert J. Stone, Dr. Lambert Cone, Dr. Thomas H. Johnson, Dr. Hirschman, Dr. J. Friedman, Dr. Earl F. Limbach, Dr. Howard D. H. Brown and MacDonald Mayer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument and for decision by the Board.

475-44-A

APPLICANT—Reliable Remover and Lacquer Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—42-56 Crescent street, west side, 84 ft. north of 43rd (Harris) avenue (Block 429, Lot 31), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Leo H. Schoen and Julius Kaplan.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn without prejudice to restoration to the calendar.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

478-44-A

APPLICANT—F. P. Platt and Brother, for Helen V. Kelchner, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—68 and 70 Irving place, east side, 27 ft. north of East 18th street (Basement and 1st floors), (Block 874, Lots 21 and 22), Borough of Manhattan.
APPEARANCES—
For Applicant: Charles Platt and Duncan White.
For Opposition: Jacob Weisswacker, M. Kenneth Boss, W. H. Baxter, Mr. Silberman, Jerome S. Blumenthal, Peter D. Belles and William H. Bird.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.
ACTION OF BOARD—Appeal withdrawn on request of applicant in view of the action taken on Cal 747-44-BZ.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

644-44-A

APPLICANT—Ferdinand Savignano, for A. A. Woolstock Co., lessee; Gussie Schwartz, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision and an order of the Fire Commissioner (prev. dismissed for lack of prosecution).
PREMISES AFFECTED—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.
APPEARANCES—
For Applicant: Peter L. Siciliano.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal reopened, restored to the calendar and laid over to February 20, 1945 at 10 A. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MATERIAL SUBMITTED FOR APPROVAL

477-44-SM

APPLICANT—Thortel Fireproof Fabrics, Division of J. H. Thorp and Co., Inc., owner.
SUBJECT—Thortel "100" Fireproof Fabrics, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with the report of the Committee of the Board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MINUTES

THE RESOLUTION (477-44-SM)

WHEREAS, Thortel Fireproof Fabrics, Division of J. H. Thorp and Co., Inc., owner, filed on August 15, 1944, an application with the Board of Standards and Appeals for approval of the material known as Thortel "100" Fireproof Fabrics; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 477-44-SM

Subject: Thortel "100" Fireproof Fabrics, Approval of.

Thortel Fireproof Fabrics, Division of J. H. Thorp and Company, Incorporated, filed an application with the Board of Standards and Appeals for approval of Thortel "100" Fireproof Fabrics under C26-178.0,b, and Subdivision 6 of Article 13 of the Administrative Code, and C26-720.0,c of the Administrative Building Code, and the Board Rules.

Description

The fabrics which are the subject of this report are woven from 100% glass yarns, are given a surface color treatment following the weaving operations and include no combustible threads except for one, two or three such threads running lengthwise of the material in the selvage.

Use:

These fabrics are intended for use as drapery materials in all types of curtains such as stage curtains, backdrops, portieres, valances, window drapery, glass curtains, and for all wall and ceiling coverings, either stretched or pleated.

Marking:

The selvage of the fabrics will be stamped with the designation "Thortel—100" at intervals of not more than 36 in.

The manufacturer presents the following claims which are quoted verbatim.

"Since the drapery materials are all made of inorganic yarns, besides being definitely fireproof and non-inflammable, these materials are not affected by extremes of climatic temperatures, either hot or cold, and cannot be burned by sunlight, will not shrink or sag with atmospheric changes, as other textiles do. The materials are mildewproof and not affected by moths, silver fish and other fibre eating insects. The materials are highly resistant to any effects of chemical fumes and cannot rot or disintegrate from unusual exposures."

Tests

Tests were made at the Underwriter's Laboratories, Chicago, with the following results:

Methods

Weight per Unit Area

Sample pieces of the fabrics were measured and and weighed and the weight in ounces per square foot calculated.

Determination of Extractible and Volatile Matter:

Weighed samples of the fabrics were subjected to Ether Extract Tests and the per cent by weight of material extracted was calculated and other weighed samples were placed in crucibles and ignited over a Bunsen burner for 30 min. following which the per cent loss of weight, or in other words, the amount of volatile material, was calculated.

Results

Weight Per Unit Area:

The weight in ounces per square foot of the fabrics was found to be as follows:

Red Damask Drapery—0.73 oz. per sq. ft.
Turquoise Cloth —0.58 oz. per sq. ft.

Extractible and Volatile Matter:

The extractible and volatile matters in the samples tested are as follows:

Extractible Matter

Red Damask Drapery—0.79 per cent.
Turquoise Cloth —0.72 per cent.

Volatile Matter

Red Damask Drapery—1.88 per cent.
Turquoise Cloth —1.23 per cent.

Flammability Tests:

Method

The apparatus used in conducting these tests consists of an iron stack of square cross section 12 by 12 in. (internal) and 7 ft. high, supported 1 ft. above the floor by legs. A gas burner at the bottom of the stack furnishes a flame of standard dimensions (11 in. long) which is used as a source of ignition. Specimens of the material undergoing test are hung in the stack so that the bottom edge of the specimen is a standard height (4 in.) above the gas burner. The stack is provided with a wired-glass observation window throughout its height.

The specimens used in the flammability tests were for one series of tests, strips 5 in. wide and 7 ft. long, and for a second series of tests were pieces 12 by 15 in. folded five times to give 3 in. folds. Specimens of these descriptions were cut from each of the samples of the fabrics as received from the manufacturer.

The specimens were hung one at a time in the apparatus, the standard gas flame applied with the burner adjusted to give a yellow flame for one series of trials and to give a blue flame for a second series of trials, and the behavior of the product was observed, including the time for ignition, if any, the period of combustion, if any, and the time of afterglow.

Results

There was no ignition of the samples during these tests and therefore no combustion and no evidence of fire spread. The change in physical characteristics of the fabrics was limited to the areas touched by the test flames and ranged from a fading of the color where touched by the yellow test flame to a melting disintegration of threads where these were surrounded by the higher temperature portions of the blue gas flame. These results were noted with both the straight and folded samples.

Combustible threads of which there may be one, two or three, running lengthwise in the selvage, burned only in those areas touched by the test flame.

Ignition Test:

Method

Ignition tests with the fabric samples supported horizontally were conducted on the two patterns of fabrics using the following kinds of test igniters: glowing cigarettes, glowing cigars, single paper match lighted, complete folder of paper matches lighted, wood brand ½ by ½ by 3 in. wood brand ⅜ by 2 by 2¼ in.

Results

There was no effect on the fabrics except for slight color fading from the application of glowing cigars and cigarettes nor from the application of single paper matches nor complete folders of such matches and in the cases of the wood brands, the brands burned completely without affecting the sample fabrics on which they were placed other than some darkening due to the smoke from the burning material.

Further tests were conducted by the Engineering Materials Laboratories at Columbia University, Wed-

nesday, December 6, 1944, in the presence of representatives of the Committee on Tests of the Board and of the manufacturer, with the following results:

Standard Flame Tests on "Fiberglas" Fabrics

Laboratory Test No.	72948	72947	72948
Material	Tan 50"	Glass Light Blue 50"	Peach 50"
Mark	Taffeta 6010/5	Glass grosgrain 6000	Glass Stripe 6170

Method of Test:

Test was conducted under Board of Standards and Appeals, City of New York, Specifications entitled "Rules for Tests of Fire Resistive, Flameproofed Materials . . ." May 27, 1940. Section 5.4 entitled "Test for Permanence of Chemicals" was omitted at the direction of Commissioner Savage as being not applicable to these types of materials.

Results of Test:

Time of Flame, seconds	0-0	0-0	0-0
	0-0	0-0	0-0
	0-0	0-0	0-0
average	0-0	0-0	0-0
Time of Glow seconds	0-1	0-1	0-1
	0-1	0-1	0-1
	0-1	0-1	0-1
average	0-1	0-1	0-1

Observations:

No flame or flash during or after exposure. Glow recorded was not combustion but merely a heating of glass fibers. Slight melting of glass at lower edge of exposed area and slight embrittlement in exposed area were observed. No noticeable odor or smoke emanated from the samples during or after exposure.

The Committee also observed that this material because of its composition will meet the requirements of C26-88.0 when coloring material is applied and uniformly distributed throughout the material, similarly as was done with the samples herein treated.

Recommendations

On the basis of these tests, the Committee on Tests recommends the approval of Thortel "100" Fireproof Fabrics, under C26-191.0-a for use in New York City under the provisions of C26-191.0.a and Subdiv. 6 of Art. 13 of the Administrative Building Code and C26-720.0,c, Subdiv. 4 C26-726.0, Administrative Building Code C19-161.1 (Local Law #29) and the Rules of the Board for Testing Fire Resistive and Flameproofing of Fabrics. It is further recommended that each bolt of fabric and each manufactured drapery be provided with a stamp, label or tag reading "Approved by the Board of Standards and Appeals for Use in New York City under Cal. 477-44-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Commissioner,

Committee on Tests

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Thortel "100" Fireproof Fabrics, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

Adjourned: 12:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, FEBRUARY 14, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

655-44-A

APPLICANT—Harry A. Yarish, for Midwood Patriotic Memorial, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent (reopened and restored to calendar January 23, 1945; previously withdrawn).

PREMISES AFFECTED—1472 Ocean avenue, west side, 150 ft. north of Avenue J (Block 6712, Lot 88), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish and Dr. Lester D. Volk.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (655-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1472 Ocean avenue, west side, 150 ft. north of Avenue J (Block 6712, Lot 88), Borough of Brooklyn, was withdrawn on December 19, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and the restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent dated January 4, 1945, based on revised plans filed under Alt. Applic. 3108-44, reads:

"1. Changing occupancy from residence to public use in a frame structure is contrary to Section 2.1.3.5 and 4.2.1 of Building Code.

2. Exits from all floors to comply fully with Art. 6 of Building Code (including cellar).

3. Floors to be adequate for 100 lbs. per sq. ft. live load as per Section 7.3.2.2.5 of Building Code."

and

WHEREAS, the applicant states the building is two stories and attic (26 ft.) in height; 33 ft. by 62 ft. in area at 1st floor 25 ft. by 54 ft. in area at 2nd floor; of Class 4 construction, erected 1894; located in a residence use, C area, Class 1½ height district, and used and occupied as a dwelling, and proposed to be used and occupied as follows: cellar, boiler room and billiard room, 10 persons; 1st floor, auditorium, 100 persons, 2nd floor, committee and coat rooms, 30 persons; attic, vacant; and

WHEREAS, the applicant contends that the building will be used as a memorial to the American soldiers; that the attic will be sealed off; that the building is hemmed in by two apartment houses and is undesirable for residential purposes; and

MINUTES

WHEREAS, the applicant further contends that most of the exterior walls are now brick filled from the foundation walls up to the roofing boards, and it is in an excellent condition; that the walls are indicated on the plans by red coloring filed with this appeal; that the balance of the exterior walls, which are not brick filled, will be fire retarded on the inside; that all partitions on the first and second floors will be fire retarded on both sides; that all ceilings in cellar first and second floors will be fire retarded; that all exterior walls will be covered with asbestos shingles; that the roof is now metal covered that all fire retarding will be done in accordance with the fire retarding rules, adopted by the Board of Standards and Appeals, for one hour construction; that the boiler room in the cellar will be separated from the rest of the cellar by an 8 in. thick wall made up of approved type cement blocks; that the stairs in the cellar will be separated from the rest of the cellar by a similar wall; that this stair will be 3 ft. wide and the soffit will be fire retarded; that openings in these walls will be provided with one hour test self-closing doors and trim; that the first floor construction has now been designed for a live load of 100 lbs. per sq. ft.; that the new stairs to the second floor will be 3 ft. wide and will be separated from the meeting room by a one hour partition, equipped with a one hour test self-closing door and trim; that the soffit of the stairs will be fire retarded; that the kitchen will be provided with two sprinkler heads connected from the domestic water supply; that this floor is designed for 100 persons; that the 2nd floor construction has been redesigned for a live load of 98 lbs. for the rear portion and for a live load of 60 lbs. for the front and central portions; that this floor will not have more than 50 persons at any time; that in addition to the interior stairs leading to the 1st floor as previously described, this floor will be provided with an exterior iron stairs, 3 ft. wide, enclosed in an angle iron frame and transite sheets, with a door at the bottom 3 ft. wide and provided with a panic bolt; that the building will be used exclusively by the corporate owner, generally evenings and perhaps on rare occasions, during the day; that the membership consists of adults only, since they are all veterans of World War I; that the building will not be used for restaurant or catering purposes and will not be rented, let, leased or hired to other organizations, nor will it be used for business purposes; that the kitchen on the first floor is now provided with a domestic sink and gas range and will be used for making tea, coffee, etc. for collations, such as is generally served to its members after the meeting.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3108-44, objections 1, 2 and 3, dated January 4, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be reconstructed and altered substantially as indicated on revised plans marked "Received January 16, 1945" as hereinabove described; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that any fire-places within the building shall be bricked up; that the building shall be re-wired throughout in accordance with the requirements of the Electrical Code; that all main cornices shall be removed in connection with the proposed exterior weather surfacing with asbestos shingles; that the building shall not be increased in height or area; that this building shall be used only for the purposes proposed; that all exits shown, shall at all times remain available for exit during the time the building is occupied; that the sprinkler heads within the kitchen may be fed from the domestic water supply, provided such supply is not less than 1½ in. at the street supply line; that the 3-car garage in the rear shall be used only as an accessory to this building and shall not be leased out to persons or for functions not directly connected with the organization operating this building; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that a certificate of occupancy shall be obtained.

706-44-A

APPLICANT—Leon and Lionel Levy, Franklin Building Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—79-81 Chambers street, north side, 143 ft. 11 in. west of Broadway (1st floor); (Block 149, Lot 3), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Joseph Gilbert, Lois Katz and Myron Engelman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (706-44-A)

WHEREAS, Leon and Lionel Levy, for Franklin Building Company, owner, filed December 4, 1944, an appeal from a decision of the borough superintendent, affecting premises 79-81 Chambers street, north side, 143 ft. 11 in. west of Broadway (1st floor); (Block 149, Lot 3), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 22, 1944, on P.A. Applic. 849-44, reads:

"The two exits provided at the front of the store, are not remote from each other, as required by C26-273.0 subd. 1a of the Administrative Code. (Sec. 6.1.2.2.1 Building Code.)"

and

WHEREAS, the applicant states the building is two stories (30 ft.) in height; 49 ft. 11 in. by 150 ft. 6 in. in area at 1st floor; 24 ft. 11 in. by 85 ft. in area at 2nd floor; of **Class 3 construction**; erected approximately 50 years ago; located in an unrestricted use, B area, Class 2½ height district and used and occupied as subcellar, boiler room; cellar, storage, hardware, food supplies and beer; 1st floor, stores and restaurant, 225 persons; 2nd floor, manufacturing lenses, 70 persons; that the building is equipped with one 4 ft. 8 in. steel stairs, enclosed in partitions of wood studs, metal lath and plastered both sides, equipped with ¾ hour self-closing doors, leading directly to the street and provided with a ladder and scuttle to the roof and one fire escape at the Reade street front, leading to the roof by a ladder and to the street by stair; that windows and doors on the course of the fire escape are fireproof and self-closing; and

WHEREAS, Violation 1815, issued October 3, 1944, to Blue Kitchen, occupant of a portion of the 1st floor, was for failing to obtain a permit for restaurant accommodating more than 74 persons on part of the 1st floor, contrary to Local Law 29 of 1943; and

WHEREAS, Certificate of Occupancy 21058, issued February 25, 1936, permits the use of the subcellar for storage, cellar for storage; 1st floor, stores, 225 persons; 2nd floor, factory, 70 persons; and

WHEREAS, the applicant contends that there are two remote exits at the front of the building, as indicated on plans filed with this appeal; that access to the westerly exit is by means of an aisle 3 ft. wide; that it is proposed to alter and relocate the existing counters and stools, so there will be an additional 3 ft. passage in the back of the counters to the easterly exit; that it is not possible to obtain egress to the yard or court, which would lead to a street, as the building occupies the entire lot on the 1st floor level; that all cooking, except short orders, are done in the fully enclosed kitchen at the rear, having a fireproof, self-closing door and the only exposed flames in the restaurant proper are small gas burners; that under these conditions it is felt there is no hazard involved.

WHEREAS, the applicant requested permission to withdraw this appeal, on the understanding that he would file plans

with the Building Department, to show a second means of exit, consisting of a stair in the rear leading to the one story roof and connecting with the existing fire escape to Reade street, and to block up or make fireproof, the two windows toward the rear opening upon courts or shafts.

Resolved, that the appeal be and it hereby is *withdrawn* to comply.

41-45-A

APPLICANT—M. Martin Elkind, for Robert W. Higbie, Jr., trustee for Robert W. Higbie Trust No. 2, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—95-41 to 95-45 Roosevelt avenue and 37-87 Warren street, northeast corner (2nd and 3rd floors); (Block 1484, Lot 54), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (41-45-A)

WHEREAS, W. Martin Elkind, for Robert W. Higbie, Jr, trustee for Robert W. Higbie Trust No. 2, owner, filed January 30, 1945, an appeal from a decision of the borough superintendent, affecting premises 95-41 to 95-45 Roosevelt avenue and 37-87 Warren street, northeast corner (2nd and 3rd floors); (Block 1484, Lot 54), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 1674-44, dated January 16, 1945, reads:

"1. Means of egress not in compliance with Section 270 Labor Law."

and

WHEREAS, the applicant states the building is 3 stories (35 ft.) in height, 41 ft. by 42 ft. average, in area; Class 3 construction; erected in 1927; located in a business use, C area, Class 1½ height district; used and occupied as follows: cellar, boilerroom and storage; 1st floor, stores, 6 persons; 2nd floor, cloth specialities manufacturing and offices, 3 persons, 3rd floor, vacant; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd and 3rd floors, clothing manufacturing and offices, 20 persons per floor; that the building is equipped with one 3 ft. 8 in. stairs of iron construction at 1st floor and wood above, enclosed in partitions constructed of 2 in. by 4 in. wood studs, covered both sides with metal lath and cement plaster; equipped with fireproof, self-closing doors and leading from the roof bulkhead directly to the street; and

WHEREAS, Certificate of Occupancy Q31115, issued June 9, 1944, permits the use and occupancy of the building as follows: Cellar, heating and storage; 1st floor, stores; 2nd floor, offices and light manufacturing, 3 persons; 120 lbs. liveload; 3rd floor, offices and light manufacturing, 2 persons, 120 lbs. liveload; and

WHEREAS, the applicant contends that the use of the 2nd and 3rd floors will not be changed, except that the definite classification of clothing manufacturing will be substituted; that the net usable floor area on each of the 2nd and 3rd floors is only 1440 square feet; that to require an additional stairway would reduce the already small area to an impractical point; that the total number of persons for which the approval is sought, will only be forty persons above the first floor; that the existing stairs is more than adequate to accommodate this number; that the stairs have a clear width of 3 ft. 8 in. and stairhalls are 3 ft. 6 in.; that the stair enclosure is equipped with two 2 ft. 6 in. fireproof, self-closing doors, on each of the 2nd and 3rd stories; a multiple dwelling type fire escape balcony will be provided on the 2nd and 3rd floors, connected by 60 degree stairs with stationary gooseneck ladder to the roof and a sliding drop ladder to grade; that the total area used for manufacturing will not exceed the area of the lot.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, re Alt. Applic. 1674-44, objection 1, and that the appeal be and it hereby is *granted on condition* that in addition to the primary means of exit, as secondary exit, consisting of an exterior fire escape complying with the requirements of the Labor Law in all respects, shall be constructed and maintained; that the windows on the course of such fire escape shall comply with the requirements of the Labor Law therefor; that the number of persons on each of the 2nd and 3rd floors shall not exceed that permitted by the primary means of exit; that the fire-retarding partition around the primary means of exit and doors, as indicated, shall be maintained; that structural evidence shall be submitted to the borough superintendent that the floor framing of the 2nd and 3rd floors will meet all the requirements for the 120 lbs. floor load and there shall be no reliance in this respect on the incomplete data as indicated in application 9431-27; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

65-45-A

APPLICANT—Saul Goldsmith, for 35-18 37th Street Realty Corporation, owner (Kurman Electric Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—35-18 37th street, west side, 165 ft. south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (65-45-A)

WHEREAS, Saul Goldsmith, for 35-18 37th Street Realty Corporation, owner (Kurman Electric Co., lessee), filed February 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 35-18 37th street, west side, 165 ft. south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on amendment to Alt. Applic. 3086-41, dated February 5, 1945, reads:

"1. The cellar ceiling is required to be covered with material having a fire resistive rating of 1 hour. (Section 440 of former Building Code or Section 10.11.b. of the present Building Code.)"

and

WHEREAS, the applicant states the building is 2 and 3 stories (31 and 45 ft.) in height; 95 ft. by 90 ft. in area; of Class 3 construction; located in an unrestricted use, B area, Class 1½ height district, erected 1925, and used and occupied since 1943 throughout as a factory for electrical timing devices and electrical relays, 100 persons in the cellar, 140 persons on the 1st floor, 80 persons on the 2nd floor, 40 persons on the 3rd floor, for which no certificate of occupancy has been issued; that the building is equipped with a one source sprinkler system, two interior stairs, 3 ft. 8 in. wide from the roof to the street, of fireproof construction; and

WHEREAS, Violation 2592-44, issued July 25, 1944, for failure to fire retard cellar ceiling, and Violation 76-45 was

issued for occupying the structure under Alt. Applic. 3086-41, without obtaining a certificate of occupancy; and

WHEREAS, the applicant contends that the sprinkler system is connected to a central station alarm; that the building is patrolled 24 hours a day by manual watchman service; that the building is owned and tenanted by the same principals engaged in 100% war work with many restricted devices being developed and manufactured; that the building was altered under Alteration 3086-41; that in 1943, when the present owners purchased the property, alterations were partly completed and plans were drawn and filed meeting all the required amendments under such alteration application and work completed October, 1943; that an application was filed for a certificate of occupancy and upon final inspection, it was discovered the cellar ceiling fire retarding was omitted and violations were issued; that an amendment was filed February 5, 1945, to omit the fire retarding of the cellar ceiling; that the open joists of the cellar ceiling act as supports for the utility and electrical conduits supplying the various machines and equipment; that this makes the covering of the cellar ceiling exceedingly difficult and impractical to accomplish and continuous plant operation prevents any covering being applied to the cellar ceiling; that for all practical purposes, the spirit and intent of the law is exceeded in providing protection for the cellar ceiling by the voluntary installation of an approved type wet sprinkler system throughout the building, connected to a central station alarm and supplemented by a 24 hour a day manual watchman service; that the National Board of Fire Underwriters permits the omission of cellar ceiling fire retarding, where a sprinkler system is installed; it is therefore requested that the Board grant a variance, to permit the omission of the cellar ceiling fire retarding.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3086-41, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system and central district connection shall be maintained throughout the building as well as a manual watchmen's service with patrol during the full 24 hours of the day; that the fire walls with fire doors at all openings shall be maintained as proposed; that the building shall not exceed 3 stories in total height and shall not be increased in area, except that the rear extension as proposed, at the northwesterly corner of the rear yard at the cellar level and intended for an annealing room, may be constructed.

1006-40-A

APPLICANT—Pauline Weisberger, for The Nursery Rhyme, lessee; Pauline Weisberger and Edward Weisberger, owners.

SUBJECT—Application for consideration — reopening. amendment of resolution and extension of variance —re Appeal from a decision of the borough superintendent, previously granted on condition for a term of two (2) years (under General City Law re bed of mapped street).

PREMISES AFFECTED—141-43 Coolidge avenue, north side, 235.65 ft. west of Daniels street (Block 6639, Lot 54), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Pauline Weisberger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, resolution amended and permit extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1006-40-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 141-43 Coolidge avenue, north side, 235.65 ft. west of Daniels street (Block 6639, Lot 54), Jamaica, Borough of Queens, was granted by the Board on January 14, 1941, on certain conditions for a term of two years; and

WHEREAS, the term of the variance was extended on February 16, 1943 and the applicant requested an amendment of the resolution and a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 14, 1941, as amended February 16, 1943, so that as amended, the resolution will read:

"* * * *granted on condition* that the proposed kindergarten school shall be limited to *twenty* (20) pupils, and shall be maintained within the two rooms on the first floor, as indicated on plans filed with this appeal marked "Received October 18, 1940"; that the school while in session shall at all times be under the supervision of two qualified persons; that the door to the cellar shall be made self-closing; that the front and rear exits shall be maintained; that the building shall not be increased in height or area, and *granted* for a term of two (2) years from the date of this *amended* resolution; that no child shall remain on the premises overnight; and as to objection 7, *dismissed* in view of the building having been erected prior to the proposed extension of Main street being placed on the official map; and that a certificate of occupancy shall be obtained (Misc. Applic. 8336-40)."

534-44-A

APPLICANT—Randolph H. Almiroty, for The Salvation Army, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—224 Tompkins street, southeast corner of Warren street, (Block 552, Lots 23 to 26, incl.), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Randolph H. Almiroty.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn, after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

33-45-A

APPLICANT—Saul Goldsmith, for 35-18 37th Street Realty Corp., owner (Kurman Electric Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—35-18 37th street, west side, 165 ft. south of 35th avenue (Block 640, Lot 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

617-44-A

APPLICANT—Beard's Erie Basin, Inc., owner (International Freighting Corp., Inc., lessee).

SUBJECT—Appeal from a decision and an order of the fire commissioner.

MINUTES

PREMISES AFFECTED—Pier 2, west side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ernest W. Congdon, Jr.

For Administration: Peter Maher and Daniel S. Lenihan, Fire Dep't.

ACTION OF BOARD—Laid over to March 6, 1945 at 2 P. M. for further consideration.

693-44-A

APPLICANT—Henry G. Harrington, for 735-741 65th Street Realty Corp., owner (Danish Athletic Club, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent (reopened and restored to calendar January 23, 1945; previously withdrawn).

PREMISES AFFECTED—735-741 65th street, north side, 280 ft. east of 7th avenue (Block 5821, Lot 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1945 at 2 P. M. no appearance for applicant.

7-45-A

APPLICANT—Sherron Metallic Corp., lessee, for Macata Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1201 Flushing avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: James W. Hunter.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 20, 1945, at 2 P. M. for applicant to file correct plans.

48-45-A

APPLICANT—Sherron Metallic Corp., lessee, for Macata Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1201 Flushing avenue, southwest corner of Harrison place (Basement); (Block 3007, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: James W. Hunter.

For Administration: Daniel S. Lenihan, Fire Dep't.

ACTION OF BOARD—Laid over to February 20, 1945, at 2 P. M. for applicant to file correct plans.

ZONING CASES

721-23-BZ

APPLICANT—Arnold W. Lederer, for Max Spinner, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings)—previously granted on condition, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—985-989 Franklin avenue, east side, 450 ft. south of Montgomery street and 56-60 Cedar place (Block 1301, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (721-23-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 985-989 Franklin avenue, east side, 450 ft. south of Montgomery street and 56-60 Cedar place (Block 1301, Lot 11), Borough of Brooklyn, was granted by the Board on July 31, 1923, on certain conditions; and

WHEREAS, time was extended to obtain permits and complete the work, on March 23, 1926 and April 12, 1927; and

WHEREAS, the applicant requested reopening and amendment of the resolution, based on a decision of the borough superintendent, dated February 5, 1945, on Alt. Applic. 260-45, which reads:

"The use in this structure was granted under a variance by the Board of Standards and Appeals, any modification of this use to be referred to Board of Standards and Appeals."

and

WHEREAS, Alt. Applic. 260-45, was filed with the borough superintendent for the purpose of permitting the temporary use of the building for the storage of groceries, which is a conforming use in a business district; that this storage is to be for a temporary period, extending for the duration of the emergency and six months thereafter, at which time the use will revert to that shown on the existing certificate of occupancy, which it is requested be permitted to remain in force.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 31, 1923, as amended through April 12, 1927, by adding thereto:

"that in the event the owner desires to occupy the building during the term of the present emergency and for not more than six months thereafter for the storage of merchandise instead of a garage as proposed in the application filed with the borough superintendent under Alt. Applic. 260-45, such temporary change of use may be permitted, provided the building is not increased in height and area and no structural changes are made therein; that the gasoline storage system shall be temporarily sealed to the satisfaction of the fire commissioner; that the existing certificate of occupancy, 45131-27, may remain in force and the garage use may be restored upon the termination of the proposed temporary storage use."

92-31-BZ

APPLICANT—I. Erlich Wolff, for Rubin Laskin and Louis Laskin, owners.

SUBJECT—Application for consideration—reopening and extension of time to complete—Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, for a term of years, permitting partly in business use and partly in unrestricted use districts, the maintenance of a building occupied as a garage for more than five motor vehicles and a motor vehicle repair shop, and the alteration and maintenance of a gasoline service station (previously granted by Board for temporary period).

PREMISES AFFECTED—8401-8411 Flatlands avenue and 761-775 East 84th street, northeast corner (Block 8005, Lots 6 and 11), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Ada Wolfe.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (92-31-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 8401-8411 Flatlands avenue and 761-775 East 84th street, northeast corner (Block 8005, Lots 6 and 11), Borough of Brooklyn, was granted by the Board on June 23, 1931, on certain conditions, permit extended from time to time and resolution amended on April 15, 1941 under section 7f of the zoning resolution, permitting partly in a business use district and partly in an unrestricted use district, for a term of ten years, the maintenance of a building occupied as a garage for more than five motor vehicles and a motor vehicle repair shop and the alteration and maintenance of a gasoline service station; and

WHEREAS, time was extended to obtain permits and complete the work, on March 3, 1943 and on February 15, 1944 and the applicant requested a further extension of time for such purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 23, 1931, as amended through February 15, 1944, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of June 23, 1931 and April 15, 1941 shall be complied with."

541-32-BZ

APPLICANT—Louis N. Field, for Universal Asbestos Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete work—(decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, the conversion of occupancy of an existing building from storage use to a factory (asbestos pipe insulation).
PREMISES AFFECTED—87-41 130th street, east side, 374.5 ft. south of Jamaica avenue (Block 9338, Lot 79), Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Howard J. Sparler and John J. Sparler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (541-32-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use district, the change of occupancy of an existing building to a salesroom, motor vehicle repair shop and service station, affecting premises 87-41 130th street, east side, 374.5 ft. south of Jamaica avenue (Block 9338, Lot 79), Richmond Hill, Borough of Queens, was granted by the Board on March 3, 1933, on certain conditions; and

WHEREAS, on March 21, 1944, the resolution was amended, permitting under section 7e of the zoning resolution, for a term of two years, the conversion of occupancy of an existing building from storage use to a factory (asbestos pipe insulation); and

WHEREAS, the applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 3, 1933, as amended by resolutions adopted by the Board through March 21, 1944, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by the owner that all permits have been obtained and a substantial portion of the work completed, that all work shall be completed and a certificate of occupancy obtained within four months from the date of this *amended* resolution * * * and that other than as herein *amended,* the conditions of the resolution adopted March 3, 1933, as amended by resolutions through March 21, 1944, shall be complied with (alt. applic. 1027-43)."

79-41-BZ

APPLICANT—Gubman and Fischman, for 1128 Parkway Realty Corp., owner.
SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the alteration of two buildings, so that the two restaurants now located therein are changed to one restaurant with new store fronts and entrances located more than twenty-five feet from the business corner.
PREMISES AFFECTED—1128-1132 Eastern Parkway (1128-1130 displayed) south side, 20 ft. east of Utica avenue (Block 1397, Lots 6 and 7), Borough of Brooklyn.
APPEARANCES—
For Applicant: Matilda Plotkin, Louis Geduld and Joseph G. Gubman.
For Opposition: Irving E. Miller.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (79-41-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, permitting in a business use district, the alteration of two buildings, so that the two restaurants now located therein are changed to one restaurant with new store fronts and entrances located more than twenty-five (25) ft. from the business corner, affecting premises 1128-1132 (1128-1130 displayed) Eastern parkway, south side, 20 ft. east of Utica avenue (Block 1397, Lots 6 and 7), Borough of Brooklyn, was granted by the Board March 25, 1941, on certain conditions, time extended on February 10, 1942, March 9, 1943 and February 15, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 25, 1941, as amended through February 15, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of March 25, 1941, shall be complied with."

MINUTES

1002-41-BZ

APPLICANT—Jack Z. Cohen, for Board of Transportation, City of New York, and Henbar, Inc., owners; Patrick Scottile, lessee.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—137-151 Livingston street and 22-30 Smith street, northwest corner (Block 154, Lots 26 and 28), Borough of Brooklyn.

APPEARANCES—
For Applicant: Jack Z. Cohen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (1002-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 137-151 Livingston street and 22-30 Smith street, northwest corner (Block 154, Lots 26 and 28), Borough of Brooklyn, was granted by the Board on March 31, 1942, on certain conditions; and

WHEREAS, the time to obtain permits and complete the work was extended on December 1, 1942 and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 31, 1942, as amended on December 1, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 31, 1942, shall be complied with; and that a certificate of occupancy shall be obtained."

215-42-BZ

APPLICANT—Charles Patridge Real Estate Co., Inc., for Society of St. Vincent de Paul, owner. (Arthur Stevenson, lessee).

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—8101-8111 Third avenue and 302-312 81st street, southeast corner (Block 5997, Lots 7 and 11), Borough of Brooklyn.

APPEARANCES—
For Applicant: Herman E. Blau.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (215-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 8101-8111 Third avenue and 302-312 81st street, southeast corner (Block 5997, Lots 7 and 11), Borough of Brooklyn, was granted by the Board on December 1, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted December 1, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of December 1, 1942, shall be complied with; and that a certificate of occupancy shall be obtained."

304-42-BZ

APPLICANT—Harold P. Zoller, for Flushingside Realty and Construction Company, owner; I. B. Kleinert Rubber Company, lessee.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the conversion of occupancy of an existing garage to a factory (manufacture of babies' diapers) and the continuance of this use for a term of two years.

PREMISES AFFECTED—136-06 31st road and 31-05 Linden place, southeast corner (Block 4409, Lot 24), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Harold P. Zoller.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (304-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the conversion of occupancy of an existing garage to a factory (manufacture of babies' diapers), affecting premises 136-06 31st road and 31-05 Linden place, southeast corner (Block 4409, Lot 24), Flushing, Borough of Queens, was granted by the Board on February 16, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 16, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7c, for a temporary term of two years from the date of this *amended* resolution, to permit the existing garage building to be occupied as proposed for a factory, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 16, 1943, shall be complied with (misc. applic. 3998-42)."

Adjourned: 5:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *paragraph* 2, *of the Charter of the City of New York and Section* C26-721.0b (12.2) *as amended by Local Law No.* 170, *approved November* 14, 1939, *and Section* C19-161.1 *Local Law No.* 112, *approved July* 18, 1939.

1.0 SCOPE

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C-19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1 SAMPLING FOR TEST SPECIMENS—Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2 TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements, shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE IN ACCORDANCE WITH SECTION 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939, AS AMENDED DECEMBER 4, 1942, EFFECTIVE DECEMBER 28, 1942.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2 of the New York City Charter pertaining to Sections C-26-1268.0,c,4. and C26-1277,0h. of the Administrative Building Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System, shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the flood level rim of the fixture.

Rule 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved by the Board. When approved sterilizers are used, the waste piping from sterilizers shall not connect directly with any drainage system.

Rule 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 7. Bidets—Bed Pan Washers.

Direct water supply connections to a bidet is prohibited. Water supply connection to bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. Water supply to bed pan washers equipped with an approved flush valve shall be governed by Rule 3.

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

Rule 8. Sump or Well Pumps:

Direct water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

Rule 11. Dishwashing and Laundry Machines.

Direct water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Direct water supply connections, when permitted by the Department of Water Supply, Gas and Electricity, to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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MAR 1 1945
UNIVERSITY OF ILLINOIS

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to February 20, 1945.

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70-45-A—H.B.B.—151-165 35th street, north side, 100 ft. west of 4th avenue (1st floor); (Block 688, Lot 48), Borough of Brooklyn, Alt. 130-45.

71-45-BZ—H.B.M.—109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan, Alt. 216-45.

72-45-A—H.B.M.—94-100 Varick street and 68 Watts street, northeast corner (Block 477, Lot 35), Borough of Manhattan, Amendment to Alt. 1162-43.

73-45-A—F.D.—207-231 Varick street (225 displayed), west side, between West Houston and Clarkson streets, 240-248 West Houston street and 2-8 Clarkson street (6th floor); (Block 581, Lot 63), Borough of Manhattan, Decision.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for the control of oil, brine, air, gas, steam, etc.), manufactured by Magnatrol Valve Corp., Material.

75-45-BZ—H.B.Bx—477 East 143rd street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx, Alt. 602-44.

76-45-A—H.B.B.—139 Evergreen avenue, east side, 25 ft. north of Troutman street (1st and 2nd floors); (Block 3172, Lot 2), Borough of Brooklyn, Alt. 303-45.

77-45-A—F.D.—340 East 43rd street, south side, 90 ft. west of Prospect place (Block 1335, Lot 37), Borough of Manhattan, Decision.

78-45-BZ—H.B.B.—284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn, Alt. 2233-44.

79-45-A—F.D.—432 West 29th street, south side, 325 ft. east of 10th avenue (basement and 2nd floors); (Block 726, Lot 60), Borough of Manhattan, 40439-LC.

80-45-A—H.B.Bx.—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx, Alt. 50-45.

81-45-A—H.B.B.—465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (ground and 2nd floors); (Block 2008, Lot 9), Borough of Brooklyn, Alt. 1468-44.

82-45-A—H.B.B.—101-109 Court street, southeast corner of Schermerhorn street (cellar and 1st floor); (Block 271, Lot 23), Borough of Brooklyn, Alt. 50-45.

83-45-A—H.B.Q.—161-25 Grand Central parkway, north side, from 161st to 164th streets (Block 6858, Lot 1), Jamaica, Borough of Queens, N.B. 269-43.

84-45-BZ—H.B.M.—1-5 Greenwich avenue, southwest corner of Christopher street (Block 593, Lot 13), Borough of Manhattan, Amendment to Alt. 555-45.

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255-43-A—H.B.Q.—28-53 216th street, north side, 477.32 ft. east of 28th avenue (Block 6019, Lot 1), Bayside, Borough of Queens, Alt. 1628-44.

634-44-A—H.B.M.—227-229 East 56th street, north side, 260 ft. east of 3rd avenue (Block 1330, Lot 11), Borough of Manhattan, Alt. 1257-44.

5-45-A—H.B.Q.—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens, Alt. 1397-44.

872-28-BZ—H.B.Bx.—2301-2313 Grand Concourse and 163-169 East 183rd street, northwest corner (Block 3164, Lot 31), Borough of The Bronx, Amendment to E. S. 129-44.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
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Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

FEBRUARY 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

398-44-BZ—Application, June 27, 1944, under section 7e of the zoning resolution, of Raymond Irrera, applicant, on behalf of Hi Heat Coal and Coke Co., owner, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard; premises 77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

Appeal from Administrative Decision

644-44-A—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan (reopened and restored to calendar February 14, 1945—previously dismissed for lack of prosecution).

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, February* 27, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

39-45-A—644-646 Broadway, northeast corner of Bleecker street (8th floor); (Block 529, Lot 1), Borough of Manhattan.

82-45-A—101-109 Court street, southeast corner of Schermerhorn street (cellar and 1st floor); (Block 271, Lot 23), Borough of Brooklyn.

98-45-A—124-126 Livingston street, south side, 93 ft. 3¾ in. east of Boerum place (Block 165, Lot 10), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

623-44-BZ—Application, October 27, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Realty Associates Securities Corp., owner (Whitman Hotel, lessee), to permit in a residence use district, the parking and storage of more than five motor vehicles as an accessory use to a hotel in a business use district; premises 160-11 89th avenue, north side, 127 ft. west of 161st street (Block 9764, Lot 97), Jamaica, Borough of Queens.

539-44-BZ—Application, September 21, 1944, under section 7e of the zoning resolution, of George W. Swiller, applicant, on behalf of Morris Rosen, owner (Moncel Trading Co., lessee), to permit in a business use district, the change of occupancy of a two story building from stores and place of public assembly to cutting and baling of wiping cloths, offices and stores; premises 1272-1274 Hoe avenue, northeast corner of Freeman street (Block 2987, Lot 1), Borough of The Bronx.

71-45-BZ—Application, February 14, 1945, under section 7e of the zoning resolution, of Western Electric Company, Inc., applicant, on behalf of Metropolitan Life Insurance Co., owner (Consolidated Edison Company of New York, Inc., lessee), to permit in a business use district, for a temporary period of two years, the conversion of an existing office building to a factory building with an area approximating 35% of the area of the building devoted to manufacturing purposes; the remainder of the building to be used for offices, storage of component materials and parts and cafeteria; premises 109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail

CALENDAR

use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

Appeals from Administrative Decisions.

596-44-A—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.

85-45-A—42-17 West (Barn) street, east side, 60.84 ft. south of Jackson avenue (1st and mezzanine floors); (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens (under section 35, General City Law-re bed of mapped street—West street).

Material for Approval.

742-44-SM—Porete Manufacturing Company's Porex Slabs, size 80 in. x 20 in. x 1¾ in.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 6, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

617-44-A—West side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Pier 2, Erie Basin, Borough of Brooklyn.

1-45-A—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

27-45-A—558Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 13, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

56-45-BZ—Application, February 6, 1945, under section 7a of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

75-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Milton B. Weissman, applicant, on behalf of 480 Realty Corporation, owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 477 East 143rd street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street—150th street).

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, FEBRUARY 20, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Wednesday morning, February 14, 1945, and Wednesday afternoon, February 14, 1945, were approved as printed in Bulletin No. 7, Volume 30.

ZONING CASES

1220-23-BZ

APPLICANT—Lama & Proskauer, for Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee).

SUBJECT—Application reopened June 3, 1941 (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use dis-

trict, the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board).

PREMISES AFFECTED—1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M. on written request of applicant.

661-44-BZ

APPLICANT—Max Horn, for Kaymos Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district.

PREMISES AFFECTED—147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn.

For Opposition: Herman Brasch, Nathan Frank and W. Blato.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 27, 1945 at 10 A. M. at the request of objector.

458-44-BZ

APPLICANT—Horace Ginsbern, for Alstevlen Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, two vehicular entrances to a driveway from garage and service station located in an unrestricted use district.

PREMISES AFFECTED—400-418 East 61st street and 1110-1112 First avenue, southeast corner (Block 1455, Lot 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Maurice H. Belkin.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (458-44-BZ)

WHEREAS, Horace Ginsburn, for Alstevlen Realty Corporation, owner, filed July 26, 1944, an application under section 7c of the zoning resolution, to permit in a business use district, two vehicular entrances to a driveway from a garage and service station located in an unrestricted use district, affecting premises 400-418 East 61st street and 1110-1112 First avenue, southeast corner (Block 1455, Lot 46), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, February 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 61st street is in an unrestricted and business use, A area and class 2 height district and that First avenue is in a business use, A area and class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated July 5, 1944, on Alt. Applic. 736-44, reads:

"1. Entrance to automobile service station opening into business district, also driveway in business district serving automobile service station is in violation of Sec. 4(a) (29) and Sec. 4(a) (15) Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 300 ft. frontage by 100 ft. 5 in. in depth, on which is located a 2 story building 200 ft. by 100 ft. located entirely in the unrestricted district, occupied as a garage and motor vehicle repair shop, a one story auto showroom building on the corner of the plot, and a driveway to the south of this showroom used to give car access thereto and it is proposed to create two vehicular openings from 2nd story of garage to this driveway; and

WHEREAS, the applicant contends that the premises consist of a two story building running 200 ft. on East 61st street for a depth of 100 ft. therefrom, located entirely in the unrestricted use district and used on the 1st story as garage for more than 5 motor vehicles, on the 2nd story as garage for more than 5 motor vehicles and motor vehicle repair shop and on the roof as a used car display, and a 1 story automobile showroom, located on the corner of the plot wholly within the business use district; that there is also a driveway, existing to the south of this automobile showroom on First avenue, which is used to give access by car to the showroom building; that this driveway is also in use as a secondary means of egress to the street from the termination of the required stairs in the existing two story garage building; that it is proposed to create two vehicular openings in the 2nd floor westerly wall of the two story building (floor of this 2nd floor is level with driveway) and to use the driveway leading from 1st avenue as an accessory to the garage, motor vehicle repair shop and used car display conducted in the 2 story building in the unrestricted district; that experience has indicated that it is not economically feasible to operate these premises without having motor vehicle access from First avenue; that East 61st street is a west bound traffic street, and by reason of this condition, the operator of the premises is deprived of the full use of the premises, which would result from access directly from First avenue and streets westerly thereof, that the business of the owner is primarily that of the sale and display of new and used cars and the repairing necessarily incident thereto; that the garage use is confined to the 1st floor and will have no access to the driveway in question; that pedestrian traffic on 1st avenue is light; that there is no occasion for pedestrians to traverse the easterly side of First avenue, between East 60th and East 61st streets, as there is no retail use south of East 61st street serving this neighborhood; that the hazard to pedestrian traffic will not be substantially increased by reason of the proposed driveway use, as there already exists on the easterly side of 1st avenue between the same intersecting streets, two driveways, one of which serves a storage warehouse adjoining the premises in question on the south, and the other which serves a gasoline station located at the northeast corner of East 60th street and First avenue; that if the owner is deprived of the use of the driveway as proposed, accessory to the existing use of the premises for the sale and display of new and used cars and the repairs and maintenance necessarily incident to the business, he will suffer an undue hardship within the meaning of the provisions of the zoning resolution; that to permit the proposed accessory use constitutes an extension of the existing use now conforming in the unrestricted district and therefore is within the purview of the powers granted to the Board under section 7c of the zoning resolution; that the granting of this application cannot be considered as an entering wedge for a new non-conforming use in a business use district, for the following reasons:

The new car showroom exists and the driveway exists as an accessory thereto; The small amount of traffic over this driveway in connection with the sales and display of used cars and the repair of new and used cars is primarily an extension of the showroom use, as it is ordinarily conducted in the trade at many locations throughout the city; that the gasoline station located at the Northeast corner of East 60th street and First avenue and the garage and gasoline station located at the southeast corner of East 62nd street and First avenue have already determined the character of First avenue; that the existing use on the corner of East 61st street and First avenue will enhance the value of neighboring property and it is within contemplation that in the future First avenue may be devoted to like and similar uses at this point and become a new and used car sales area; it is therefore requested that in view of the powers granted to the Board under section 7c of the zoning resolution, and the fact that the proposed use will not be detrimental to the area, and that the hazard to pedestrian traffic is negligible, that the Board grant this application as proposed; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution; and

WHEREAS, it appears that an opening has previously existed for the purpose of entrance from First avenue to the portion of the premises in the rear of the unrestricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the continuation of the driveway as indicated on plans filed with this application marked "Received July 26, 1944", as access to the garage at the rear under the same ownership and located within the unrestricted district, *on condition* that such driveway shall be used solely for motor vehicle entrance and exit purposes and not for any other use or for the storage of motor vehicles; that an iron gate shall be maintained at the First avenue building line and the gate shall be kept open only during working hours; that the proposed openings to the garage from such entrance shall be in conformity with the requirements of the Building Code therefor; that the existing fire escape from the roof shall not be obstructed and clear access to the street shall be maintained at all times during working hours; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

628-44-BZ

APPLICANT—Anthony M. De Rose, for Paladino Bros. Holding Corp., owner.

SUBJECT—Application reopened January 23, 1945 (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles to a storage building for cosmetic bottles.

PREMISES AFFECTED—437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony M. De Rose, Irving J. W. Marx, Frank Paladino and Arthur J. McCann.

For Opposition: Frank Iaquinto, Louis A. Cioffi and Eleanor A. Freaney.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (628-44-BZ)

WHEREAS, this application under section 7e of the zoning resolution, to permit in a residence use district, for a term of two years, the change of occupancy from a garage for more than five motor vehicles to a factory for manufacturing of paper boxes, affecting premises 437-445 East 120th street, north side, 100 ft. west of Pleasant avenue (Block 1808, Lot 19), Borough of Manhattan, was denied by the Board on December 19, 1944; and

WHEREAS, the applicant requested a reopening and reconsideration of the application, based on a new proposal, namely, the change of occupancy from a garage for more than five motor vehicles to a storage building for cosmetic bottles; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, February 20, 1945, after due notice by publication in its Bulletin; and

WHEREAS, the use district maps accompanying the zoning resolution show that First avenue is in a business use, B area and Class 1½ height district and that East 120th street and Pleasant avenue are in a residence use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated January 15, 1945, re Alt. Applic. 1143-43, reads:

> "Obj. 2. Since building is in a residence district, proposed change of use from storage garage to a warehouse for storage of cosmetic bottles, is contrary to Subdiv. 3 Art. II Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 100 ft. frontage by 100 ft. 11 in. in depth, on which is located a one and two-story, Class 3 construction, garage for more than five motor vehicles, 100 ft. by 100 ft. 11 in. in area on the 1st story and an office 18 ft. 4 in. by 25 ft. 8 in. above; that it is proposed to change the occupancy and use the building for the storage of cosmetic bottles; and

WHEREAS, the applicant contends that the premises consist of a one-story storage garage for more than five motor vehicles and a small office at second story; that the building has a frontage of 100 ft. and a depth of 100 ft. 11 in. and is equipped with a standpipe system; that it was erected in 1920 by the present owners, when the district was zoned unrestricted; that the property has been continuously in the same ownership and during said period, no change has been made; that the proposed change is requested under Section 7-e, to permit the use of premises for a period of two years as a warehouse for the storage of cosmetic bottles by the Roux Distributing Company of 1841 Park avenue, New York; that no alterations are proposed to the structure; that the owners are reluctant to lease the building until an amended certificate is issued, as they wish to preserve the legality of the garage use during such temporary period, without prejudice to their rights to a storage garage for more than five cars; that the premises are now devoted to a non-conforming use; that there are other non-conforming uses in the affected area; that the temporary proposed use will safeguard the character of the district, as it is not a greater hazard or nuisance than the present use; that the present character of premises will remain unchanged during the temporary proposed use; that the present labor conditions are a serious handicap to the operation of this garage during the war period; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7e thereof, for a

term of two (2) years from the date of this resolution, to permit the building to be occupied as proposed, as a storage place for empty bottles in cartons as received from the manufacturer by the tenant, the Roux Distributing Company, located at 1841 Park avenue, New York City, *on condition* that the building shall not be increased in height or area; that all loading and unloading shall be done within the building; that if necessary, the existing door openings to East 120th street shall be enlarged; that no manufacturing shall be permitted on the premises; that no other use shall exist on the premises other than as herein permitted, except that the existing mezzanine office may be retained by the owner; that no signs shall be erected on the building; that the existing gasoline storage tank shall be sealed to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that upon the termination of the two (2) year permission as herein granted, the garage use, as formerly lawfully permitted, may be resumed; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

679-44-BZ

APPLICANT—Henry C. Brucker, for Julia Haeberle, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an F area district, the maintenance of a brick stoop and terrace 8 feet instead of 15 feet back from the building line.

PREMISES AFFECTED—109-40 205th place, west side, 93 ft. north of Hollis avenue (Block 10911, Lot 24), Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Otto M. Gabler, Julia Haeberle and Mrs. Sarnosky.

For Opposition: None.

For Administration: Fred Dahlem and J. Greenbaum, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (679-44-BZ)

WHEREAS, Henry C. Brucker, for Julia Haeberle, owner, filed November 28, 1944, an application under section 21 of the zoning resolution, to permit in an F area district, the maintenance of a brick stoop and terrace 8 ft. instead of 15 ft. back from the building line, affecting premises 109-40 205th Place, west side, 93 ft. north of Hollis avenue (Block 10911, Lot 24), Hollis, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 205th place and 205th street are in a F and D area, residence and business use, class 1 height district, and Hollis avenue is in a business use, D area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated November 27, 1944 re B. N. Applic. 3340-40, reads:

"1. The erection of a brick stoop and terrace into the required 15 ft. front yard is contrary to section 16a of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 35 ft. frontage by 100 ft. in depth, on which is located a one family, class 4 constructed building, 20 ft. by 46 ft. in area on the 1st story and 20 ft. by 38 ft. in area above and that it is proposed to maintain a brick stoop and terrace erected in the front setback space; and

WHEREAS, the applicant contends that this is an application to maintain the existing brick open terrace on the front of the premises as shown on plans filed with this application; that the brick terrace was built in or about 1940, replacing an inclined sodded terrace; that it extends into the 15 ft. setback (as required in this district area), approximately 7 ft. and is built of face brick with open face brick balusters and face brick coping; that ornamental concrete flower boxes are set on this coping which provides a beautiful setting to the front, as shown on photographs filed with this application; that inasmuch as no roof or any structural uprights have been provided, this is nothing more than an open platform similar to any cement or brick sidewalk and is not a building or structure as classified under the Building Code; that the premises being on the westerly side of 205th place 93 ft. north of Hollis avenue, extend 7 ft. into a business zone; that all of the applicant's neighbors on the entire block front have consented in writing to the maintenance of the structure, which consents are on record with the Department of Housing and Buildings; that the applicant respectfully requests approval of the application in view of the above facts; and

WHEREAS, it appears from the records of the Department of Housing and Buildings, that an B.N. application 3340 of 1940 was filed April 30, 1940 for approval of the masonry stoop and terrace and, while objected to by the Examiner on May 10, 1940, was approved on August 8, 1941 and stamped Void (no date recorded) and that Violation 3 was issued January 4, 1944 stating that B.N. 3340 of 1940 was not approved; and

WHEREAS, the work was apparently constructed while the approval was outstanding; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the continuation of the brick stoop and terrace as indicated on plans filed with this application marked "Received November 28, 1944," *on condition* that such terrace shall not at any time be roofed over, except for a temporary awning supported on piping as indicated on photographs filed with this application; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

705-44-BZ

APPLICANT—Ellen Roffler, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use, B area district, the erection of a one-story building covering more than 65% of the area of the lot and to be occupied for office and storage building material.

PREMISES AFFECTED—162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan.

APPEARANCES—

For Applicant: Leroy Coventry and A. P. Kramer.

For Opposition: H. A. Arne and Stefanos Demascus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

THE RESOLUTION (705-44-BZ)

WHEREAS, Ellen Roffler, owner, filed December 4, 1944, an application under section 21 of the zoning resolution, to per-

mit in a residence use, B area district, the erection of a one-story building covering more than 65% of the area of the lot, to be occupied for an office and storage of building materials; affecting premises 162-164 West 64th street, south side, 171 ft. 5 in. east of Amsterdam avenue (Block 1135, Lots 57 and 157), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Amsterdam avenue is in a residence use, B area and 1½ times height district and that West 63rd, West 64th and West 65th streets are in a residence use, B area and 1½ times height district; and

WHEREAS, the decision of the borough superintendent, dated November 10, 1944, superseded by decision dated December 14, 1944, re N.B. App. 210-44, reads:

"1. The erection of a business building in a residence district is not permitted by Section 3 of the Zoning Resolution.

2. In a B area district, for an interior lot no non-residential building in a residence district may occupy more than 65 percent of the lot area."

and

WHEREAS, the applicant states the premises consist of a plot 28 7/12 ft. frontage by 110 5/12 ft. in depth, now vacant, on which it is proposed to erect a one-story, Class 3 constructed building, 28 ft. 7 in. by 90 ft. in area, to be occupied for storage of building material and an office; and

WHEREAS, the applicant contends that Bromley's maps of Manhattan showed the subject premises as being in a business area and an inspection of the street disclosed an eleven story loft building at 109-123 West 64th street, a 4-story service building at 167 West 64th street, a 4-story commerce transportation building at 155 West 64th street and numerous stores which had been opened in the old private houses; that, consequently it never occurred to him that the street had been changed to a residential district; that as the property is only 28 ft. by 100 ft., it would be impractical to attempt to build a flat house, but the main factor against residential use is that the lot adjoins an Edison power house and the constant hum and vibration is such that no one could use the plot for residential use; that in the owner's estimation, the property has only one use, which is commercial; that to limit the use of this lot to residential purposes creates a hardship on the applicant, especially in view of the fact the neighboring owners on both sides of the street use their property commercially; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant submitted a revised proposal to occupy the building as proposed for two tenants, a barber and a restaurant; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, dated November 10, 1944, superseded by decision dated December 14, 1944 on N. B. Applic. 210-44 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

644-44-A

APPLICANT—Ferdinand Savignano, for Gussie Schwartz, owner (A. A. Woolstock Company, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner (reopened February 14, 1945, previously dismissed for lack of prosecution).

PREMISES AFFECTED—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to February 27, 1945 at 10 A. M. on written request of applicant.

16-45-A

APPLICANT—Halsey Drug Co., Inc., lessee, for Taffenclark Realty Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—325-341 Classon avenue, east side, 40 ft. south of DeKalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold Marcus.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (16-45-A)

WHEREAS, Halsey Drug Co., Inc., lessee, for Taffenclark Realty Co., owner, filed January 11, 1945 an appeal from an order of the fire commissioner, affecting premises 325-341 Classon avenue, east side, 40 ft. south of DeKalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn; and

WHEREAS, Order 98410-LC issued by the fire commissioner, December 13, 1944, reads:

"1. You are hereby notified that your application for the storage of drugs and chemicals and the operation of wholesale drug store on the above premises is denied.

2. Discontinue the maintenance of a wholesale drug house or drug and chemical supply house in any building which is occupied as a work shop or factory and which is not constructed of fire resisting materials throughout. C19-136, Administrative Code."

and

WHEREAS, the applicant states that the building is 5 stories (75 ft.) in height, 110 ft. by 50 ft. in area, of class 3 construction, erected in 1901, located in an unrestricted use, B area, class 1½ height district and used and occupied since November, 1943 as follows: 1st floor—manufacturing fibre carton fillers—8 persons; 2nd floor—manufacturing coats and machine shop—50 persons; 3rd floor—manufacturing coats—80 persons; 4th floor—machine shop—12 persons; 5th floor—drug packers—11 persons; that the building is equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system, but fire drills are not maintained; that there is one interior stairs leading from the roof bulkhead to the street; that the front stairs are 48 in. in width, of wood construction, with brick enclosure, equipped with metal self-closing doors and the rear stairs are 36 in. in width, of iron construction, enclosed in brick partitions, equipped with metal self-closing doors; that there is also a fire escape at the rear, extending to the roof by stair and to the yard by stair; that the windows and doors on the course of the fire escape are fireproof and self-closing; and

WHEREAS, certificate of occupancy 2194, issued August 24, 1921, permits the use of the building throughout as a factory; and

WHEREAS, the applicant contends that it has occupied the premises for the past 15 years and has never been requested to make any changes or improvements in the premises; that although it comes under the classification of a wholesale drug house, it does not have 5% of the quantity of combustible merchandise carried by a wholesale drug house; that 90% of the items carried are non-combustible materials; that the so-called combustible materials handled, come in tightly sealed drums or containers and are repacked into

sealed containers of smaller sizes; that in view of the fact that it is impossible to obtain another loft at the present time, it is requested that the Board grant permission for occupancy of the premises; and

WHEREAS, an examination of Fire Department folder No. 9693.13, indicates that the following materials were applied for: 25 drums of mineral oil; 5 drums isopropl alcohol; 25 lbs. essential oils; 50 lbs. hydrogen peroxide, 15% volume, 200 lbs. hydrogen peroxide—10% volume; 100 lbs. sulphur; 50 gallons of glycerine; 1 barrel of denatured alcohol; 1 carboy of acetic acid; 1 drum kerosene oil; and

WHEREAS, the report of the combustible inspector states that the building is of mill construction, approximately 50 ft. by 150 ft. in area; that all of the materials are stored in the original packages, drums and barrels and distributed in various parts of the open floor and used in the preparation of rubbing alcohol, shampoo, Bay rum, castor oil, mouth wash and Witch Hazel; that there is a laboratory separated from the remainder of the floor area by means of board partitions; that there are two mixing tanks in this laboratory used in the preparation of Burow's solution, Rubbarb and Soda, Calamine solution, and other preparations; that the kettles used in mixing these solutions are equipped with steam lines for heating; that there are no open flames in the laboratory and there is an electric bottling machine equipped with vaporproof globes and switches.

Resolved, that order 98410-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that the premises under appeal shall be maintained to the satisfaction of the fire commissioner; that the sprinkler, standpipe and interior fire alarm systems shall be maintained to the satisfaction of the fire commissioner.

24-45-A

APPLICANT—Samuel Rosenblum, for Chanlan Corporation, owner (Lite Manufacturing Co., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—101-115 West 21st street, 675-691 6th avenue, northwest corner and 102-114 West 22nd street (2nd floor); (Block 797, Lots 33, 34, 35, 37, 39, 40, 43, 44, 45, 47 and 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Joshua Sprayregen.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (24-45-A)

WHEREAS, Samuel Rosenblum, for Chanlan Corporation, owner (Lite Manufacturing Company, lessee), filed January 15, 1945, an appeal from an order of the fire commissioner, affecting premises 101-115 West 21st street, 675-691 6th avenue, northwest corner, and 102-114 West 22nd street (2nd floor), (Block 797, Lots 33, 34, 35, 37, 39, 40, 43, 44, 45, 47, and 52), Borough of Manhattan; and

WHEREAS, order 40013-LC, issued by the fire commissioner, December 16, 1944, reads:

"With reference to your application dated November 7th, 1944 for a permit to store ammunition and fireworks, (flares) at the above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Section C19-38.0-D-5-6, Article 5, New York City Administrative Code prohibits the issuance of permit to store small arms ammunition for any premises where materials of a highly inflammable nature are stored or kept for sale, or where fireworks are stored. Sec. C19-41.0-C-6, Article 6, Administrative Code prohibits the issuance of permit to store fireworks where materials of a highly inflammable nature are stored.

YOU ARE THEREFORE, HEREBY, ADVISED TO

(1) Discontinue the storage of small arms ammunition in excess of two hundred cartridges on these premises. Section C19-38-0-A, Article 5, Administrative Code.

(2) Discontinue the storage of fireworks (flares) on these premises. Sec. C19-41.0-B, Article 6, Administrative Code."

and

WHEREAS, the applicant states that the building is 6 stories (100 ft.) in height, 197 ft. by 200 ft. in area, of class 1 construction, erected in 1899, formerly occupied as the McNeil-Adams Department Store, located in an unrestricted use, B area class 2 height district, and the 2nd floor occupancy commenced in 1942; that the building is at present used and occupied as follows: cellar—storage, toys, infants' wear and liquor—3 persons; 1st floor—warehouse, furniture, shipping, etc.—19 persons; 2nd floor—manufacturing airplane textiles, apparel, etc.—300 persons; 3rd floor—manufacturing of apparel—200 persons; 4th floor—manufacturing airplane textiles, apparel, etc.—140 persons; 5th floor—storage of furniture—3 persons; 6th floor—storage, houseware and rugs—14 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system and four interior fireproof stairs from the roof to the street; and

WHEREAS, the applicant requests the Board to permit the storage of small arms, ammunition and flares on the second floor which is occupied by contractors, for the manufacture of airplane vests, colored cloth targets and other paraphernalia for the U. S. government; that the cartridges are supplied by the government and are 45 calibre, enclosed in clips and received in sealed boxes containing 1440 cartridges to the box; that none of the material is exposed, but the lessee has to place two of these clips or about 20 cartridges in each airplane vest and similarly two flares in each airplane vest; that the flares are furnished by the government and are about the equivalent of a railroad fuse; that the materials in question as furnished by the government are kept in a separate vault like room protected by fireproof door, and are all in finished containers; that there is no contact between this material and anything of a highly inflammable nature; that the total quantity on hand is about 100 boxes of cartridges and about 5200 flares; that the building faces on three street fronts; that the sprinkler system is supplied by five pressure tanks and two gravity tanks with automatic water flow alarm; that inasmuch as the building is amply protected, that the material is kept in the original containers in a separate room, it is requested that permission be granted to continue this operation.

Resolved, that order 40013-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objections 1 and 2, *on condition* that such storage of cartridges and flares shall be as proposed; that this variance shall continue only during the term of the present war emergency; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MATERIAL SUBMITTED FOR APPROVAL

468-44-SM

APPLICANT—M. A. Tarshis, for The B. T. Company, owner.

SUBJECT—Ormax Vacuum Breaker, Model No. 3, approval of.

APPEARANCES—

For Applicant: M. A. Tarshis.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (468-44-SM)

WHEREAS, M. A. Tarshis, for the B. T. Company, owner, filed on August 4, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Ormax Vacuum Breaker, Model No. 3; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

February 6, 1945.

Re: Cal. 468-44-SM

Subject: Ormax Vacuum Breaker, Model #3, approval of.

The B-T Company, of New York City, filed an application with the Board of Standards and Appeals for approval of the Ormax Vacuum Breaker, Model #3, under the requirements of C26-178.0b for use under the provisions of C26-1277.0h of the Administrative Building Code and the Rules Relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Description

The vacuum breaker is designed for protection against siphonic action and contamination of water supply from waterclosets, urinals, and similar apparatus controlled by flush valves. The unit (Fig. 1) consists of a metal casing with airports, a combination metal coupling and hood and an internal rubber valve. The casings of the units are provided with three seating services designed on radii, to afford seating at the lowest point of contact on the first introduction of water into the pipe under gravity flow, and successively seating against an internal annular seat in the casing between the lower seat and the airports, and then against the lower end of the inner tube just below the elevation of the airports as the internal hydrostatic pressure increases.

The rubber member is designed with decreasing thickness from the upper section to the lower section to afford greater flexibility at the lower section for quick seating, and to afford increased tensile strength at the point where it seats against the airway passage to the airports. The lower section of the rubber member is spherical with reinforced slits which open downward and outward under flow conditions and return to normal position with cessation of flow.

When negative pressure is obtained in the supply pipe, creating a potential hazard of siphonage of contaminated water or fluid, the siphonic force contracts the rubber member inwardly away from the side wall of the casing, thus opening the air passageway from the airports to permit instantaneous drop of fluid below the vacuum breaker. Under siphon conditions the lower section of the rubber member, being in a closed position with reinforced slits, prevents the siphoning of any fluid below this point, and the air passageway created in the unit by the contraction of the rubber member affords sufficient atmospheric relief to relieve any slight leakage which may occur in the slitted section of the rubber member.

Tests

The Ormax Vacuum Breaker, Model #3, was tested at the vacuum bench of the Department of Water Supply, Gas and Electricity, at 32 Vanderwater Street on Jan. 30, 1945 in the presence of the Committee on Tests

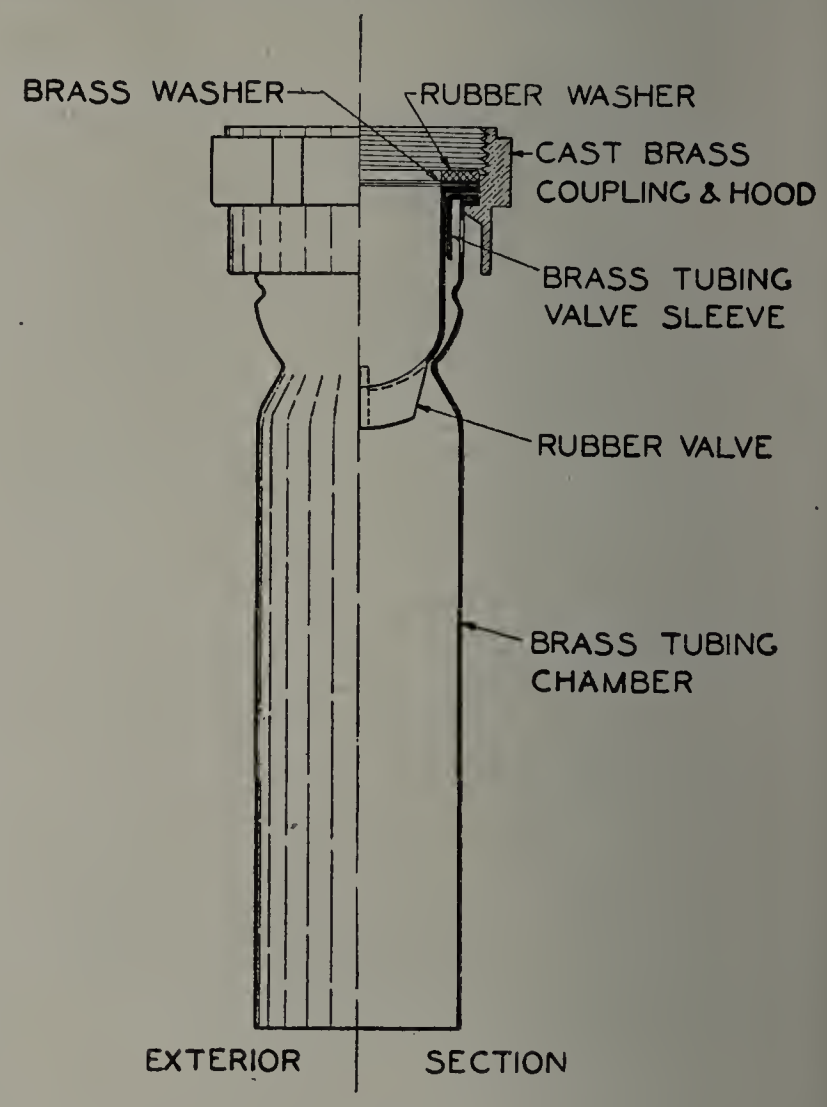

FIG. 1

of the Board of Standards and Appeals, the representatives of the Department of Water Supply, Gas and Electricity, the Department of Health, the Department of Hospitals and representatives of the manufacturer.

The unit was subjected to a 29½" Hg. vacuum with a water closet bowl filled to overflow with colored water simulating contamination. Under the vacuum of 29½" no rise of contaminated water was observed in the connection to the bowl. The unit was also subjected to a sustained and varying vacuum from 5" to 29½" Hg. vacuum for a period of ten minutes without causing any rise of simulated contaminated water from the bowl.

The unit was also subjected to a minimum operating pressure of 2 pounds under which conditions it functioned correctly, and the water closet bowl was successfully flushed of simulated solids with a 6-second flush of 28 pounds static pressure, thus indicating negligible resistance of flow offered by the operating element of this unit.

RECOMMENDATIONS

On the basis of the above tests, the Committee on Tests recommends the approval of the Ormax Vacuum Breaker, Model 3, (Fig. 1) for use in New York City, as set forth in this report, under C26-191.0 for use under the provisions of C26-1277.0h, Administrative Building Code and the Rules Relative to Submerged Inlets of the Board of Standards and Appeals, provided that each vacuum breaker be stamped, labeled or marked, reading as follows:

"Approved by the Board of Standards and Appeals for Use in New York City under Cal. 468-44-SM"

or in lieu thereof, a die or stamp be made (and stamped

on each vacuum breaker) the following inscription within a circle, around the periphery at the top the word "APP'VD": along the bottom, "B.S. & A.": in the center two lines, upper line, reading "N.Y.C.", lower line reading, "Cal. 468-44-SM."

(Sgd.) BERNARD A. SAVAGE
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Commissioner,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Ormax Vacuum Breaker, Model No. 3, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:55 A. M.

Joseph J. Doyle, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 20, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

277-44-A

APPLICANT—John C. Burt, for Pearl Street Realty Corporation, owner.

SUBJECT—Application reopened and restored to Calendar September 19, 1944—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan.

APPEARANCES—
For Applicant: John C. Burt.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (277-44-A)

WHEREAS, John C. Burt, for Pearl Street Restaurant, Incorporated, lessee, Pearl Street Corporation, owner, filed May 9, 1944, an appeal from a decision of the borough superintendent, affecting premises 546 Pearl street, north side, 146 ft. 3 in. west of Elm street (Block 157, Lot 27), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated May 4, 1944, on Misc. Applic. 368-44, reads:

"2. Repeat Objection 1 of April 19, 1944, which reads: Neither the 1st nor the 2nd floors, each with an occupancy in excess of 75 persons has two exits remote from each other, leading to a street. The exits proposed are deemed not satisfactory by the District Inspector."

and

WHEREAS, the applicant states the building is five stories (50 ft.) in height; 24 ft. by 95 ft. in area; of Class 3 construction erected 1890; located in an unrestricted use, B area district and used and occupied as follows: cellar, toilets, kitchen and storage, 10 persons, and dining room, 36 persons; first floor, dining room, bar and kitchen, 100 persons; 2nd floor, dining room, 126 persons; third, 4th and 5th floors, vacant; that no change in use or occupancy is proposed; that the building was erected prior to the establishment of the present laws; that the first record in the Building Department is an Alteration filed in 1891; that the first floor of this building was occupied by the present tenant as a restaurant in January, 1926, and the entire cellar, 1st and 2nd floor converted to a restaurant under Alt. 3431-1937, which was approved as complying with rules and regulations then in effect; that under such approved plans, the permissible occupancy would be calculated by two methods. Method No. 1. Section 6.1.2.3., Par. 1a, with floor area calculated as per C26-73.0, second floor, 1,742 sq. ft. net allowable occupancy 174 persons. First floor 1,172 sq. ft. net allowable occupancy 117 persons.

Method 2. Stair capacity as per Sec. 6.1.10, two 4 ft. wide stairs allowable occupancy 450 persons. For less than 300 persons, the Code made no provision for the second stairs; that under Alt. Applic. 3431-1937, the only feasible means of providing two exits from all parts of this restaurant, which would furnish direct egress to street remote from each other were provided; that the present proposal calls for moving the present door from the center of the building and creating a door at each side of the premises; that any attempt by the Department of Housing and Buildings to repudiate approved plans by invocation of the reported new legislation, especially rules which would require the closing of a large number of existing restaurants located on interior lots by requiring that the two means of egress should not pass through any service passage or any second dining room, but must open from the dining room directly to the street or to a fireproof enclosed fire passage used for no other purpose, should not be countenanced; and

WHEREAS, the applicant further contends that the cellar, first floor and second floor dining rooms each have one stair ending in egress to the street; that the cellar, first floor and second floor dining rooms are interconnected, with stairs 4 ft. in width and a service passage that crosses the first floor serving pantry; and

WHEREAS, this appeal was withdrawn July 11, 1944, without prejudice to restoration after the applicant obtained a new decision of the borough superintendent; and

WHEREAS, the applicant has filed an amendment with the borough superintendent dated July 14, 1944 reading as follows:

"Reconsideration is again respectfully requested, on the Departmental Objections, dated May 4th, 1944, as a repeat from April 19, 1944, that neither the first nor the 2nd floors, each with an occupancy of more than 75 persons—would have two satisfactory exits.

First: The Department having approved Alteration Application No 3431-37, covering this restaurant; the Department should honor said approved plans. Under the Rules then in effect, capacity of restaurants were calculated on two basis:

(A) 6.1.2.3 Administrative Code.
2nd floor. 1,742 sq. ft. net floor area. Allowable 174 persons. Desired: 126.
1st floor. 1,172 sq. ft. net floor area. Allowable 117 persons. Desired: 100.

(B) 6.1.10 Administrative Code. (Stair Capacity) two stairs—4 feet wide each. Allowable 450 persons per floor. Desired 226—for two floors.

Second: Architect, thinking of 6.1.5. Adm. Code (C26-276.0) designed the only practical improvement in existing exits; from cellar, first and second floor dining rooms; combined. Each being open at all time, during business hours on any one of them. The two casement windows, on first floor, front of building, is to be turned into exit doors. Altering Stair No. 1 on plans and cashier's desk, first floor; that will provide two separate ways (some three separate ways) to reach

exit foyer on first floor without going through the self same dining room—twice. Passageways, 3 ft. wide and unobstructed—are provided for in current plans.

Third: This Block has no rear yard with access to street. The buildings on either side are one lower and the other higher; hence safe access to roofs would be impractical. That No. 104 Worth Street; the five story loft building, directly back of this building object to giving an exit to this structure, as they have only one interior stair and a Fire Escape from the Third Story—set-back to their roof. Should that building have the usual type of Fire Escape, running from its lowest story to the roof, their balcony would touch the joint lot line, and this building could erect balconies on the first and second floors—providing exits in the rear. But at the present, it is impractical.

Hence, Architect, respectfully requests, the suggested method—shown on plans, be accepted."

and

WHEREAS, this amendment was disapproved August 14, 1944 by the borough superintendent; and

WHEREAS, the applicant now contends that the appeal was withdrawn to file a request for reconsideration and such request was filed and disapproved August 14, 1944; that the restaurant business was built up in reliance on approved Alt. Applic. 3431-37; that it would be a shame to destroy this building and public confidence in the value of an approved plan, by conferring a retroactive power on Local Law 29, permitting the Building Department to repudiate previously approved plans and to make new demands that could not be complied with without destroying the usefulness of the property; and

WHEREAS, this appeal was restored to the calendar September 19, 1944, to permit consideration on the basis of the new decision of the borough superintendent dated August 14, 1944 in disapproving the amendment filed by the applicant July 14, 1944; and

WHEREAS, after inspection, the Board deemed that the alterations proposed are inadequate to correct the unsafe condition found to exist.

Resolved, that the decision of the borough superintendent acting on Misc. Applic. 368-44, objection 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

693-44-A

APPLICANT—Henry G. Harrington, for 735-741 65th Street Realty Corporation, owner (Danish Athletic Club, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent (reopened and restored to calendar January 23, 1945; previously withdrawn).

PREMISES AFFECTED—735-743 65th street, north side, 280 ft. east of Seventh avenue (Block 5821, Lot 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington, Svend Fast and C. Vallertis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (693-44-A)

WHEREAS, Henry G. Harrington, for 735-741 65th Street Realty Corporation owner (Danish Athletic Club, Inc., lessee), filed November 30, 1944 an appeal from a decision of the borough superintendent, affecting premises 735-743 65th street, north side, 280 ft. east of Seventh avenue (Block 5821, Lot 61), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 21, 1944 on Alt. Applic. 3146-44, reads:

"1. Changing occupancy from business to public use in a frame building is contrary to Sections 2.1.3.5 and 4.2.1 of Bldg. Code."

and

WHEREAS, the applicant states that the building is 1 story (15 ft.) in height, 19 ft. and 30 ft. front by 100 ft. in depth, of class 4 construction, erected in 1933, located in an unrestricted use, A area, class 1 height district, and used and occupied as follows: cellar—ordinary and boiler room—no persons; 1st floor—offices, storage rooms, private garage and 1 family dwelling; proposed to be used and occupied: cellar—ordinary and boiler room—no persons; 1st floor—club, bar and grill and gymnasium—300 persons; and

WHEREAS, Certificate of Occupancy 1974, issued May 14, 1921, under Permit 9083-20, permits the use of the premises 733-743 65th street as follows: cellar—boiler room; 1st floor—office, storage rooms, private garage and 1 family; and

WHEREAS, the applicant contends that the building occupies only 88% of the lot area and has a front yard of 1740 sq. ft. in area, fronting on the street; that due to the U shape of the building, it is possible to provide adequate exits from all parts of the building, directly to the street or to the open yard fronting on the street; that the exits which open on the street or yard total 276 in. in width and can accommodate many times the proposed number of occupants; that no portion of the premises will be more than 50 ft. from an exit; that all exterior walls are solidly filled between studs with brick and surfaced on the inside with approved plaster boards; that there is only a small cellar under the westerly wing on the street front, for boiler room use; that the type of occupancy proposed insures that the safety of the occupants is well provided for; that the proposed use and occupancy will be less hazardous than the present legal occupancy; and

WHEREAS, Application 11829-20, upon which permit 9083 and Certificate of Occupancy 1974A were issued, indicates that it was proposed to alter two buildings on the lot; that these buildings were occupied as stable, hay, feed and harness rooms, office and coal storage rooms and boiler room in conjunction with the milk station and then proposed to be occupied as follows: 1st floor—office and storage rooms, private garage and one family; total-boiler room, office and storage rooms, private garage and 1 family; that the buildings to be altered were 18 ft. 7 in. and 31 ft. front, 52 ft. 4 in. and 58 ft. 6 in. in depth, of frame construction; that it was stated on the application, that the stable building had been burned and it was intended to remove all charred and defective wood and replace same, the present wood beams throughout to be scraped and cleaned and reinforced; all stalls, wood planking and boarding on walls to be removed; posts, girders to be removed and replaced with new iron beams and iron column; that the front portion of stable building formerly used for hay and feed room to be arranged for 1 family dwelling; that the windows on lot line in new garage to be closed up and brick filled; that it was noted on this application, that the easterly wall of the garage was then brick filled and present stud walls and ceiling of the garage would be covered with ½ in. plaster boards; that an objection was issued on this plan, that the garage was contrary to Section 391 of the Code and this objection waived, with the statement that it would be satisfactory to the Superintendent, if walls of the garage were brick filled and walls and ceilings covered with ½ in. plaster boards; that a note on the plans accompanying this application indicated that the easterly wall of the private garage was brick filled and the southerly wall of the private garage was to be constructed of 6 in. hollow tile blocks, laid in Portland cement mortar; that on this plan, the rear portions are indicated as sheds and open wagon yard; that under Application 24139-24, the premises were shown as 90 ft. front and it was proposed to underpin approved foundation wall of the rear one story extension at a point where the new building was being erected on the 64th street side; that a plan filed with this application indicated that the

portion at the rear, which it was proposed to underpin, was used as a factory and the application indicated that the use of the building was metal factory; that there is no indication anywhere, that the exterior walls other than the easterly wall of the garage portion are brick filled, as now stated by the applicant.

WHEREAS, this appeal was withdrawn December 19, 1944, without prejudice to restoration to the calendar after the applicant submits complete working drawings to the Borough Superintendent and obtains a new decision; and

WHEREAS, this appeal was reopened and restored to the calendar January 23, 1945; and

WHEREAS, the decision of the borough superintendent dated January 12, 1945 on Alt. Applic. 3146-44 reads:

"1. Changing occupancy from business to public use in a frame Bldg. is contrary to Sections 2.1.3.5 and 4.2.1 of Bldg. Code."

and

WHEREAS, the applicant now states that revised plans have been submitted to the borough superintendent, clearly indicating the construction and material of building walls and of the wall of the building adjacent to the building in question; that plans filed with this appeal January 17, 1945, now show all conditions shown on the plan filed with the borough superintendent, with special attention to the following: All exterior lot line walls brick filled at present from concrete foundation wall, up full height of wall; all exterior siding of exterior walls to be covered with metal lath and "P.C." stucco; Kitchen partitions to be of masonry construction and kitchen to have three sprinkler heads connected to domestic water supply; All unplastered ceiling throughout to be fire-retarded with gypsum rock lath, plastered with two coats of gypsum plaster; All doors to kitchen are to be fireproof, self-closing, one hour test; All lot line walls to be lathed on inside with rock lath and then given two coats of gypsum plaster; front wall (exterior) now covered with rigid asbestos shingles, full area.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3146-44, dated January 12, 1945, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the exterior frame walls on the lot lines shall be brick-filled throughout; that where masonry walls of adjacent buildings do not occur, the exterior walls of this building shall be wire lath and finished with stucco; that the interior of all walls on the lot line shall be fire-retarded and all interior partitions of fire-retarding construction, except for the accordion partitions shown, which may be of wood; that the room marked "office", to the east, shall be used for a children's playroom; that the boilerroom under the westerly portion shall have a fire-retarded ceiling with no openings to the interior of the building and shall be reached only by a stairway, as shown in the paved yard; that the locker room and hat and coat room shown on the easterly side shall be combined for a hat and coat room, and the corridor partition moved easterly, so as to provide a corridor not less than 8 feet in width; that the doors leading from such corridor to the street shall be double doors, swinging in the direction of exit; that in the wall between the hat and coat room and the gymnasium, a window shall be installed for checking garments; that the exterior of the wall on the 65th street front shall be surfaced with asbestos shingles; that the roof shall be of tar and gravel, meeting the specifications therefor; that no windows or other openings shall be constructed in the interior lot line walls; that the floor throughout shall have a concrete or other approved incombustible surfacing, except over the heater room toward the west; that all steps and other encroachments beyond the building line shall be removed, and a new entrance to the children's playroom on the west side may be constructed from the paved yard; that no windows or other openings shall be constructed in the interior lot line walls; and that in all other respects, the alterations shall be completed substantially as proposed on revised drawing marked "Received January 17, 1945", including sprinkler heads as shown in the kitchen, which may be fed from the domestic water supply line, provided such water line is not less than 1 inch in diameter; and that such portable fire-fighting appliances shall be maintained throughout as the fire commissioner shall direct.

746-44-A

APPLICANT—Sidney Daub, for Central Hanover Bank and Trust Co. and Thomas C. Meeks, trustees for Estate of Lee Kamineer, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—709-715 8th avenue and 300 West 45th street, southwest corner (Block 1035, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (746-44-A)

WHEREAS, Sidney Daub, for Estate of Lee Kamineer, owner, filed December 27, 1944, an appeal from a decision of the borough superintendent, affecting premises 709-715 8th avenue and 300 West 45th street, southwest corner (Block 1035, Lot 36), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 22, 1944, on amendment to Alt. Applic. 940-44, reads:

"1. Proposed use for meeting rooms classifies building as a public building and should be of fireproof construction as per Sec. 4.2.1 Bldg. Code."

and

WHEREAS, the applicant states that the building is 3 stories (37 ft.) in height, 100 ft. by 100 ft. 5 in. in area, of class 3 construction, erected in 1928, located in a retail use, B area class 2 height district and used and occupied since 1929 as follows: cellar—restaurant and cabaret—298 persons; 1st floor—stores and restaurant—110 persons; 2nd floor—club meeting; 3rd floor—meeting rooms, office and school—340 persons; rooms, school and offices—300 persons; no change in use or occupancy is proposed; and

WHEREAS, Certificate of Occupancy 19250 issued November 7, 1933, classifies the building as fireproof and the occupancy as business and public and permits the building to be used and occupied as follows: cellar—restaurant and cabaret—100 persons; basement—stores—90 persons; 1st floor—office and factory—90 persons; 2nd floor—office and factory—90 persons; 3rd floor—office and factory—90 persons, not more than 25% of floor area of building to be used for manufacturing purposes; and

WHEREAS, Alt. Applic. 940-44 was filed to obtain a revised certificate of occupancy; and

WHEREAS, the applicant contends that it is the owner's desire to obtain a certificate of occupancy to conform with the present use and occupancy of the building; that an examination of the records of the Department of Housing and Buildings discloses that the building is non-fireproof although a number of certificates of occupancy were issued stating that the building was fireproof; that the building was erected under N. B. Applic. 380-28 and Certificate of Occupancy 15164 issued April 18, 1929, stating the building is fireproof; to be occupied for stores, offices, showrooms and factory use; that on August 23, 1929 Certificate of Occupancy 15531 was issued for a fireproof building, to be occupied for business and public use for stores, offices, showrooms and factory with dance hall on the 3rd story; that on September 26, 1930 Certificate of Occupancy 16850 was issued for a fireproof building with business and public

use approving the cellar for a golf course and the 3rd story for dance hall; that in 1931, Certificate of Occupancy 18038 was issued for a fireproof building with business and public use approving the cellar for use as a dance hall; that on November 17, 1933, Certificate of Occupancy 19250 was issued for business and public use, fireproof construction, and changed the occupancy of the cellar to restaurant and cabaret; that the present owners have been under the impression that the building has always been of fireproof construction; that all subdividing partitions in the building are constructed of wood studs, lath and plaster; that the owner is prepared to provide other safeguards and fire protection to render the building safe for the occupancy, such safeguards and fire protection to consist of approved portable fire extinguishers and appliances; that the Board is requested to grant the owner permission to continue the present occupancy, as it would be a great hardship to be required to vacate the public assembly occupancy; and

WHEREAS, after discussion, the applicant requested a withdrawal of the appeal.

Resolved, that the appeal be and it hereby is *withdrawn,* to permit the applicant to file an application to review the plans and specifications as originally filed under N.B. 380-28 and to correct the record as to the building's being fireproof, whereas it is in fact non-fireproof,—and for further examination under the Code as then in effect, without prejudice to this appeal's being reopened for consideration by the Board as to such objections as may be made by the borough superintendent, after the examination of such plans; that this shall also include the correction of Certificate of Occupancy 19250, so as to properly set forth the type of construction and the permitted occupancy.

5-45-A

APPLICANT—William B. Still for Tyson Realty Corporation, owner (Jamaica Radio Television Company, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar for consideration of new decision of the Borough Superintendent—re Appeal from a decision of the Borough Superintendent, which was withdrawn without prejudice to reconsideration.

PREMISES AFFECTED—148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5-9), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William B. Still and Emil Schaeffer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: **0**

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (5-45-A)

WHEREAS, William B. Still, for Tyson Realty Corp., owner (Jamaica Radio Television Company, lessee), filed December 29, 1944, an appeal from a decision of the borough superintendent, affecting premises 148-18 Jamaica avenue, south side, 50 ft. west of 149th street (Block 9996, Lots 5 and 9), Jamaica, Borough of Queens; and

WHEREAS, this appeal was withdrawn on January 30, 1945 and the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, the decision of the borough superintendent dated February 9, 1945, on Alt. Applic. 1397-44, reads:

"2. Thickness of materials must comply with Section 8.6.2.6 B.C.; note ¼" minimum."

and

WHEREAS, the applicant states that the building is 1 story (20 ft.) in height, 91 ft. by 99 ft. in area, of class 3 construction, erected in 1927, located in a business use, A area class 2 height district and used and occupied as follows: cellar—heating plant, storage of radio parts—3 persons; 1st floor—radio television studio, transmission room and store—2 persons, for which no Certificate of Occupancy has been issued; that the building is equipped with a one source sprinkler system and one 2 ft. wide steel stairs with concrete enclosure equipped with metal doors, extending from the cellar to the street; and

WHEREAS, the applicant contends that the Jamaica Radio and Television Company has been licensed by the Federal Communications Commission, to construct and operate a television broadcast station at the premises; that the purpose of this station is to complete and test the system of television communications to be used by the Police Department of the City of New York and to develop and submit a finished model of proposed system of electronic transmission of motion pictures, through the medium of television; that the total weight of antennae to be attached to tower will amount to about 20 lbs. maximum; that the program of research and experimentation proposed will require a maximum of two years time; that when this experiment and research work is completed, it is proposed to dispose of the tower in question and remove the station to a more desirable location and finally to open a regular commercial television station; and

WHEREAS, the applicant has filed with the Board a communication from the manufacturer of the tower, wherein it is contended that the structural members of the tower are cold drawn round tubing of carbon steel S.A.E. 1015; that the thickness of the metal is 14 gauge, but since the section is closed all around, only one surface is exposed to the atmosphere; that the tubing is galvanized inside and outside; that the conditions for the construction of the tower in question are different from the members mentioned in Sec. 8.6.2.6, where structural framework of buildings is dealt with; that this condition cannot be applied to lightweight radio towers, which are mostly built of sheet metal; that the tubing in the tower in question is understressed; that 14 gauge material was used only because the manufacturer has had it in stock; that the wind pressure of 30 lbs. per sq. ft. according to Section 7.3.3.4, is only required for tank towers, stacks and other exposed structures; that for structures over 100 ft. in height, only 20 lbs. per sq. ft. exposed surface are required and this is only from the top of the structure down to the 100 ft. level and below that level wind pressure may be neglected; that the proposed tower is designed for 20 lbs. per sq. ft. wind pressure; that for cylindrical surfaces in antenna towers only 0.67 of the vertical projection is to be considered because of the sliding effect; that the Bureau of Yards and Docks in Standards of Design for Structural Steel, No. 12 Y B, Sept. 1934, page 13, under III, states:

Areas subject to wind:

D—Antennas—0.67 of the vertical projection.

E—Cylindrical surfaces, e.g., Tanks, riser pipes and Chimneys—0.67 of the vertical projection.

and

WHEREAS, the applicant has submitted to the Board, a report of Francis C. Holbrook, Licensed Professional Engineer, New York, No. 11951, dated January 11, 1945, wherein it is stated that the stresses developed with wind loading of 30 lbs. per sq. ft. fall well within the allowable stress for S.A.E. 1015 steel, as specified and that the following changes in design are recommended: 1. a more substantial guy anchor with individual attachments to a 3" x 4" x ⅜" x 36" long angle to distribute the guy pull over a greater area of coping; 2. the bottom plate forming the top section of the supporting grillage should be increased to ½" thickness; 3. Guy cables should be increased from 3/16" to ¼" diameter; 4. that all welding be performed by competent and licensed welders using the electric contact method of welding.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1397-44, Objection 2, as disapproved February 9, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed mast shall be constructed substantially as indicated on revised plan marked "Received February 14, 1945", as to gauge of metal as indicated thereon, and, for purposes of computation, such gauge shall be figured on the basis of the gauge of the metal less the maximum minimum tolerance; that the manner of splicing to develop the full section shall be to the satisfaction of the borough superintendent; that all metal used shall be hot galvanized including the connections thereto; that in all other respects, the construction, support, anchorage, guys and wind stress shall comply with the requirements of the Building Code therefor, and shall be maintained to the satisfaction of the Borough Superintendent; that this variance shall be for a term of two (2) years from the date of this resolution.

7-45-A

APPLICANT—Sherron Metallic Corp. lessee, for Macata Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1185-1223 Flushing avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: James W. Hunter.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Daniel S. Lenihan, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (7-45-A)

STERN— g

WHEREAS, Sherron Metallic Corporation, lessee, for Macata Corporation, owner, filed December 28, 1944, an appeal from a decision of the borough superintendent, affecting premises 1185-1223 Flushing Avenue, southwest corner of Harrison place (1st, 2nd and 3rd floors); (Block 3007, Lot 3), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on B. N. Applic. 1445-44, dated December 11, 1944, reads:

"1. Proposed changes violates Section 272 Labor Law."

and

WHEREAS, the applicant states the building is 3 stories and cellar (44 ft.) in height; 305 ft. by 62 ft. in area; of Class 1 construction; erected 1922; located in an unrestricted use, A area, Class 1½ height district, and used since 1933 as follows: cellar, factory, machine room and sheet metal plant, 4 persons; 1st floor, manufacturing, assembling and welding, 19 persons; 2nd floor, electric wirings and office, 45 persons; 3rd floor, finishing spray booths and ovens, 8 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system, three 4 ft. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant contends, that due to the requirement for plant protection, it is requested that the Board grant permission to retain the panic bolts on the fire exits; three on the first floor, one on the 2nd floor and one on the 3rd floor and keep a fourth on the first floor closed at all times, with exit signs removed, as indicated on plans filed with this appeal; that the plant is engaged in the manufacture of war products and guard service is provided 24 hours daily.

WHEREAS, the applicant has received an additional order from the fire commissioner, dated February 16, 1945, #14445-LF, reading:

"1. Remove all articles and wares from stairway enclosure, west side on 1st story as per Factory Exit Rules of Board of Standards and Appeals. (watchman's shanty);

2. Arrange all door (exits) on 1st story so that same can be opened from both sides during working hours. Sec. 272 of the Labor Law."

and

WHEREAS, the applicant states that all panic bolts previously unlawfully installed on doors throughout the building have been removed, and that no panic bolts will be installed, except one leading to Flushing avenue toward the east and two panic bolts on vestibule doors at the north, all on the first story.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, acting on B.N. Applic. 1445-44, objection 1, *on condition* that all panic bolts throughout the building shall be removed and no new panic bolts installed, except on the door leading to Flushing avenue toward the east and on two doors leading to vestibule and to the outside toward the north, all on the first floor; that such panic bolts shall be of an approved type; that the door leading to the stairway to the west on Flushing avenue and to the street on Flushing avenue, shall comply with the law as to being openable at all times during work hours for ingress and egress as shown on plan filed with this appeal marked "Received November 2, 1944"; that this variance as to panic bolts shall continue only during the term of the present war emergency; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 48-45-A as to barred windows in the cellar and Cal. 197-43-A as to maintenance of open flame.

48-45-A

APPLICANT—Sherron Metallic Corp., lessee, for Macata Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1185-1223 Flushing avenue, southwest corner of Harrison place (Basement): (Block 3007, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: James W. Hunter.

For Administration: Daniel S. Lenihan, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (48-45-A)

WHEREAS, Sherron Metallic Corporation, lessee, for Macata Corporation, owner, filed February 1, 1945, an appeal from an order of the fire commissioner, affecting premises 1185-1223 Flushing avenue, southwest corner of Harrison place (Basement); (Block 3007, Lot 3), Borough of Brooklyn; and

WHEREAS, Order 13158-LF, issued by the fire commissioner July 14, 1944, and referred to in a decision of the fire commissioner, dated January 22, 1945, reads:

"2. Arrange iron bars on windows in basement, so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, Section 272 of Labor Law."

and

WHEREAS, the applicant states the building is three stories and cellar (44 ft.) in height; 305 ft. by 62 ft. in area; of Class 1 construction; erected 1922; located in an unrestricted use, A area, Class 1½ height district, and used since 1933 as follows: cellar, factory, machine room and sheet metal plant, 4 persons; 1st floor, manufacturing, assembling and weld-

ing, 19 persons; 2nd floor, electric wirings and office, 45 persons; 3rd floor, finishing, spray booths and ovens, 8 persons; that no change in use or occupancy is proposed; that building is equipped with a two source sprinkler system, a standpipe system and three 4 ft. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant contends that 13 windows are affected on the basement story; that egress from the basement may be had by means of two windows equipped with hinged bars and two stairways leading to the 1st floor; that at present there are 4 persons employed in this space; that except for the manufacturing space adjacent to these windows, the basement is used for storage of metal material and parts; that compliance with the order will involve the conversions of 13 windows; that owing to war restrictions on labor and material, difficulty would be experienced in having the work done and the expense involved would be considerable; it is therefore requested that the Board grant permission to maintain the window construction as at present.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in order 13158-LF of the fire commissioner, and referred to in his decision dated January 22, 1945, and that the appeal be and it hereby is *granted,* as to objection 2, *on condition* that no additional bars shall be constructed on any windows, other than as indicated on plans marked "Received February 20, 1945"; that a steel ladder shall be constructed from the cellar floor to the hinged window toward the east opening to Flushing avenue; that such ladder shall be a steel, double-rung ladder reaching from floor to ceiling, close to the window which shall be hinged as proposed, so as to be openable at all times when the factory is in operation; and that all other means of exit from the cellar shall be maintained to permit entrance and egress at all times; and, provided that not more than five persons shall be engaged in factory work at the east end of the cellar.

285-43-A

APPLICANT—Alexander S. Pilot, for Plough Sales Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner, re Packaging of inflammable mixture known as "Mufti-Dry Cleaner" in 2 oz., 6 oz. and 12 oz. glass bottles (capacity of same not in conformity with Admin. Code Specifications) (previously granted on condition for six months.)

APPEARANCES—
For Applicant: Alexander S. Pilot.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (285-43-A)

WHEREAS, this appeal from a decision of the fire commissioner, relative to the packaging of inflammable material known as "Mufti-Dry Cleaner" in 2 oz., 6 oz. and 12 oz. glass bottles, was granted by the Board on September 28, 1943, on certain conditions, for a term of six months; and

WHEREAS, the permit was extended on March 31, 1944 and the applicant requested a further exetnsion of the permit; and

WHEREAS, the applicant proposes to use bottles of the Boston round type, as made by the Owens Illinois Glass Company, in lieu of the bottles previously submitted.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted September 28, 1943, so that as amended, this resolution will read:

"*Resolved,* that the decision of the fire commissioner, dated May 28, 1943, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition,* to permit the product to be stored and sold in glass bottles of the Boston round type in 2, 6 and 12 oz. sizes; and that such bottles shall be labeled in accordance with the requirements of the Administrative Code and to the satisfaction of the fire commissioner; that this permit shall be for a term of six months from the date of this *amended* resolution or until the application filed by the Owens Illinois Glass Company for test and approval of such bottles is acted on favorably by the Board; that the bottles shall be fitted with a washer and a cap so as to insure their being tight at all times."

582-44-A

APPLICANT—M. W. Del Gaudio, for Harold J. Bastine and Wilfred S. Bastine, as Trustees, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—45-47 West 27th street, north side, 200 ft. east of 6th avenue (Block 829, Lot 11), Borough of Manhattan.

APPEARANCES—
For Applicant: Matthew W. Del Gaudio.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (582-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 45-47 West 27th street, north side, 200 ft. east of 6th avenue (Block 829, Lot 11), Borough of Manhattan, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, the applicant has requested that his statement filed with this appeal and the resolution adopted by the Board be amended, so as to omit the reference to an interior fire alarm system and fire drills, as it has been ascertained that no interior fire alarm system has been installed and no fire drills are maintained, and that such are not necessary in connection with the present occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted December 5, 1944, so that as *amended* it shall read:

"* * * WHEREAS, the applicant states the building is 12 stories (150 ft.) in height; 50 ft. by 90 ft. in area; of Class 1 construction; erected 1909; located in a business use, B area, Class 2 height district, and used and occupied since 1909 as follows: cellar, storage and boiler room, 4 persons; 1st floor, store and manufacturing flowers, 70 persons; 2nd to 12th floors, manufacturing dresses, 70 persons each floor; that the building is equipped with an approved two source sprinkler system and a standpipe system; that there is one 35½ in. wide steel stairway from the roof bulkhead directly to the street, enclosed in 4 in. terra cotta block partitions, equipped with metal covered self-closing doors and one fire escape at the rear, extending to the roof by a ladder, which ladder will be replaced by stairs and to the yard by stairs wtih egress from its termination proposed through a passage of fireproof construction through the cellar, with an inside stairway leading therefrom, to an existing fireproof hall and thence to the street; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that this appeal relates to risers and treads of the existing outside stairway at the rear, which now extends from the 12th floor to yard level with egress therefrom through adjoining premises; that a gooseneck ladder is provided from the

top floor to the roof; that to insure egress from the rear outside stairway to the street, it is proposed to extend this stairway to cellar level and to provide a fireproof passage through the cellar with stairway leading to existing hall; that although access to adjoining roofs is not possible, it is proposed to extend the rear stairway to the roof; that a new certificate of occupancy will be requested upon completion of the proposed alterations, as no certificate of occupancy is in existence at the present time; that the Board is requested to accept the existing outside stairs from 1st to 12th floors, as being in substantial compliance with Section 268 of the Labor Law, as any alteration to such stairs would require complete removal and reconstruction, which would be an unnecessary hardship on the owner, and it is also requested that the Board permit the exterior stairs from the yard to the cellar to be constructed with 8 in. rise, 8 in. tread, plus 1 in. nosing and from the top story to the roof with 8 in. rise and 9 in. tread and the new interior stairs from the cellar passage to the west hallways to be constructed with 7¾ in. rise and 9½ in. treads; and

WHEREAS, it was stated at the hearing that the street floor is occupied by a wholesale florist and no work for a factory is carried on.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 435-43 and that the application be and it hereby is *granted,* as to objection 13, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the treads on the proposed stair from the first floor to cellar shall be constructed with approved non-slip material; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner.

255-43-A

APPLICANT—Paltrow and Rice, for Anita Stewart, owner; Hyland Nursing Home, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the acting borough superintendent, previously granted on condition.

PREMISES AFFECTED—25-53 216th street, north side, 477.32 ft. east of 28th avenue (Block 6019, Lot 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: R. Harold Paltrow.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

634-44-A

APPLICANT—George D. Brown, Jr., for 227 East 56th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—227-229 East 56th street, north side, 260 ft. east of 3rd avenue (basement); (Block 1330, Lot 11), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Brown, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

27-45-A

APPLICANT—Milton B. Weissman, for 2861 Third Avenue Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

APPEARANCES—

For Applicant: Milton B. Weissman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 6, 1945 at 2 P. M., for further consideration and for inspection by a committee of the Board.

ZONING CASES

872-28-BZ

APPLICANT—Henry Nordheim, for 2311 Grand Concourse Corporation, owner; Manox Theater Corporation, lessee.

SUBJECT—Applicant for consideration—reopening and amendment of resolution—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting partly in a business use and partly in a residence use district, the alteration and reconstruction of a portion of stores (previously granted by the Board) into a motion picture theatre.

PREMISES AFFECTED—2311 Grand Concourse, northwest corner of East 183rd street (Block 3164, Lot 31), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

348-37-BZ

APPLICANT—John Tuvo, for Irving Wilson Voorhees, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block 1288, Lot 39A), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: John Tuvo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (348-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block 1288, Lot 39A), Jackson Heights, Borough of Queens, was granted by the Board on March 11, 1938, on certain conditions; and

WHEREAS, the permit was extended on March 5, 1940, February 18, 1941 and February 9, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 11, 1938, as amended through February 9, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *Granted* under section 7h of the zoning resolution, for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five motor vehicles, restricted to those of the passenger car type only, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 11, 1938, shall be complied with, and that a certificate of occupancy shall be obtained (Corr. 481-37)."

342-40-BZ

APPLICANT—Raymond Irrera, for Selvin Realty Co. and Mollie Sprecher, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting partly in residence use and partly in business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—42-02 31st avenue, 31-15 42nd street, southeast corner and east side of 42nd street, 97.5 ft. south of 31st avenue (Block 692, Lots 36, 37, 40 and part of 51), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTIONS OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (342-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a residence use district and partly in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 42-02 31st avenue, 31-15 42nd street, southeast corner and east side of 42nd street, 97.5 ft. south of 31st avenue (Block 692, Lots 36, 37, 40 and part of 51), Astoria, Borough of Queens, was granted by the Board on February 9, 1943, on certain conditions; and

WHEREAS, on February 29, 1944, time was extended to obtain permits and complete the work; and

WHEREAS, the resolution was amended on March 28, 1944; and

WHEREAS, the applicant requested an extension of the permit,

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 9, 1943, as amended on March 28, 1944, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of February 9, 1943, as amended March 28, 1944, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 5085-42)."

MATERIALS SUBMITTED FOR APPROVAL

578-39-SM

APPLICANT—Clyde Baird, for Federal Cement Tile Company, present owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Federal American Cement Tile Co.'s Featherweight Concrete Channel Slabs (for floor and roof construction), previously approved on condition.

APPEARANCES—
For Applicant: George E. Strehan and Clyde H. Baird.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (578-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 5, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Federal-American Cement Tile Co., Featherweight Concreet Channel Slabs (for floor and roof construction); and

WHEREAS, this material was approved by the Board on October 17, 1939, on certain conditions; and

WHEREAS, Clyde Baird, for Federal Cement Tile Company, present owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 17, 1939, by adding thereto:

"* * * that in view of the good will of the Federal American Cement Tile Company having been acquired by the Federal Cement Tile Company, as indicated by an affidavit filed February 20, 1945, and in view of the agreement between the Federal Cement Tile Company and the Lastik Products Company, Incorporated, marked "Received February 20, 1945", these materials may be manufactured by the Lastik Products Company, Inc., at their plant in Wampum, Pennsylvania, and marketed under their name, *on condition* that the requirements of this resolution shall be complied with in all respects; that a new application for test and approval of the material as now manufactured at Wampum, Pennsylvania, by the Lastik Products Company, Inc., shall be filed within 30 days, and all information required by the Board for test and approval shall be promptly submitted so as to be completed not later than six months from this date, and that the permission herein granted is for such term not exceeding six (6) months from the date of this *amended* resolution."

MINUTES

638-39-SM

APPLICANT—Clyde H. Baird, for Federal Cement Tile Company, present owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Federal American Precast Featherweight Tongue and Groove Concrete Plank for use on Floors and Roofs, previously approved on condition.

APPEARANCES—

For Applicant: George E. Strehan and Clyde H. Baird.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (638-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 17, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Federal American Precast Featherweight Tongue and Groove Concrete Plank for use on Floors and Roofs; and

WHEREAS, this material was approved by the Board on July 16, 1940, on certain conditions; and

WHEREAS, Clyde Baird, for Federal Cement Tile Company, present owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 16, 1940, by adding thereto:

"* * * that in view of the good will of the Federal American Cement Tile Company having been acquired by the Federal Cement Tile Company, as indicated by an affidavit filed February 20, 1945, and in view of the agreement between the Federal Cement Tile Company and the Lastik Products Company, Incorporated, marked "Received February 20, 1945", these materials may be manufactured by the Lastik Products Company, Inc., at their plant in Wampum, Pennsylvania, and marketed under their name, *on condition* that the requirements of this resolution shall be complied with in all respects; that a new application for test and approval of the material as now manufactured at Wampum, Pennsylvania, by the Lastik Products Company, Inc., shall be filed within 30 days, and all information required by the Board for test and approval shall be promptly submitted so as to be completed not later than six months from this date, and that the permission herein granted is for such term not exceeding six (6) months from the date of this *amended* resolution."

1170-39-SM

APPLICANT—Clyde H. Baird, for Federal Cement Tile Company, present owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Federal American Featherweight Nailing Concrete Roof Slab, for use on floors and roofs, previously approved on condition.

APPEARANCES—

For Applicant: George E. Strehan and Clyde H. Baird.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION ((1170-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed on September 26, 1939, an application with the Board of Standards and Appeals, for approval of the material known as Federal American Featherweight Mailing Concrete Roof Slab, for use on floors and roofs; and

WHEREAS, this material was approved by the Board on October 17, 1939, on certain conditions; and

WHEREAS, Clyde Baird, for Federal Cement Tile Company, present owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 17, 1939, by adding thereto:

"* * * that in view of the good will of the Federal American Cement Tile Company having been acquired by the Federal Cement Tile Company, as indicated by an affidavit filed February 20, 1945, and in view of the agreement between the Federal Cement Tile Company and the Lastik Products Company, Incorporated, marked "Received February 20, 1945", these materials may be manufactured by the Lastik Products Company, Inc., at their plant in Wampum, Pennsylvania, and marketed under their name, *on condition* that the requirements of this resolution shall be complied with in all respects; that a new application for test and approval of the material as now manufactured at Wampum, Pennsylvania, by the Lastik Products Company, Inc., shall be filed within 30 days, and all information required by the Board for test and approval shall be promptly submitted so as to be completed not later than six months from this date, and that the permission herein granted is for such term not exceeding six (6) months from the date of this *amended* resolution."

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on December 12, 1944, as they appeared in Bulletin No. 50, Vol. 29, are hereby corrected to read as follows:

672-44-A

APPLICANT—Sidney L. Strauss, for Young Men's and Young Women's Hebrew Assn., owner.

SUBJECT—Appeal from decisions of the fire commissioner.

PREMISES AFFECTED—573-581 Bedford avenue, northeast corner of Keap street (penthouse); (Block 2193, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (672-44-A)

WHEREAS, Sidney L. Strauss, for Young Men's and Young Women's Hebrew Association, owner, filed November 24, 1944, an appeal from decisions of the fire commissioner affecting premises 573-581 Bedford avenue, northeast corner of Keap street (Block 2193, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated June 8, 1944 reads:

"1. Install an adequate closed circuit fire alarm in accordance with the attached approved layout."

and

WHEREAS, the decision of the fire commissioner dated October 27, 1944 reads:

"Your request for an acceptance of the present sub-standard fire alarm system in the above mentioned premises is denied."

and

WHEREAS, the applicant states that the building is 3 stories and penthouse (50 ft.) in height, 100 ft. by 100 ft. in area, of class 1 construction, erected in 1913, located in a residence use, C area class 1 height district and used and occupied: cellar—boiler room and storage; first floor—recreation room and office; 2nd floor—recreation room; 3rd floor—recreation room; penthouse—banquet room; that no change in use or occupancy is proposed, except that the penthouse will be changed to a day nursery—45 persons; that the building is equipped with a standpipe system, two interior fireproof stairs from the roof to the street, one 3 ft. 6 in. wide and the other 3 ft. 10 in. wide, and one fire escape, at the east side of the building, leading to the yard by stairs with egress to the street through a fireproof passage; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that a need was established for a day nursery in this area and it has been included in the program of the Mayor's Committee on Wartime Care of Children; that space on the penthouse floor, as indicated on plans filed with this appeal, was utilized for the nursery; that application was made for acceptance of these premises as a day nursery for 45 children and inspection was made; that the building is now equipped with a sub-standard fire alarm system with a 6 in. gong on each floor with break-glass stations below each of the gongs; that in addition, there are separate controls in the main office on the 1st floor from which point a gong on any floor may be sounded or all of the gongs in the building sounded; it is respectfully requested that a variation of the requirements be granted and that the present sub-standard fire alarm system, which is in perfect working order, be accepted.

Resolved, that the decision of the fire commissioner, dated October 27, 1944, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sub-standard *open*-circuit fire alarm system shall be maintained on all floors, to the satisfaction of the fire commissioner; that fire drills shall be maintained for the day nursery, not less than once every two weeks under the supervision of trained employees and that a record of such fire drills shall be maintained on the premises; that the number of children occupying the day nursery shall at no time exceed 60; that such portable fire extinguishers shall be installed and maintained within the kitchen space and other spaces deemed necessary by the fire commissioner as he shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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* Correction—The word "closed" change to *"open"* in line 53 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on January 16, 1945, as they appeared in Bulletin No. 4, Vol. 30, are hereby corrected to read as follows:

646-44-A

APPLICANT—Frank D. Hutchinson, for Metropolitan Engineering Co., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); Block 1200, Lots 21, 33 and 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank D. Hutchinson and J. H. Lawrence.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn.. 4

Negative: 0

THE RESOLUTION (646-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn, was granted by the Board on November 21, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted November 21, 1944, by repeating the resolution then adopted and adding thereto:

"* * * that the building shall not exceed 51 feet in total height; that the building may be altered by changing the location of the elevator and removal of stairs, as indicated on revised plans marked 'Received January 9, 1945', *on condition* that the construction of same and the required exits for the area comply with the requirements of the Building Code and the Labor Law therefor and that other than as herein *amended,* the conditions of the resolution of November 21, 1944, shall be complied with, *except that a portion of the interior cross partition at the east end may be removed on the second and third floors as shown on plans marked 'Received January 9, 1945' and fire doors in the openings in such partition omitted."*

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* Correction—The words *"except that a portion of the interior cross partition at the east end may be removed on the second and third floors as shown on plans marked 'Received January 9, 1945' and fire doors in the openings in such partition omitted",* add to the end of the resolution, as indicated in italics above.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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MAR 22 1945

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

The Hearing Calendar.

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Minutes of Regular Meeting, February 27, 1945, at 2 P. M., Affecting Calendar Numbers 39-45-A, 82-45-A, 98-45-A, 298-39-A, 514-44-A, 591-44-A, 656-44-A, 157-36-BZ, 654-27-BZ, 377-39-BZ, 647-40-BZ and 691-40-BZ.

Rules Governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and Other Flammable Surface Coatings and Storage of Such Materials.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board; will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to February 27, 1945.

Cal. No. Dept. Premises Affected.

85-45-A—H.B.Q.—42-17 West (Barn) street, east side, 60.84 ft. south of Jackson avenue (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens (Under section 35, General City Law re bed of mapped street—West street), N.B. 52-45.

86-45-A—F.D.—42-36 21st street, west side, 140.26 ft. north of 34th avenue and 42-37 13th street (Block 457, Lots 205, 153 and 155), Long Island City, Borough of Queens, 98108-C and Decision.

87-45-A—F.D.—East side of Hunter avenue, between 24th avenue and Bay 37th street and West side of Belt parkway, 38 ft. north of Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn, 14061-LF and Decision.

88-45-A—H.B.B.—234-238 Livingston street, south side, 274 ft. east of Hoyt street (Block 165, Lots 19 and 21), Borough of Brooklyn, Alt. 2553-44.

89-45-A—H.B.M.—1580-1590 Broadway and 200 West 48th street, southeast corner and 710-720 7th avenue (Block 1019, Lot 36), Borough of Manhattan, Decision.

90-45-A—H.B.B.—745 Nostrand avenue, east side, 58 ft. 8 in. north of St. John's place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn, P.A. 4-45.

91-45-BZ—H.B.Q.—61-14 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 26, Lots 42 and 45), Flushing, Borough of Queens, N.B. 26-45.

92-45-A—H.B.B.—1431 Broadway, north side, 20 ft. west of Madison street (1st floor); (Block 3357, Lot 2), Borough of Brooklyn, P.A. 787-44.

93-45-BZ—H.B.M.—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan, Alt. 1638-44.

94-45-A—H.B.M.—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan, Alt. 1638-44.

95-45-BZ—H.B.Q.—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens, Alt. 74-45.

96-45-BZ—H.B.B.—1552-1564 Bergen street, south side, 177 ft. west of Utica avenue (Block 1354, Lots 30, 33 and 35), Borough of Brooklyn, Alt. 278-45.

97-45-BZ—H.B.Q.—108-22 66th road, south side, 100 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens, Misc. 4498-44.

98-45-A—H.B.B.—124-126 Livingston street, south side, 93 ft. 3¾ in. east of Boerum place (Block 163, Lot 10), Borough of Brooklyn, Alt. 500-45.

99-45-A—H.B.B.—32 33rd street, southwest corner of 3rd avenue (5th and 6th floors); (Block 683, Lot 1), Borough of Brooklyn, B.N. 956-44.

Restored to Calendar.

656-44-A—H.B.M.—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan, Amendment to Alt. 1338-44.

514-44-A—H.B.B.—168-186 7th street, south side, 100 ft. west of 3rd avenue (Block 996, Lots 21-28), Borough of Brooklyn, B.N. 727-44.

246-38-A—F.D.—52-08 Grand avenue, south side, 431 ft. 9 in. west of 53rd (Sophie) street (1st floor; Building 3); (Block 2616 (2317), Lot 1), Maspeth, Borough of Queens, Decision re 97152-LC.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
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Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
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Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

CALENDAR

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

MARCH 6, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 6, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

422-39-BZ—Application of Lama and Proskauer, applicants on behalf of Bonded Lien Corp., owner, reopened July 25, 1944, for consideration as to extension of permit —Application, previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

597-44-BZ—Application, October 17, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Abraham Sorkin, Morris Sorkin and Samuel Sorkin, owners, to permit partly in an unrestricted and partly in a residence use C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17, Zoning Resolution; premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3956, Lot 48), Borough of Brooklyn.

691-44-BZ—Application, November 30, 1944, under sections 7c and 21 of the zoning resolution, of Judson E. Schnall, applicant, on behalf of 8010 Fifth Avenue Corporation, owner, to permit on a plot located in a business use and residence use C area district, the erection of a fur storage vault extending from a business use district into a residence use district as an extension to an existing business building and not in compliance with the requirements for C area district; premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

1220-23-BZ—Application of Lama and Proskauer, applicants, on behalf of Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee), reopened June 3, 1941, under section 7c of the zoning resolution, to permit in a business use district the extension of a gasoline service station and parking and storage of more than five motor vehicles (previously acted upon by the Board); premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

398-44-BZ—Application, June 27, 1944, under section 7e of the zoning resolution, of Raymond Irrera, applicant, on behalf of Hi Heat Coal and Coke Co., owner, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard; premises 77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

623-44-BZ—Application, October 27, 1944, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Realty Associates Securities Corp., owner (Whitman Hotel, lessee), to permit in a residence use district, the parking and storage of more than five motor vehicles as an accessory use to a hotel in a business use district; premises 160-11 89th avenue, north side, 127 ft. west of 161st street (Block 9764, Lot 97), Jamaica, Borough of Queens.

539-44-BZ—Application, September 21, 1944, under section 7e of the zoning resolution, of George W. Swiller, applicant, on behalf of Morris Rosen, owner (Moncel Trading Co., lessee), to permit in a business use district, the change of occupancy of a two story building from stores and place of public assembly to cutting and baling of wiping cloths, offices and stores; premises 1272-1274 Hoe avenue, northeast corner of Freeman street (Block 2987, Lot 1), Borough of The Bronx.

71-45-BZ—Application, February 14, 1945, under section 7e of the zoning resolution, of Western Electric Company, Inc., applicant, on behalf of Metropolitan Life Insurance Co., owner (Consolidated Edison Company of New York, Inc., lessee), to permit in a business use district, for a temporary period of two years, the conversion of an existing office building to a factory building with an area approximating 35% of the area of the building devoted to manufacturing purposes; the remainder of the building to be used for offices, storage of component materials and parts and cafeteria; premises 109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

595-44-BZ—Application, October 19, 1944, under sections 7d, 7e and 21 of the zoning resolution, of Thirty Central Park South, Inc., applicant and owner, to permit in a residence use district, the maintenance of doctor's and dentist's offices in a residence building, some of whom do not reside on the immediate premises; premises 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

Appeals from Administrative Decisions.

596-44-A—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.

85-45-A—42-17 West (Barn) street, east side, 60.84 ft. south of Jackson avenue (1st and mezzanine floors); (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens (under section 35, General City Law-re bed of mapped street—West street).

686-44-A—52 Wall street, north side, 99.4 ft. east of William street and 51 Pine street (7th to 11th floors, inclusive); (Block 40, Lot 12), Borough of Manhattan.

Material for Approval.

742-44-SM—Porete Manufacturing Company's Porex Slabs, size 80 in. x 20 in. x 1¾ in.

HARRIS H. MURDOCK, *Chairman.*

MARCH 6, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 6, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

617-44-A—West side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Pier 2, Erie Basin, Borough of Brooklyn.

6-45-A—174-176 East 104th street, south side, 166.8 ft. west of 3rd avenue (Block 1631, Lot 44), Borough of Manhattan.

612-44-A—36-20 Northern boulevard, southwest corner of Hulst place (1st floor); (Block 214, Lot 21), Long Island City, Borough of Queens.

CALENDAR

63-45-A—9, 10 and 11 Court street, east side, 48 ft. 4 in. north of Livingston street (Block 153, Lots 3, 4 and 5), Borough of Brooklyn.

1-45-A—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.

27-45-A—558Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

59-45-A—851-863 Courtland avenue and 313 East 160th street, northwest corner and northeast corner of Park avenue and East 160th street (ground and 1st floors); (Block 2419, Lot 28), Borough of The Bronx.

83-45-A—161-25 Grand Central parkway, north side, from 161st street to 164th street (Block 6858, Lot 1), Jamaica, Borough of Queens (Queens General Hospital).

514-44-A—168-186 7th street, south side, 100 ft. west of 3rd avenue (Block 996, Lots 21-28), Borough of Brooklyn (reopened February 27, 1945).

752-44-A—9 West 19th street, north side, 195 ft. west of 5th avenue (2nd to 5th floors, inclusive); (Block 821, Lot 33), Borough of Manhattan.

61-45-A—1509 Morris avenue, west side, 126.89 ft. south of Mount Eden avenue (basement and street floors); (Block 2820, Lot 59), Borough of The Bronx.

601-44-A—340 Casanova street, east side, 150 ft. south of East Bay avenue (1st floor); (Block 2774-A, Lot 185), Borough of The Bronx.

99-45-A—32 33rd street, southwest corner of 3rd avenue (5th and 6th floors, Bush Buildings 7 and 8); (Block 683, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 13, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

56-45-BZ—Application, February 6, 1945, under section 7a of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

75-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Milton B. Weissman, applicant, on behalf of 480 Realty Corporation, owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 477 East 143rd street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx.

Appeal from Administrative Decision.

602-44-A—101 58th street, northeast corner of First avenue (Block 844, Lot 1), Borough of Brooklyn.

Appliances for Approval.

650-44-SA—Paasche Water Wash Airfinishing Booth (Spray Booth).

663-44-SA—DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street—150th street).

HARRIS H. MURDOCK, *Chairman.*

MARCH 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

25-45-BZ—Application, January 17, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 27, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

698-44-A—197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and Block 5555, Lot 19), Bayside, Borough of Queens (under section 35, General City Law—re bed of mapped streets—46th road and 197th street [place]).

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, FEBRUARY 27, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, February 20, 1945, and Tuesday afternoon, February 20, 1945, were approved as printed in Bulletin No. 8, Volume 30.

ZONING CASES

398-44-BZ

APPLICANT—Raymond Irrera, for Hi Heat Coal and Coke Co., owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard.

PREMISES AFFECTED—77-08 76th street and 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera and Sam Piazzo.

For Opposition: Harry Wellish, Theodore A. Cordler, Jacob J. Kossman, Herman Mindermann, Anna Mindermann, Helen Hirdler, Mary Mistler and Marie Baessler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to March 6, 1945 at 10 A. M., pending an inspection by a committee of the Board for decision by the Board. No further argument.

753-44-BZ

APPLICANT—Chester A. Cole and Maurice G. Uslan, for Emanuel M. Honig, owner.

SUBJECT—Application (decision of the acting borough superintendent) under sections 7e, 7f and 21 of the zoning resolution, to permit partly in a residence use and partly in a business-1 use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than five motor vehicles, motor vehicle repair shop, showrooms and gasoline service station.

PREMISES AFFECTED—140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Chester A. Cole, Maurice G. Uslan and E. M. Honig.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 10, 1945 at 10 A. M. pending an inspection by a committee of the Board and for decision by the Board. No further argument.

APPEALS FROM ADMINISTRATIVE DECISIONS

246-38-A

APPLICANT—National Can Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution, re additional order——Appeal from an order and decisions of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—52-08 Grand avenue, south side, 249.56 ft. west of Garrison street (Bldg. #3); (Block 2317, part of Lot 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: August Gross and R. E. Treharne.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal, reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

644-44-A

APPLICANT—Ferdinand Savignano, for Gussie Schwartz, owner (A. A. Woolstock Company, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner (Reopened February 14, 1945, previously dismissed for lack of prosecution).

PREMISES AFFECTED—237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan.

APPEARANCES—

For Applicant: Peter L. Siciliano.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (644-44-A)

WHEREAS, Ferdinand Savignano, for Gussie Schwartz, owner (A. A. Woolstock Co., lessee), filed November 13, 1944, an appeal from an order of the fire commissioner, affecting premises 237 Mercer street, west side, 100 ft. south of West 3rd street (Block 533, Lot 20), Borough of Manhattan; and

WHEREAS, this appeal was dismissed for lack of prosecution on February 6, 1945 and the applicant requested a reopening and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on February 14, 1945 and set for hearing on February 20, 1945, then laid over to February 27, 1945; and

WHEREAS, order 35995-LC, issued by the fire commissioner September 24, 1943 and repeated in a decision of the fire commissioner dated October 19, 1944, reads:

"With reference to your application, dated September 13, 1943, for a permit to store combustible fibre at above location, it is regretted that this department is without power to grant such a permit for the reason:
That building is not equipped with a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Sec. C19-149.0-C-4, Art. 26, Administrative Code.
Further, no evidence that occupancy meets with approval of the Department of Housing and Buildings.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the storage of combustible fibre in excess of one ton on these premises. Sec. C19-149.0-B, Art. 26, Administrative Code."

and

WHEREAS, the applicant states that the building is 6 stories (76 ft.) in height, 25 ft. by 95 ft. in area at 1st floor, 25 ft. by 87 ft. in area at typical floor, of class 3 construction, erected in 1891, located in an unrestricted use, B area, class 1½ height district and use and occupied since 1942 as follows: cellar—rag storage—no persons; 1st floor—rag storage and sorting—4 persons; 2nd floor—hat manufacturing—12 persons; 3rd floor—hat manufacturing—3 persons; 4th, 5th and 6th stories—hat storage—0 persons; that the building is equipped with one 2 ft. 6 in. wide wood stairs with fire-retarded soffit, enclosed in wood studs, fire-retarded on one side, equipped with metal covered self-closing doors, leading to the roof bulkhead and directly to the street, and one fire escape at the front of building leading to the roof by stair and to the street by counterbalanced stair; that the windows and doors on the course of the fire escape are fireproof and self-closing that the buildings to the north and south are 6 stories in height; and

WHEREAS, the applicant contends that the existing interior stairway is adequate or it will be made adequate to meet all the applicable provisions of Section 278 of the New York State Labor Law "limitation of the number of occupants"; that in addition, the fire escape at the front of the building complies in all respects with Section 274, "fire escapes erected before October 1, 1913" and the building will meet all the requirements of Section 272 "additional requirements for all buildings;" that with regard to section 271, all applicable provisions are at present, or will be complied with, with the exception of Subd. 1; that in view of this subdivision, the applicant states that the human occupancy does not extend above the third story, that the stair and fire escape extend to the roof, from which safe egress may be had to either of the adjoining buildings, that the fire escape is in good condition and will be kept as such, that the entire building is occupied by only two tenants, the first of whom is occupying the cellar and street floor for the storage of rags in bales and the second of whom is occupying the 2nd and 3rd stories for felt hat manufacturing, in conjunction with the fourth to sixth floors, inclusive for the storage of his products only; that in the light of the above facts, it is respectfully requested that the Board will find it within their discretion to waive compliance with the pending Fire Department order for the provision of a fixed fire extinguishing system; and

WHEREAS, contrary to statement by applicant on the appeal form, the records of the Board in a prior appeal (1304-22A) and the records of the Division of Fire Prevention as well as inspection by the applicant show that there is a wet sprinkler system throughout the cellar; and

WHEREAS, the Board deemed that in view of the type of occupancy in the building there was no basis for granting the appeal.

Resolved, that the decision of the Fire Commissioner, acting on Order 35995-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

Adjourned: 11:10 A. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 27, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

39-45-A

APPLICANT—Associated Pen Company, lessee, for Craftsman Realty Corporation, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—644-646 Broadway, northeast corner of Bleecker street (8th floor); (Block 529, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Murray Spinner.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative: Commissioner Savage..... 1

THE RESOLUTION (39-45-A)

WHEREAS, Associated Pen Company, lessee, for Craftsman Realty Corporation, owner, filed January 27, 1945, an appeal from a decision of the fire commissioner, affecting premises: 644-646 Broadway, northeast corner of Bleecker street (8th floor); (Block 529, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated January 12, 1945, reads:

"In reply to your letter of January 10, 1945, requesting permission to use fluorescent type lighting fixtures in connection with a proposed nitrocellulose occupancy at the above premises, you are advised that Chapter 19, Sec. 112.0 Adm. Code, states that only incandescent electric lights properly protected shall be permitted, therefore, your request is denied.

As the Fire Department is without the authority to waive the requirements, it is suggested that the matter be presented to the Board of Standards and Appeals for a decision."

and

WHEREAS, the applicant states the building is 8 stories (120 ft.) in height, 53 ft. by 140 ft. in area Class 1 construction; erected prior to 1913; located in an unrestricted use, B area, Class 2 height district; used and occupied since prior to 1913 as follows: Cellar, boilerroom and pump, 2 persons; 1st floor—stores—jobbers, 8 persons; 2nd floor—retail clothing, 3 persons; 3rd floor, manufacturing and printing envelopes, 12 persons; 4th floor, manufacturing doll accessories, 50 persons; 5th floor, assembling toys, 10 persons; 6th floor, manufacturing men's sport shirts, 50 persons; 7th floor, manufacturing shoes and slippers, 50 persons; 8th floor, manufacturing pens, 60 persons; that the building is equipped with a two-source sprinkler system, a standpipe system and interior fire alarm system, one interior fireproof stairs from the top story to the street, a ladder to a scuttle in the roof is provided and an exterior stairs at the rear, leading to the street through a court; and

WHEREAS, it is proposed to install fluorescent lighting fixtures on the 8th story, which floor is used for manufacturing fountain pens and other articles from nitro-cellulose materials; that application was made to the Fire Department for approval of the installation and the Department has interpreted Section C19-112.0 of the Administrative Code to the effect that these fixtures are not incandescent lights and therefore are not permitted; and

WHEREAS, the applicant contends that the close tolerances used in the manufacturing processes require a quality of lighting which can only be achieved by the installation of fluorescent fixtures; that these fixtures will be installed over work benches and at sufficient height above same to preclude the possibility of any of the celluloid articles coming in contact therewith; that all nitro-cellulose not actually used in the manufacturing process, will be stored in a vault located at the northeast corner of the building, as indicated on plans filed with this appeal; that it is therefore requested the Board grant a variation of the requirements of the Administrative Code, so as to permit the installation of fluorescent fixtures as proposed.

Resolved, that the decision of the fire commissioner dated January 12, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained to the satisfaction of the fire commissioner; that the cutting of nitro-cellulose products shall be carried on so as to preclude an accumulation of waste; that all waste nitro-cellulose material shall be immediately immersed in water and so maintained in metal receptacles until removed from the premises; that no other inflammable materials shall be used near such nitro-cellulose products, unless protected to the satisfaction of the fire commissioner; that ample natural ventilation to the outer air shall be provided at all times; that no portable lights on extension cords in any rooms where nitro-cellulose products are handled or stored, shall be maintained; that the fixtures shall be equipped with a fibre disc and lock, to lock the lamp holders at each end of the fluorescent lamps to protect same against vibration and to prevent the falling of lamps from the sockets; and that in all other respects, including the regulations for nitro-cellulose occupancy, the premises shall be maintained in accordance with the requirements therefor, other than as modified by the Board under Cal. 286-17-S.

82-45-A

APPLICANT—David Millman for S. Millman and Son, for Estate of Nora Haggerty, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—101-109 Court street, southeast corner of Schermerhorn street (cellar and 1st floor); (Block 271, Lot 23), Borough of Brooklyn.
APPEARANCES—
For Applicant: David Millman, Edward T. Growe and P. Eisenberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (82-45-A)

WHEREAS, David Millman, for Estate of Nora G. Haggerty, owner, filed February 17, 1945, an appeal from a decision of the borough superintendent, affecting premises 101-109 Court street, southeast corner of Schermerhorn street (cellar and 1st floor); (Block 271, Lot 23), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 21, 1945, on Alt. Applic. 50-45, reads:

"1. Changing occupancy of Bldg.

Business to Manufacturing & Business in a structure over 4-stories in height, erected after Oct. 1st, 1913, is contrary to sect. 2.1.3.5 of Bldg. Code and Section 270 of Labor Law.

2. Exits to comply fully with Section 270 of Labor Law. Denied."

and

WHEREAS, the applicant states the building is six stories (74 ft.) in height, 87 ft. by 100 ft. in area; Class 3 construction; erected 1922; located in business use, B area, Class 1½ height district; used throughout for offices, 55 persons per floor and for stores on the first floor, 15 persons, for which Certificate of Occupancy 4789 was issued April 4, 1924, permitting the use of the cellar for restaurant and dancing, 25 couples; first floor, stores, and offices above; that the building is proposed to be used and occupied as follows: Cellar, ordinary use and general storage; 1st floor, stores, manufacturing house slippers and showroom and offices in connection with such manufacture, 30 persons; 2nd to 6th stories, inclusive, offices, 53 persons each floor; and

WHEREAS, the building is equipped with two interior stairs of cement construction, enclosed with 6 in. terra cotta blocks, equipped with fireproof, self-closing doors leading from the roof to the first story with egress through corridors to the street; and

WHEREAS, the applicant contends that the portion of the first floor in question has been occupied as stores; that the owner has experienced difficulty in obtaining tenants for same; that it is proposed to occupy store 1 as an office and show room in connection with the use of stores 2 and 3 for manufacturing purposes; that the building is equipped with two interior stairs of fireproof construction, one of which extends to the roof; that the use of the first floor for manufacturing with an occupancy of not more than fifteen persons at manufacturing will not change the status of the building; that the area involved for manufacturing is less than 3% of the cubic contents of the structure and the number of persons engaged in manufacturing is less than 10% of the people occupying the building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent as to Alt. App. 50-45, objections 1 and 2, and that the appeal be and it hereby is *granted on condition* that the only portion of the building to be used for manufacturing shall be store space on the street floor, as proposed and as indicated on plans filed with this appeal marked "Received February 21, 1945;" that such space on the first floor used for manufacturing shall comply with the requirements of the Labor Law as to exits; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that a new certificate of occupancy shall be obtained.

98-45-A

APPLICANT—Saul Goldsmith, for Nurnberg Thermometer Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—124-126 Livingston street, south side, 93 ft. 3¾ in. east of Boerum place (Block 163, Lot 10), Borough of Brooklyn.
APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (98-45-A)

WHEREAS, Saul Goldsmith, for Nurnberg Thermometer Company, Inc., owner, filed February 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 124-126 Livingston street, south side, 93 ft. 3¾ in. east of Boerum place (Block 163, Lot 10), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 26, 1945 on Alt. Applic. 500-45, reads:

"1. Exits to comply with Sect. 270 of Labor Law (two fireproof stairways required).

2. Liveload of 2nd floor for factory use to be 120 lbs. p.s.f. as per Section 7.3.2.3 of Bldg. Code."

and

WHEREAS, the applicant states that the building is 2 stories (27 ft.) in height, 33 ft. 4 in. by 76 ft. 9 in. in area at 1st floor, 33 ft. 4 in. by 69 ft. 1 in. at second floor, of class 3 construction; erected in 1923, located in a business use, B area, class 2 height district and used and occupied as follows: cellar, boiler room and storage; 1st floor, store and beauty parlor, 15 persons; 2nd floor, offices, 15 persons; proposed to be used and occupied as follows: cellar, boiler room and storage, no persons; 1st floor, factory, offices and shipping, 15 persons; 2nd floor, factory and offices, 15 persons; factory use to be for the manufacture of thermometers; that the building is equipped with one 4 ft. wide steel stairs with marble treads enclosed in partitions of wood studs, wood lath and plaster, equipped with hardwood self-closing doors and leading to the street and equipped with a ladder and scuttle to the roof, and proposed to be equipped with one outside balcony at the front of the building leading to street by counterbalanced drop ladder; that the window and door openings on the course of the fire escape will be fireproof, self-closing; and

WHEREAS, the applicant contends that it is proposed to convert the building for the manufacture of thermometers and hydrometers, such manufacturing use to comply with section 4c of the zoning resolution; that it is proposed to erect a new iron balcony at the front of the building with counterbalanced sliding drop ladder to the street; that the cellar floor is concrete and the cellar ceiling is covered with ½ in. plasterboards; that the boiler room and interior cellar stair will be enclosed with 4 in. fireproof blocks and equipped with fireproof, self-closing door; that egress from the cellar will be by the interior stair to the first floor and an iron stairway at the front to the sidewalk; that all working benches on the 1st and 2nd floors will be covered with ¼ in. hard asbestos; that the manufacturing operations are performed to a large extent manually, with small hand Bunsen burners; that the building will be occupied, owned and operated by the same tenant; that the second floor liveload is 60 lbs. per sq. ft. and will not be exceeded at any time, due to the nature of the work involved; that the entire output of the plant is devoted to agencies connected with the prosecution of the war; it is therefore requested that the Board grant a modification, to permit the factory use with the existing interior stair and the proposed outside iron balcony counterbalanced drop ladder and accept the second floor liveload of 60 lbs. per sq. ft.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, re Alt. Applic. 500-45, objection 1, and that the appeal be and it hereby is *granted on condition* that the stairway shall be maintained as proposed and as indicated on plans filed with this appeal, marked "Received February 26, 1945"; except that additional protection by means of wire lath and plaster or sheet rock shall be applied on the interior of the stairs throughout the first and second stories; that the ladder leading to the scuttle in the roof shall be a double-rung steel ladder within the hallway, as indicated; that the scuttle shall be fitted with an easy-opening device; that the fire escape balcony at the front shall be maintained as proposed, with a gooseneck ladder to the roof, except that a counterbalanced stairway to the street shall be installed instead of the sliding drop ladder as shown; that the balcony shall be extended in area so as to provide for the gooseneck ladder to the roof; and as to objection 2, that the proposed liveload of 60 lbs. per superficial foot may be maintained, provided the occupancy of the second floor shall at no time exceed such load and that such load shall be posted; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

298-39-A

APPLICANT—C. H. Simmons, Jr., for The Corporation of the Brick Presbyterian Church in the City of New York, owner.

SUBJECT—Appeal reopened January 30, 1945—re Appeal from an order of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—62 East 92nd street, south side, 153.3 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lot 44), Borough of Manhattan.

APPEARANCES—

For Applicant: C. H. Simmons, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

514-44-A

APPLICANT—N. Denner, for United Metal Box Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—168-186 7th street, south side, 100 ft. west of 3rd avenue (Block 996, Lots 21-28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Denner.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

591-44-A

APPLICANT—Caroline Rauh, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent—re Revocation of Certificate of Occupancy #12423 (previously dismissed for lack of prosecution).

PREMISES AFFECTED—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Warren S. Heig.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen dismissed.

THE VOTE TO DISMISS REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

656-44-A

APPLICANT—Morris Whinston, for A. R. R. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from decisions of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

ZONING CASES

157-36-BZ

APPLICANT—Karl Droge, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—6508 Sixth avenue, northwest corner 66th street (Block 5828, part of Lot 32), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

654-27-BZ

APPLICANT—Wagner, Quillinan, Wagner & Tenant, for Wilhelmine Paper, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under sections 7e and 21 of the zoning resolution, permitting the amendment of a resolution granting in a business use district, the change of occupancy of an existing building to a garage for the storage of more than five motor vehicles of the pleasure car type, to include motor vehicles of the commercial car type.
PREMISES AFFECTED—622-632 Foster avenue, southwest corner of East 7th street (Block 6494, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Edwin A. Tenant, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (654-27-BZ)

WHEREAS, this application under sections 7e and 21 of the zoning resolution, permitting in a business use district, the change of occupancy of an existing building to a garage for more than five motor vehicles, affecting premises 622-632 Foster avenue, southwest corner of East 7th street (Block 6494, Lot 8), Borough of Brooklyn, was granted by the Board on November 18, 1927, on certain conditions; and

WHEREAS, the resolution was amended on April 16, 1929, January 7, 1936, and September 9, 1942; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted November 18, 1927, as amended by resolutions adopted through September 9, 1942, by adding thereto:

"that in addition to the gasoline storage system herein permitted, which consists of a 275 gallon buried gasoline storage tank, there may also be used for the storage of gasoline a portable gasoline tank with a capacity of fifty (50) gallons; that such portable gasoline tank shall be used for such storage only for the duration of the present emergency and shall be maintained within the building."

377-39-BZ

APPLICANT—Francis X. Stephens, Jr., for Eva V. C. Hawkes, owner (Robert Olmstead, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—280 East 167th street, east side, 150 ft. south of Morris avenue (Block 2438, Lot 45), Borough of The Bronx.
APPEARANCES—
For Applicant: Robert Olmstead.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (377-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 280 East 167th street, east side, 150 ft. south of Morris avenue (Block 2438, Lot 45), Borough of The Bronx, was granted by the Board on March 4, 1941, on certain conditions; and

WHEREAS, the permit was extended on March 9, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 4, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of March 4, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

647-40-BZ

APPLICANT—Schwartz and Accardy, for Eugene Higgins, owner.
SUBJECT—Application for reopennig—reopening and extension of permit re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block 2001, Lots 29 and 30), Borough of Manhattan.
APPEARANCES—
For Applicant: Ann Accardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.

MINUTES

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (647-40-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 3321-3323 Broadway and 601-607 West 134th street, northwest corner (Block 2001, Lots 29 and 30), Borough of Manhattan, was granted by the Board on January 14, 1941, on certain conditions; and

WHEREAS, the permit was extended on May 18, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 14, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * granted under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of January 14, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

691-40-BZ

APPLICANT—Schwartz and Accardy (lessees), for The Manhattan Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the premises now occupied as a gasoline service station to be also occupied for the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3325-3331 Broadway, west side, 49 ft. 11 in. north of West 134th street (Block 2001, Lots 31, 32, 33 and part of 36), Borough of Manhattan.

APPEARANCES—
For Applicant: Ann Accardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (691-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a temporary term of two years, the parking and storage of more than five motor vehicles, on a plot occupied in part as a gasoline service station, affecting premises 3325-3331 Broadway, west side, 49 ft. 11 in. north of West 134th street (Block 2001, Lots 31, 32 and 33 and part of Lot 36), Borough of Manhattan, was granted by the Board January 14, 1941, on certain conditions; and

WHEREAS, the permit was extended on March 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 14, 1941, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * granted under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of January 14, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

Adjourned: 3:00 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse fo rneglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises, or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, laquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an in-

dividual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing, drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1.1 Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustile materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1" of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8" unsanded gypsum plaster or 7/8" of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire-fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each

oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal

of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and pipe protected from the woodwork by at least a 1" blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, flourescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10′) feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10′) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2 Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug where the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully engaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of nonferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinet ventilated to the outer air. Such cabinet to be metal covered on all sides, including the door and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding* 6 *months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule 1.3.4 Heating of Rooms.

Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.

Rule 4.0 Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electric Lighting.

Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule 6. Material, Storage and Mixing.

Rule 7. General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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UNIVERSITY OF

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, March 6, 1945, at 2 P. M., Affecting Calendar Numbers 514-44-A, 601-44-A, 612-44-A, 617-44-A, 752-44-A, 1-45-A, 59-45-A, 61-45-A, 63-45-A, 83-45-A, 99-45-A, 419-44-A, 463-44-A, 524-44-A, 6-45-A, 27-45-A, 621-24-BZ, 1193-38-BZ, 162-40-BZ, 309-40-BZ and 330-36-BZ.

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Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to March 6, 1945.

Cal. No. Dept. Premises Affected.

100-45-A—H.B.Bx—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard; (Block 2566, Lot 52), Borough of The Bronx, Amendment to Alt. 20-45.

101-45-BZ—H.B.M.—311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan, Alt. 1139-44.

102-45-A—F.D.—1631-1641 63rd street, north side, 250 ft. east of 16th avenue (1st floor); (Block 5531, Lot 20), Borough of Brooklyn, 98439-LC and Decision.

103-45-SA—Chicago Pump Co., Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector, Appliance.

104-45-A—H.B.Q.—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens, Alt. 1597-44.

105-45-A—H.B.Bx—351-361 Grand concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx, Amendment to Alt. 16-45.

106-45-BZ—H.B.M.—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan, Amendment to Alt. 27-45.

107-45-A—H.B.M.—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan, Amendment to Alt. 27-45.

108-45-BZ—H.B.Q.—94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens, N.B. 27-45.

109-45-A—H.B.Bx—890 Grant avenue, northeast corner of East 161st street (Block 2444, Lot 32), Borough of The Bronx, Alt. 70-45.

110-45-A—H.B.M.—22 East 42nd street, south side, 210 ft. east of 5th avenue (1st floor); (Block 1276, Lot 64), Borough of Manhattan, Alt. 127-45.

111-45-A—F.D.—27-01 Bridge Plaza North, north side, from 27th to 28th streets and 41-35 27th street (5th floor); (Block 416, Lot 10), Long Island City, Borough of Queens, 13845-LF and Decision.

112-45-SM—Lastik Precast Channel Slabs, manufactured by Lastik Products Co., Inc., Material.

113-45-SM—Lastik Featherweight Nailing Concrete Roof Slabs, manufactured by Lastik Products Co., Inc., Material.

114-45-SM—Lastik Red Interlocking Roof Slabs, manufactured by Lastik Products Co., Inc., Material.

115-45-A—F.D.—84-40 101st street, west side, 346.31 ft. south of Park Lane South (Block 9177, Lot 23), Richmond Hill, Borough of Queens, 14370-LF.

116-45-A—H.B.M.—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors); (Block 1367, part of Lot 6), Borough of Manhattan, Amendment to Alt. 1844-44.

117-45-A—F.D.—47-09 to 47-51 Austel place (Anable avenue) northwest corner of 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens, Decision.

118-45-SM—FENESTRA Protection, Types A and B, FENESTRA Sidewall Protection, FENESTRA Intermediate Guard and FENESTRA Heavy Guard Fire Windows (Solid Section, Detention Type), manufactured by Detroit Steel Products Co., Material.

119-45-SM—FENESTRA FENMARK Projected, FENESTRA FENMARK and FENESTRA FENCRAFT Solid Section Fire Windows, manufactured by Detroit Steel Products Co., Material.

120-45-SM—FENESTRA Sidewall, FENESTRA Commercial Projected and FENESTRA Architectural Projected, Solid Section Fire Windows (Pivoted and Projected types), manufactured by Detroit Steel Products Co., Material.

121-45-SM—FENESTRA FENWROUGHT Casements (Solid Section Fire Windows), manufactured by Detroit Steel Products Co., Material.

Restored to Calendar.

330-36-BZ—H.B.M.—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24 to 27, inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3

CALENDAR

	Last Publication in Bulletin
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28. No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 13, 1945—Vol. 30, No. 11
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

MARCH 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 13, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

56-45-BZ—Application, February 6, 1945, under section 7a of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

75-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Milton B. Weissman, applicant, on behalf of 480 Realty Corporation, owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 477 East 143rd street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx.

Appeal from Administrative Decision.

602-44-A—101 58th street, northeast corner of First avenue (Block 844, Lot 1), Borough of Brooklyn.

Appliances for Approval.

650-44-SA—Paasche Water Wash Airfinishing Booth (Spray Booth).

663-44-SA—DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control.

HARRIS H. MURDOCK, *Chairman.*

MARCH 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

31-45-A—153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

632-44-A—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

21-45-A—154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law—re bed of mapped street—150th street).

209-44-A—103-09 165th street, east side, from South road to Liberty avenue, 165-11 South road and 165-06 Liberty avenue (Block 10158, Lot 1), Jamaica, Borough of Queens (reopened December 12, 1944).

109-45-A—890 Grant avenue, northeast corner of East 161st street (Block 2444, Lot 32), Borough of The Bronx.

110-45-A—22 East 42nd street, south side, 210 ft. east of 5th avenue (1st floor); (Block 1276, Lot 64), Borough of Manhattan.

645-44-A—534-538 Eastern parkway, southwest corner of Nostrand avenue (2nd floor); (Block 1268, part of Lot 38), Borough of Brooklyn.

127-45-A—12-16 East 13th street, south side, 175 ft. east of 5th avenue (Block 570, Lot 11), Borough of Manhattan.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

640-44-A—76-114 North 4th street, south side, from Wythe avenue to Berry street, 203 Wythe avenue and 176-186 Berry street (Block 2350, Lots 4 to 13, inclusive), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MARCH 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

25-45-BZ—Application, January 17, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

Appliance for Approval.

49-45-SA—Safety Oil Heater (Preheater).

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 27, 1945, at 10 o'clock in Room

CALENDAR

1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

330-36-BZ—Application of Samuel Rosenblum, applicant, on behalf of Shelton Holding Corporation, owner, reopened March 6, 1945 for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Appeal from Administrative Decision.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 27, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

698-44-A—197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and Block 5555, Lot 19), Bayside, Borough of Queens (under section 35, General City Law—re bed of mapped streets—46th road and 197th street [place]).

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 6, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, February 27, 1945, and Tuesday afternoon, February 27, 1945, were approved as printed in Bulletin No. 9, Volume 30.

ZONING CASES

595-44-BZ

APPLICANT—Thirty Central Park South, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7d, 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of doctors' and dentists' offices in a residence building, some of whom do not reside on the immediate premises.

PREMISES AFFECTED—30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis A. O'Neill.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over, no date set.

57-45-BZ

APPLICANT—Ralph J. Gurfield, for Storch and Hirsche, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of the first story of an existing building, to cover the entire lot.

PREMISES AFFECTED—733 Ninth avenue, west side, 117.13 ft. north of West 49th street, (Block 1059, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Ralph J. Gurfield and Herman B. Waag.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 13, 1945 at 10 a.m. applicant to obtain new decision from the borough superintendent.

1220-23-BZ

APPLICANT—Lama and Proskauer, for Roosevelt Savings Bank of the City of New York, owner (Elwood Cross, lessee).

SUBJECT—Application reopened June 3, 1941 (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension of a gasoline service station

and parking and storage of more than five motor vehicles (previously acted upon by the Board).

PREMISES AFFECTED—1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Elwood Cross.

For Opposition: L. Berkley.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1220-23-BZ)

WHEREAS, this application, permitting in a business use district, for a temporary period, the maintenance of a lot for the parking and storage of more than five motor vehicles, affecting premises 1090-1094 (1082-1100 displayed) Gates avenue, east side, 85 ft. north of Broadway (Block 3339, part of Lot 52), Borough of Brooklyn, was granted by the Board on June 10, 1924, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension of permit having been granted on June 25, 1940; and

WHEREAS, the applicant requested a further extension of the permit which had expired by limitation and an amendment of the resolution, under section 7c of the zoning resolution, to permit the extension of an existing gasoline service station on a portion of the premises; and

WHEREAS, this case was reopened by vote of the Board on June 3, 1941 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Gates avenue, Broadway, Linden street and Palmetto street are in a business use, C area and 1 times height district; and

WHEREAS, the decision of the borough superintendent, dated December 27, 1943, re Alt. Applic. 3739-43, reads:

"1. Proposed extension of existing gasoline service station and the change of occupancy to include parking and storage of more than five motor vehicles in a business use district is contrary to Art. II, Sec. 4(a) 15 and 46 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot having a frontage of 160 ft. and a depth of a 100 ft., on which is located a one-story, Class 3 constructed building, 18 ft. 6 in. by 20 ft. 8 in. occupied as an office for an existing gasoline service station, having two grease pits, tanks and pumps; that this gasoline service station established prior to 1925, originally had a frontage of 90 ft.; that the plot is also occupied for the parking and storage of more than five motor vehicles; that it is proposed to increase the area of the gasoline service station and parking space to a frontage of 160 ft. on Gates avenue and to include a plot 21 ft. by 18 ft. at the southwest corner occupied by a one story metal building used as a one car garage and storage building; and

WHEREAS, the applicant contends that according to the Fire Department records, the original area of the gasoline station is described as located on the east side of Gates avenue, 85 ft. north of Broadway and having a frontage of 90 ft. on Gates avenue with a depth of 95 ft.; that the description of the present gasoline service station is as follows: East side of Gates avenue, 85 ft. north of Broadway; thence 160 ft. north; thence 100 ft. east; thence 181 ft. south; thence 18 ft. west; thence 21 ft. north; thence 82 ft. west to the point of beginning; that for clarification of the records, application is hereby made to extend the area of the existing gasoline service station to the size as herein stated; that under Cal. 1220-23-BZ, permission was granted for the parking and storage of more than five motor vehicles on these premises; that this additional use has been continuously carried on since the granting of this application; that in view of the fact that these premises have been continuously operating as a gasoline service station and parking and storage of more than five motor vehicles, permission having been granted by the Board of Standards and Appeals, and in view of the fact that there is a decided necessity for parking and storage facilities in this immediate area, it is respectfully requested that this application be granted; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivisions c and h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a *variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7c thereof, permitting the portion of the premises now lawfully occupied as a gasoline service station, with a frontage of 90 feet, running northerly from a point 85 feet northerly from the Broadway line, for the full depth of the lot, except for the portion at the rear indicated on plans filed with this appeal now occupied with a metal garage, having an area of 18 ft. by 21 ft.; that the existing office and proposed lubritorium and laundry shall be constructed and maintained substantially as indicated on revised plans filed at this hearing, marked "Received March 6, 1945"; that the gasoline pumps shall be arranged as shown thereon and shall be not nearer than 10 feet to the street building line of Gates avenue; and, *granted* under section 7h for a term of five years from the date of this resolution, to permit the balance of the lot to the north and the rear portion of the gasoline selling station area to be occupied for the parking and storage of more than five (5) motor vehicles; that pleasure type cars only shall be stored or parked; that such parking lot may be operated in conjunction with the gasoline station on the southerly portion of the plot, but shall not be deemed an extension of such gasoline station; that the planting and fencing indicated on such revised plans marked "Received March 6, 1945", shall be carried out and complied with; that the gasoline selling area and a portion of the parking area as indicated to the west of the low wall and accessory buildings shall be cement paved; that the balance of the plot to be occupied for parking and storage may be covered with steam cinders, clean gravel or other suitable material, properly bound so as to provide a reasonably smooth surface and surface drainage; that the curb cuts shall be restricted to the two existing curb cuts, one to the south extended as shown to a total of 28 feet and the curb cut to the north with a width of 38 feet; that no portion of the curb cuts shall be nearer than 5 feet to the side lines as extended; that no advertising shall be maintained on the premises, except permanent signs attached to the accessory building, where indicated on plans, except that there may be erected on either end of the plot, a sign post for a supporting sign, which may be illuminated, advertising only the brand of gasoline sold; such sign may be extended beyond the building line for a distance of not more than 4 feet; that such sign at the northerly end shall not be deemed an extension of the gasoline selling area; that on the side lot lines where walls of adjoining buildings do not occur, there shall be maintained a substantial masonry or wood fence not less than 6 feet in height; that such fence shall be of solid boards and kept painted; that the open greasing racks shall be removed and no use shall be made of these premises other than as herein permitted; and that all permits shall be obtained and all work completed within six months from the date of this resolution.

422-39-BZ

APPLICANT—Lama and Proskauer, for Bonded Lien Corporation, owner.

MINUTES

SUBJECT—Application reopened July 25, 1944, for consideration as to extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (422-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 305-313 21st street and 697-705 6th avenue, northwest corner (Block 892, Lot 1), Borough of Brooklyn, was granted by the Board on January 3, 1940, on certain conditions; and

WHEREAS, the permit was extended on April 17, 1942 and the applicant requested a further extension of the permit which had expired by limitation of time; and

WHEREAS, this application was reopened by vote of the Board on July 25, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the variance granted by the Board expired April 17, 1944, and an application for extension of the temporary period was made on July 14, 1944; and

WHEREAS, the requirements of the Board's original resolution were never complied with, although a certificate of occupancy was issued; request for extension of variance was adjourned from time to time for the purpose of obtaining compliance before the Board took further action; a violation is pending against the premises for the use of an illegal frame building occupied by someone on the lot for living quarters.

Resolved, that the decision of the borough superintendent acting on B.N. 13290-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

398-44-BZ

APPLICANT—Raymond Irrera, for Hi Heat Coal and Coke Company, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from office, shed and scale for a coal yard on opposite side of street to office, shed and scale and coal storage yard.

PREMISES AFFECTED—77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens.

APPEARANCES—
For Applicant: Raymond Irrera.
For Opposition: Theodore A. Cordler, Marie Baessler and Mary Mistler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (398-44-BZ)

WHEREAS, Raymond Irrera, for Hi Heat Coal and Coke Company, owner, filed June 27, 1944, an application under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy from office shed and scale for a coal yard on opposite side of street to office shed and scale and coal storage yard affecting premises: 77-08 76th street and 75-12 to 75-20 Edsall avenue, southwest corner (Block 3813, Lot 6), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Edsall avenue is in an unrestricted and business use, D area and 1-times height district and that 75th and 76th streets are in a business and residence use, D area and 1-times height district; and

WHEREAS, the decision of the borough superintendent, dated June 1, 1944, re Alt. Applic. 585-44, reads:

"1. Proposed use of premises located in a business district as a coal storage yard, is contrary to Sec. 4-45 of the Building Zone Resolution. Same not further considered."

and

WHEREAS, the applicant states that the premises consist of a plot 86.79 ft. frontage by 100 ft., irregular, in depth, on which is located an office shed and scale, 24 ft. by 48 ft., irregular, of Class 4 construction, 1 story (14 ft.) in height, and which plot is now used for parking of five motor vehicles owned by the coal company; and

WHEREAS, the applicant contends that the premises consist of a corner plot having thereon a one-story frame office, approximately 12 ft. by 48 ft. 6 in., a coal weighing scale, 12 ft. 6 in. by 21 ft. 6 in. open on three sides, and an open shed 11 ft. 6 in. by 21 ft. for coal boxes, the balance being vacant; that it is proposed to use the portion having a frontage on 76th street of 86.79 ft. and on Edsall avenue of 102.47 ft. for the storage of coal; the 10 ft. strip shown on diagram on Edsall avenue has a granite block curb and is now used as a sidewalk; that it is directly opposite a coal hopper (in same ownership as that under appeal) and a factory building on 76th street; that the Edsall avenue side faces the undercut of the Long Island Railroad; that the applicant seeks a variation of the Zoning Law, to permit the use of coal storage in the vacant portion of the plot for a temporary period of two years; that due to the difficulty in obtaining coal at present, when desired, it is necessary to obtain and receive a supply only when same is available; that the storage facilities are now inadequate to receive the amount of coal that can be obtained during this time of the year, therefore in order to build a reserve to supply the community with coal during the winter months, it is desired to store it on the vacant portion of this site; that it is proposed to build a 10 ft. high tight board fence on all lot lines around the premises; that the entrance and exit to the coal storage yard will be through the scales fronting on 76th street, using the existing drop curb; that there will be no other means of exit or entrance on either street; that the applicant further contends that there are existing nonconforming uses directly opposite the subject property, and also that a portion of the site is used for the office and scales of a coal company operating buildings and premises on both sides of the street and that due to the location fronting railroad property and tracks, the requested use is reasonable and one in keeping with the immediate neighborhood; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 585-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

539-44-BZ

APPLICANT—George W. Swiller, for Morris Rosen, owner (Moncel Trading Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy of a two story building from stores and place of public assembly to cutting and baling of wiping cloths, offices and stores.

PREMISES AFFECTED—1272-1274 Hoe avenue, northeast corner of Freeman street (Block 2987, Lot 1), Borough of The Bronx.

APPEARANCES—

For Applicant: George Swiller and Isaac Schwartz.

For Opposition: Israel Siegel, Mrs. Gross, Sol D. Greenstein, Stella Morrison, Minnie Nieberg, Benjamin Holzberg and Frank L. Trent.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (539-44-BZ)

WHEREAS, George W. Swiller, for Morris Rosen, owner (Moncel Trading Company, lessee), filed September 21, 1944, an application under section 7e of the zoning resolution, to permit in a business use district, the change of occupancy of a two story building from stores and place of public assembly to cutting and baling of wiping cloths, offices and stores affecting premises 1272-1274 Hoe avenue, northeast corner of Freeman street (Block 2987, Lot 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Hoe avenue is in a business and residence use, B area and Class 1½ height district; that Vyse avenue is in a business and residence use, B area and Class 1½ height district and that Freeman street is in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated September 13, 1944 re Alt. App. 259-44, reads:

"2. Proposed use of building for baling is contrary to Article 2, Section 4-(a)20 of Zoning Resolution."

and

WHEREAS, the applicant states the premises consists of a plot, having a frontage of 114½ ft. and a depth of 100 ft., irregular in area, on which is erected a one and two story, Class 3 constructed building, occupied as a public market and stores in the 1st story and place of assembly in the 2nd story; that it is proposed to occupy the 1st story for cutting and baling of wiping cloths and the 2nd story for cutting and office; and

WHEREAS, the applicant contends that the premises is a one and two story, Class 3 non-fireproof building located on a corner plot known as the northeast corner of Hoe avenue and Freeman street; that the one story portion faces on Freeman street and the two story portion on Hoe avenue in a business district; that the building was used as follows: cellar, boiler room under stores on Freeman street with no cellar under two story portion; that the first floor and stores on Freeman street and 1st floor of two story portion was a public market; that the 2nd floor over public market was occupied as public assembly; that the ceilings over stores and public market are wood beams and metal covered, and the ceiling over the 2nd floor and upper portion at rear over 1st floor, fireproof concrete arch and steel; that exits from public market on 1st floor now occupied as cutting of rags and baling, are by two 2 ft. 6 in wide doors at the rear side, facing yard which leads directly to the street and two 2 ft. 6 in. doors at street store front; that the second floor has front side exterior 3 ft. 8 in. wide iron stairs enclosed with masonry walls leading to the street, with one 3 ft. wide door at the 2nd floor and two 2 ft. wide doors at the street level of stairs; that rear side exit from 2nd floor at yard has 3 ft. 8 in. wide iron stairs, that door on 2nd floor for this exit is 3 ft. wide, opening on the above iron stair leading to yard, egress through the same to the street; that the request for this appeal is under 7e of the zoning resolution, to occupy the 1st floor of the 2 story building for cutting of wiping rags, baling room, offices and storage rooms and the 2nd floor for cutting of wiping rags and offices; that the work involved and now operating on these premises for cutting of wiping rags and baling is a Naval facility and essential; that in view of the above facts and its essentiality, it is respectfully requested that permission be granted for the occupancy herein requested; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, it appeared that the use has unlawfully existed since 1942 and has unlawfully included an adjoining vacant lot in the residence district for storage of bales of rags; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 259-44, objection 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

597-44-BZ

APPLICANT—Lama and Proskauer, for Abraham, Morris and Samuel Sorkin, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in an unrestricted and partly in a residence use, C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughterhouse and reconstruction as a gasoline service station and motor vehicle repair shop, without providing the rear yard, required under the provisions of Section 17, Zoning Resolution.

PREMISES AFFECTED—2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3955, Lot 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (597-44-BZ)

WHEREAS, Lama and Proskauer, for Abraham, Morris and Samuel Sorkin, owners, filed October 17, 1944, an application under section 7c of the zoning resolution, to permit partly in an unrestricted and partly in a residence use, C area district the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughter house and reconstruction as a gasoline service station and motor vehicle repair shop without providing the rear yard required under the provisions of Section 17 of the Building Zone Resolu-

tion affecting premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3955, Lot 48), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue is in a business and unrestricted use, C area and Class 1 height district and that Elton street and Linwood street are in a residence and business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated October 10, 1944, and substituted by a decision dated January 18, 1945, on N. B. Application 240-44, reads:

"1. Proposed motor vehicle repair shop, gasoline service station, office, lubritorium and auto laundry on a lot partly in an unrestricted use district and partly in a residential use district, is contrary to Art. II, Sec. 3 of the zoning resolution.

2. Provide rear yard as per Art. IV, Sec. 17 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 99 ft. 4¾ in. frontage by 153 ft. 5 in. in depth; irregular in area, on which is located several one and two story brick and frame buildings and the tanks and pumps for a gasoline service station, repair shop and poultry slaughter house; that it is proposed to demolish all these structures and construct a gasoline service station relocating pumps and erecting a one story, Class 3 constructed repair shop, 50 ft. by 100 ft. in area, with an extension approximately 25 ft. by 78 ft. for office, auto laundry lubritorium across the rear of the lot, omitting the rear yard; and

WHEREAS, the applicant contends that the premises in question has a frontage of 99 ft. 3 in. on Atlantic avenue and 153 ft. 5 in. on Elton street, 100 ft. on the northerly lot line and irregular on the easterly lot line; that at the present time it is improved with a gasoline service station, a poultry slaughter house, erected under N. B. 10840-23, for which certificate of occupancy 21867 was issued; that there is also an automobile repair shop and several frame sheds used for storing wagons and a stable; that it is the desire of the owners to demolish all the buildings and construct thereon a modern building for a gasoline service station and automobile repair shop as shown on plans filed with the application; that this proposed set up will greatly improve the community, as it will eliminate one of the most obnoxious non-conforming uses in the area; that Atlantic avenue is a fast moving highway and the proposed use is suitably adopted, that in view of the foregoing facts, it is respectfully requested that the application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision c of the zoning resolution as to extension of use; and

WHEREAS, the Board deemed that under section 21, the application should be granted as to the required rear yard, inasmuch as no rear yard now exists and the proposed building at the rear replaces a building for similar use with material improvement in conditions as to the abutting premises.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted*, under sections 7c and 21 thereof, to permit the reconstruction of the buildings as proposed, *on condition* that revised plans as indicated at this hearing in the form of working drawings shall be submitted to the Board for further consideration; that such plans shall be submitted within three (3) months from the date of this resolution, and at that time, such conditions deemed necessary and desirable by the Board will be imposed; that after approval of such plans, all permits required shall be obtained and all work completed within one year thereafter.

623-44-BZ

APPLICANT—Lama and Proskauer, for Realty Associates Securities Corp., owner (Whitman Hotel, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, the parking of more than five motor vehicles as an accessory use to a hotel in a business use district.

PREMISES AFFECTED—160-11 89th avenue, north side, 127 ft. west of 161st street (Block 9764, Lot 97), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and J. N. Whitman.

For Opposition: L. Levy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (623-44-BZ)

WHEREAS, Lama and Proskauer, for Realty Associates Securities Corporation, owner (Whitman Hotel, lessee), filed October 27, 1944, an application under section 7h of the zoning resolution, to permit in a residence use district, the parking and storage of more than 5 motor vehicles as an accessory use to a hotel in a business use district affecting premises 160-11 89th avenue, north side, 127 ft. west of 161st street (Block 9764, Lot 97), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 161st street is in a business use, C area and Class 1½ height district; that 89th avenue is in a business and residence use, C area and Class 1½ height district and that 88th avenue is in a business and residence use, C area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated October 23, 1944 re Misc. Applic. 2697-44, reads:

"1. The parking of automobiles in a residence district as an accessory use to a hotel located within a business district is contrary to Art. 2, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 75 ft. frontage by 203 ft. in depth from 161st street, L shaped, and the depth from 89th avenue is 147 ft. on which is located a 7 story, Class 1 construction building, 127¼ ft. by 75 ft., occupied as a hotel, that it is proposed to occupy the balance of the plot for parking and storage of motor vehicles for use of guests of the hotel; and

WHEREAS, the applicant contends that the premises are improved with a seven story fireproof hotel, a two story frame dwelling used for the help, a two car garage at the northwesterly portion of the plot, and the balance of the unbuilt area is used for parking of automobiles for the guests of the hotel; that this parking and storage use has been going on since the hotel was erected in 1927; that permission is requested to legalize the parking and storage of more than five motor vhicles for use of the guests of the hotel; that owing to the lack of garage facilities in this area, this parking lot is highly in demand and is very essential to the hotel and it is therefore respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case

in which to exercise its discretion to grant a variance under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof for a term of five (5) years from the date of this action, to permit upon the unbuilt portion of lot 97 to be occupied for the parking, but not storage of more than five motor vehicles of the pleasure-car type, *on condition* that in all other respects, the premises shall comply with all laws, rules and regulations applicable thereto; that no building shall be erected on this lot during the term of this permit other than the existing buildings as shown on plans filed with this application marked "Received October 27, 1944;" that a substantial woven wire fence shall be maintained along the street building line and along the interior and rear lot lines where walls of adjoining buildings do not occur; that such fence shall be not less than 4 feet in height, as indicated on photographs filed with this application; that the entrance to lot from 89th avenue shall not exceed 12 feet with a curb cut opposite not exceeding 15 feet; that no signs shall be maintained on the premises except a neat sign may be attached to the fence, stating this parking lot is solely for the guests of the hotel, for which no fees are charged; that this variance shall continue only so long as the hotel is in operation and this parking lot is used in conjunction therewith as proposed and as herein permitted; that the plot shall be surfaced with steam cinders or clean gravel, suitably bound and rolled to provide a reasonably smooth surface and surface drainage; that adequate bumpers shall be maintained at all points on the interior and rear lot lines to protect the fence and adjoining buildings from damage, and that all permits required shall be obtained and all work completed within three months from the adoption of this resolution.

691-44-BZ

APPLICANT—Judson E. Schnall, for 8010 Fifth Avenue Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit on a plot located in a business use and residence use, C area, district, the erection of a fur storage vault extending from a business use district into a residence use district, as an extension to an existing business building and not in compliance with the requirements for C area district.

PREMISES AFFECTED—8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Judson E. Schnall and J. Lewis.
For Opposition: W. F. Cahill and Mary M. Smith.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (691-44-BZ)

WHEREAS, Judson E. Schnall, for 8010 5th Avenue Corporation, owner, filed November 30, 1944, an application under Sections 7c and 21 of the zoning resolution, to permit on a plot partly in a business and partly in a residence use, C area district, the erection of a fur storage vault extending from the business use into the residence use district, as an extension to an existing business building and not complying with the C area district requirements, affecting premises 8010-8012 5th avenue, west side, 63 ft. south of 80th street (Block 5989, Lots 46 and 47), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 5th avenue is in a business use, C area and Class 1¼ height district and that 80th and 81st streets are in a business and residence use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated November 17, 1944, on Alt. Applications 3352-44 and 3353-44, superseded by decision of January 9, 1945, reads:

> "1. Proposed extension into a residential zone to be used for commercial occupancy is contrary to Art. II, Section 3 of the Zoning Resolution.
>
> 2. Proposed extension to premises now exceeding 60% of lot area is contrary to Article IV, Section 13 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, having a frontage of 42 ft. and a depth of 130 ft. on which is located a building 42 ft. by 88 ft. in area on the 1st story and 42 ft. by 60 ft. in area above, occupied—1st floor, stores (retail sales); 2nd floor, 1 family; 3rd floor, 1 family and that it is proposed to erect a fur storage vault in the yard, of reinforced concrete 27 ft. by 42 ft., one story, (16 ft. above grade) leaving a 10 ft. rear yard; and

WHEREAS, the applicant contends that the premises has a frontage of 42 ft. on 5th avenue and an average depth of 130 ft.; that the buildings at present have an average depth of 88 ft. on the 1st floor and an average depth of 60 ft. on the 2nd and 3rd floors; that the 1st floor is occupied as stores and the 2nd and 3rd floors by one family on each floor; that it is proposed to erect a one story fireproof reinforced concrete extension at the 1st floor to be used for the storage of furs, that this proposed extension is to have no window openings whatsoever, and no other openings except for access from the present one story brick extension on the front portion of the lot; that a one story brick extension now exists on the northerly side of 8010 5th avenue and a one story cement block garage on the southerly side of 8012 5th avenue, that it is proposed to maintain a 10 ft. rear yard from the rear lot line and the proposed extension will be in line with the present one story extension on the northerly side of 8010 5th avenue; that the line between business and residential runs parallel to 5th avenue and 100 ft. from 5th avenue; that this line divides the proposed extension, diagonally, making one half of the proposed extension in the business zone and one half of the proposed extension in the residential zone; that the owners of the premises now conduct their fur sales at 7818 5th avenue and contemplate moving to this new location; that at present, the furs are storaged in a vault in upper Manhattan and it is a great hardship to transfer the furs daily, as is required; that reconsideration is respectfully requested under Sections 7c and 21 of the zoning resolution to permit the extension of an existing building and conforming use, into a more restricted district, on the basis that it is proposed to safeguard the character of the district by not extending beyond the adjacent structure on the northerly side, and by maintaining a 10 ft. rear yard and having no window openings on any of the lot lines; that no manufacturing of any kind will be carried on in this proposed fur vault; and that said extension is to be used for fur storage purposes only; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution as to area coverage and was, therefore entitled to relief on the grounds of practical difficulty and unnecessary hardships and that this was a proper case in which to exercise its discretion to grant a variance as to extension of use under section 7, subdivision c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the extension as proposed and as indicated on plans filed with this application, *on condition* that a substantial

metal fence, either cyclone type or steel picket, shall be constructed along the parapet continuously from the existing second story along the side and rear lot lines; that such fence shall be not less than 5 feet in height above the lawfully required parapet; that no interior lot line opening shall be constructed or maintained from these premises to those abutting; and, *granted* under section 21, to permit the extension of the building to exceed the permitted lot area, provided the building shall not be further increased in height or area; that a rear yard as proposed and shown shall be maintained unbuilt upon; that the use of the premises shall not be otherwise than as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within one (1) year from the date of this application.

71-45-BZ

APPLICANT—Western Electric Co., Inc., for Metropolitan Life Insurance Co., owner (Consolidated Edison Co. of New York, Inc., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, for a temporary period of two years, the conversion of use of an existing office building to a factory building with an area approximating 35% of the area of the building devoted to manufacturing purposes; the remainder of the building to be used for offices, storage of component materials and parts and cafeteria.

PREMISES AFFECTED—109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan.

APPEARANCES—

For Applicant: George F. Knapp, Mr. Snyder, E. R. Math and J. Williams.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (71-45-BZ)

WHEREAS, Western Electric Company, Inc. for Metropolitan Life Insurance Company, owner (Consolidated Edison Company of New York, Inc., lessee), filed February 14, 1945, an application under section 7e of the zoning resolution, to permit in a business use district for a temporary period of two (2) years, the conversion of use of an existing office building to a factory building with an area approximately 35% of the area of the building devoted to manufacturing purposes; the remainder of the building to be used for office purposes, storage of component materials and parts and cafeteria; affecting premises 109-119 East 16th street and 35-45 Irving place, northwest corner (Block 872, Lot 13), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 16th street, East 17th street, Union Square East and Irving place are in a business use, B area and class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated February 13, 1945 on Alt. Applic. 216-45, reads:

> "1. As premises are located in a business district, manufacturing is limited to 25% of floor space of building or space equal to area of lot, whichever is greater. Sec. 4(c) Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 225 ft. frontage by 146 ft. in depth; on which is located an 11 story and penthouse 161 ft. high class 1 constructed building occupied for offices, that it is proposed to occupy the building for a temporary period for 35% factory work, the remainder for office, storage of component materials and parts, and cafeteria; and

WHEREAS, the applicant contends that the building is of class 1 construction and is constructed of structural steel beams and girders with steel columns and exterior masonry walls; that all of the structural steel is fireproofed by a covering of cement mortar; that the floors consist of plank on wooden sleepers on concrete flat arches; that most of the windows consist of a double hung wooden sash glazed with plain glass lights, except for the 12th floor penthouse, which has windows of wire glass in metal sheathed wooden sash; that there are three interior stairways in this building; that the building has an approved two source automatic sprinkler system and in the event a variation is granted, the applicant will install portable fire-fighting appliances, including an approved fire alarm system; that the applicant has recently been authorized by the U. S. Signal Corps to increase manufacture of Radar and restricted communication equipment in quantities beyond its present manufacturing capacity; that at the present time, in the metropolitan area, the applicant is producing large quantities of this type of equipment and employs skilled key personnel and maintains facilities which will contribute immeasurably to increased production at the proposed location; that the proposed location in Manhattan is desirable in that the proximity of similar operations at other locations in New York City permits the interchange of thoroughly trained supervisory personnel; that there is no other available space which the applicant can obtain or convert for this use; that the applicant has consulted with the Army Corps of Engineers, U. S. Navy Inspector of Naval Material and the Signal Corps for the purpose of obtaining an available factory of the size required and has been advised that there is no space under the control of the Armed Forces which may be released at the present time; that a search has been made by real estate brokers in the metropolitan area to locate suitable space within any area presently zoned for factory use without success; that there are approximately 300,000 sq. ft. gross area in this building which will be adequate for the essential war production contemplated; that the type of work to be performed will be similar to that at the applicant's plant located at 529 West 42nd street, N. Y. C., which consists of assembling prefabricated parts, wiring and testing assemblies and packing the essential products for delivery to the various war theaters; that it is not an objectionable type of factory work; that if this variation is granted, certain alterations of the building will be required to comply with applicable laws, rules and regulations; that preliminary examination indicates that the center stair and center bank of elevators are enclosed in sheet metal partitions; that these would be replaced by new masonry partitions; that inasmuch as the center stairway does not provide egress directly to the exterior of the building, it is proposed that a masonry enclosed corridor will be constructed at the first floor between the stair exit and the exterior exit to the street; that present toilet facilities appear adequate for the proposed occupancy, but should such facilities be found inadequate, additional facilities will be installed in accordance with the provisions of the New York Building Code and State Labor Law; that the entire building will be occupied by the Western Electric Company, for general office, shop employees' lockers, shop offices, employee training classrooms, select stores and other incidental uses as well as actual manufacturing space; that based upon a review of other occupancies of the Western Electric Company in the metropolitan area, the net floor space used directly for actual manufacturing operations will not exceed 35%; that it is therefore requested the Board grant a variation of section 4c of the zoning resolution to permit the use of said premises for factory use exceeding 25% of the floor area for a period of two years; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7e thereof, for a term of two (2) years from the date of this action, to permit the factory use throughout the building as proposed, provided such factory use shall at no time occupy more than 35% of the total floor area of the building; that in all other respects, the building and occupancy shall be made to comply with all laws, rules and regulations applicable thereto, including zoning, building code requirements and the New York State Labor Law; that in the event the building is made to comply with the law as herein required, it may be listed as a building in which the amount of manufacturing space as permitted in a business use district, in which the building is now located, may be continued.

APPEALS FROM ADMINISTRATIVE DECISIONS

596-44-A

APPLICANT—Thirty Central Park South, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—30 Central Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.
APPEARANCES—
For Applicant: Francis A. O'Neill.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over, no date set.

686-44-A

APPLICANT—Smith, Hinchman and Grylls, Inc., lessee, for National City Bank of New York, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—52 Wall street, north side, 99.4 ft. east of William street and 51 Pine street (7th to 11th floors, inclusive); (Block 40, Lot 12), Borough of Manhattan.
APPEARANCES—
For Applicant: Gerald A. Cartier.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (686-44-A)

WHEREAS, Smith, Hinchman and Grylls, Inc., lessee, for National City Bank of New York, owner, filed November 29, 1944, an appeal from an order of the fire commissioner, affecting premises 52 Wall street, north side, 99.4 ft. east of William street, running through to 51 Pine street (7th, 8th, 9th, 10th and part of 11th floor); (Block 40, Lot 12), Borough of Manhattan; and

WHEREAS, order 39658-LC, issued by the fire commissioner, November 1, 1944, reads:

"1. Remove the refrigerating machines (Water coolers) containing 1½ lbs. of Freon in each machine from halls of building on the 7th, 8th, 9th, 10th and 11th floors, as per Sec. C19-96.0.4 of the Administrative Code of the City of New York."

and

WHEREAS, the applicant states that the building is 32 stories (403 ft. 4 in.) in height, 45 ft. front on Wall street, 88 ft. front on Pine street and a depth of 194 ft., of class 1 construction, erected in 1928, located in a business use, B area, class 2½ height district, and used and occupied as follows: basement C—storage and vaults—20 persons; basement B—same—24 persons; basement A—same—60 persons; 1st floor—bank—80 persons; 2nd and mezzanine—bank—150 persons; 3rd, 4th, 5th, and 6th stories—vacant; 7th to 31st floors—offices, 100 persons on the 7th floor, 111 persons on the 8th, 128 persons on the 9th floor, 138 persons on the 10th floor, 180 persons on the 11th floor, 165 persons on the 12th floor, 90 persons each on the 13th to 17th floors, 75 persons each on the 18th to 27th floors, 60 persons each on the 28th to 31st floors; 32nd floor—storage—no persons; 33rd floor—storage and machine rooms—no persons; and

WHEREAS, the applicant contends that it occupies the entire 7th, 8th, 9th, 10th and part of the 11th floors for research and service parts procurement, for the U. S. Navy; that it maintains a staff of 509 persons; that in order to maintain the efficiency of the staff, the applicant has installed water coolers as indicated on plans filed with this appeal; that the refrigerant employed in these coolers is non-toxic, non-irritant and non-inflammable; that the entire floor space occupied by the applicant is so partitioned as to allow sufficient ventilation to counteract any gases which might emanate from the refrigerating machinery; that the coolers are installed in the only feasible location; that there is no water piping in any of the columns or the walls within or enclosing the general office space occupied by the applicant and its staff; that to relocate the water coolers would necessitate the erection of new partitions, reinstallation of the water coolers requiring the cutting of solid concrete floors, all of which would result in practical difficulties and unnecessary hardship and interfere with the efficiency of the applicant's staff; that its efficiency is absolutely essential and imperative; that the occupancy is of a temporary nature.

Resolved, that the decision of the fire commissioner, as to Order 39658-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the 7th, 8th, 9th and 10th floors shall be occupied as a whole by the present lessee, and granted as to the 11th floor, provided the water cooler of the type proposed is located within the space occupied by such tenant or is located within a toilet room and not within the public corridor; that the ventilation of the floors as proposed, in addition to the natural ventilation, shall be maintained.

85-45-A

APPLICANT—Gerson T. Hirsch, for West Disinfecting Co., and City of New York, owners (West Disinfecting Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—42-17 West street (Barn street), east side, 60.84 ft. south of Jackson avenue (1st and mezzanine floors); (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens. (Under section 35 General City Law—re bed of mapped street—West street.)
APPEARANCES—
For Applicant: Gerson T. Hirsch and George H. Heuer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and J. Haney, Board of Estimate.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (85-45-A)

WHEREAS, Gerson T. Hirsch, for West Disinfecting Company and the City of New York, owners, filed February 21, 1945, an application pursuant to section 35 of the General City Law for permission to erect a building, a portion of which will encroach upon a mapped street—West (Barn) street, af-

fecting premises 42-17 West street, east side, 60.84 ft. south of Jackson avenue (Block 263, Lots 1, 4 and 12), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated February 16, 1945 on N. B. 52-45 reads:

> "1. As this proposed building is partially in the bed of a mapped street, secure permission for the erection of this building from the Board of Standards and Appeals as per Art. 3, sect. 35 of General City Laws."

and

WHEREAS, the applicant was advised that the appeal was improperly brought, inasmuch as the Board is without power to permit the structure as proposed within the lines of an existing opened street.

Resolved, that the appeal be and it hereby is withdrawn.

MATERIAL SUBMITTED FOR APPROVAL

742-44-SM

APPLICANT—Porete Mfg. Co., owner.
SUBJECT—Porete Manufacturing Company's Porex Slabs, size 80 in. x 20 in. x 1¾ in., approval of.
APPEARANCES—
For Applicant: Ernest Walter.
ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (742-44-SM)

WHEREAS, Porete Mfg. Co., owner, filed on December 21, 1944, an application with the Board of Standards and Appeals for approval of the material known as Porete Manufacturing Company's Porex Slabs, size 80 in. x 20 in. x 1¾ in.; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

February 23, 1945

Cal. 742-44-SM
Subject: Porex Slabs, size 80 in. x 20 in. x 1¾ in., approval of.

The Porete Manufacturing Company of North Arlington, New Jersey, filed an application with the Board of Standards and Appeals for the approval of their Porex Slabs for use in roof construction under the mandatory requirements of C26-178.0,b for loads as permitted under tests as prescribed in C26-626.0 and for live loads not in excess of 40 lbs. per sq. ft. when used in either roofs or floors, with dead loads not to exceed 20 lbs. per sq. ft.

Description

Porex Slabs are manufactured in widths of 20 in., lengths up to 80 in. and in a thickness of 1¾ in. of wood fiber, high early strength portland cement with certain chemicals to mineralize the wood fiber. Two bags of cement are thoroughly mixed with not more than 150 lbs. of wood fiber, and the necessary quantity of water and chemicals for not less than ten minutes to produce a uniform coverage of the wood fiber with cement. The mixed cement and wood fiber is deposited in a uniform layer in accurate moulds. The quantity for each slab is weighed so as to produce a slab with a weight of not less than 4 lbs. per square foot when airdried. After this the slabs are compressed and subjected to a pressure of not less than 5 tons for each slab, at which pressure the slabs set overnight so that they can be removed from the moulds the next day. After the slabs are removed from the moulds, they are cured at a temperature of not less than 70 degree F. for not less than four days before they are removed to the yard. When these slabs are erected on roofs or floors, they are always covered with a 1:3 cement grout finish not less than ¼" thick. This grout is applied wet, the surplus water being absorbed by the Porex Slabs. These slabs are supported in metal rails having not less than ⅝" bearing along each edge or over beams having a width of not less than 2¾ in. The applicant proposes to supervise erection of the slabs and the application of the cement finish over the surfaces.

Test

Transverse bending tests upon the applicant's material were made in November 29, 1935, at Columbia University, Report No. 2412, as follows:

Description of Test Specimens

The Porex test slabs were 1¾ in. thick, 26¾ in. long, and 20 in. wide. Specimens numbered 1, 2, 7, 8, 13 and 14 were plain, i.e., without cement mortar finish. Specimens 3, 4, 9 and 10 had a finish of cement mortar ½ in. thick on the top surface of the Porex. On specimens 5, 6, 11 and 12, a 1" cement mortar finish was placed on the top surface of the slab. The cement mortar finish was applied to the slabs at the plant of the Porete Company.

Method of Test

The slab was placed on 4 in. I-beam supports having a flange width of 2¾ in. The distance c-c of supports was 25 in., while the clear span was 22¼ in. approximately. Load was applied at the third points through I-beams extending across the full width of the slab. Two of each type of slab described above were tested in a wet condition after having been immersed in water for 40 hours.

Results of Transverse Bending Tests

The results of the transverse bending tests made upon Porex slabs as described above are contained in the following tables:

Transverse Bending Tests

Table I

Material—Porex slabs with and without cement mortar finish. Thickness of Porex alone 1¾ in.

How Tested—Dry. Third point loading. Span 25 in. c-c of supports.

Test No.	62105	62106	62107	62108	62109	62110
Slab No.	1	2	3	4	5	6
Wt. of slab, lbs.	22.2	21.0	45.5	47.9	65.0	63.5
Thickness of finish, ins.	0	0	½	½	1	1
Width of slab, ins.	20	20	20½	20¼	20¼	20¼
Total thick. of slab, ins.	(1¾)		(2¼)		(2¾)	
Max. load, lbs.	1100	1380	2400	3490	3090	4410
Allowed load*, # sq. ft.	79	99	172	250	216	318

Table II

Material—Porex slabs with and without cement mortar finish. Thickness of Porex alone 1¾ in.

How Tested—Wet after immersion in water for 40 hrs. Third point loading; span 25 in. c-c of supports.

Test No.	62111	62112	62113	62114	62115	62116
Slab No.	7	8	9	10	11	12
Wt. of slab, lbs.	30.8	25.5	49.6	48.6	72.8	68.5
Thickness of finish, ins.	0	0	½	½	1	1
Width of slab, ins.	20¼	20	20⅛	20	20¼	20⅛
Total thick. of slab, ins.	(1¾)		(2¼)		(2¾)	
Max. load, lbs.	810	940	2420	2100	3870	2520
Allowed load, #/sq. ft.	58	67	174	151	420	181

Table III

Material—Porex slabs without cement mortar finish.
How Tested—Dry. Third point loading. Span 21 in. c-c, of supports.

Test No.	62117	62118
Slab No.	13	14
Wt. of slab, lbs.	18.8	20.0
Width of slab, ins.	20⅛	20
Thick. of slab, ins.	(1¾)	
Max. load, lbs.	1180	1180
Allowed load, #/sq. ft.	84	84

Additional transverse bending tests were made under the supervision of the Committee of the Board, consisting of Commissioners Bernard A. Savage and Charles M. Blum, at the applicant's plant upon the same material when placed in the metal rails having a bearing of 5/8's of an inch along each edge in contact with the bottom flange of the rails as follows:

Five slabs of Porex measuring 36⅛ x 20⅜ x 1⅞ and 36⅛ x 20⅜ x 2⅛ in. Cleaned edges 3/16 in. cement finish on top.

Test platform, one weighing 53 lbs., other 50 lbs with additional platform on top

45# Slab #1		48¾# Slab #2		46# Slab #3**		41½# Slab #4		47# Slab #5**	
Load	Defl.	Load	Defl.	Load	Defl.	Load	Defl.	Load	Defl.
*100#	7/8	103	5/16	98	¾	98	⅜	103	13/16
194		193	5/16	193		193		198	
290	7/8	293		288	¾	288	⅜	293	13/16
384	7/8	398		383		383	7/16	388	
479		483	5/16	478		478		483	13/16
573		578		573		573		578	
668	29/32	673	⅜	668	13/16	668	7/16	673	13/16
762		768		763		763		768	
857	15/16	863	⅜	858	13/16	858	8/16	863	7/8
952		958		953		953		958	
1048	15/16	1053	⅜	1048	13/16	1048	½	1053	7/8
1143		1148		1143		B1143		1148	
1241	15/16	1243	⅜	1238	13/16			1243	7/8
1339		1338		1333				1338	
1438.5	31/32	1433	7/16	1428	—7/8			B1433	15/16
B1530.5		1528		B1523					
B1628		1623	7/16						
Last bag only half on		B1718	½	Broke after 1 min.				Broke after 38 seconds	

* Initial Load B broke. Loading by 95# Cement bags, Slabs 2, 3, 4, 5.
Loading by 95# Actual weighed bags slab #1.

** Slab #3—left hand 7/16 in. bearing surface.
right hand 11/16 in. bearing surface.

Slab #5 Bearing surface in contact with slab at corners measured ½" and ½" along one edge and ⅜" and ¼" along other edge.

These represented the least optimum bearing conditions.

Summary of Loads

Slab No.	Weight of Slab #	Breaking Load #	Def.	Allowed Load per sq. ft. #
Slab #1	45	1628	31/32	81
Slab #2	48¾	1718	½	85
Slab #3	46	1523	7/8	76
Slab #4	41½	1143	½	57
Slab #5	47	1433	15/16	72

Allowed load obtained by dividing the load by the area in sq. ft. and applying the simple span fraction as provided in C26-626.0 for the testing of construction, which cannot be calculated by accepted procedures. Average area of each slab taken as 5 sq. ft. is computation.

Specimen No. 1.

			Average
Before start of test.	Temp. at top	1200°F.	
	Temp. at bottom	1350°F.	1275°F
After 1½ min.	Temp. at top	1400°F.	
	Temp. at bottom	1120°F.	1260°F
After 3½ min.	Temp. at top	1450°F.	
	Temp. at bottom	1190°F.	1320°F
After 4 min. 50 sec.	Temp. at top	1370°F.	
	Temp. at bottom	1260°F.	1315°F

Conditions after test. Change in color at the bottom, smoked up on sides, wood distillation odor. No flame, no glow and very little smoke.

Wt. before 486.1 gr.
Wt. after 454.9 gr. } 6.4% loss.

Specimen No. 2.

Specimen was suspended in the furnace immediately after 1st test.

Temp.	Top	Bottom	Average
Temp. start	1200°F	1600°F	1400°F
Temp. 1 min.	1190°F	1000°F	1395°F
Temp. 2½ min.	1550°F	1850°F	1700°F
Temp. 3½ min.	1580°F	1980°F	1780°F
Temp. 4 min. 50 sec.	1570°F	1750°F	1660°F

The applicant also furnished data of a fire test, Columbia Report No. 2412, predicated upon the Columbia temperature curve for a period of 40 minutes. However, inasmuch as the requirements of the Administrative Code under C26-88.0, provide for test to determine the incombustibility of materials, and accordingly such tests were performed at the laboratories of the Protexol Corporation, Kennilworth, New Jersey, and witnessed by a representative of the Board, Frank Howard. Two samples, approximately 5 by 6 by 1¾ in. were placed in a furnace and exposed to a temperature of 1200 deg. F. for a period of 5 minutes, as follows:

Conditions after test: No flame, no glow, very little smoke, no odor. Blackened at bottom and smoked on sides.

Wt. before 464.4 gr.
Wt. after 428.5 gr. } loss 7.5%

35.9 gr.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of Porex Slabs as described herein for use in simple spans and as manufac-

tured by the Porete Manufacturing Company under C26-191.0.a for use as an incombustible material having met the requirements of C26-88.0, which however shall not include the use of this material as a wall, floor or roof system where a fire resistive rating is required. Approval is also recommended for the use of this material in Class 1 and Class 2 construction under C26-618.0 where the protective covering is permitted to be omitted, from trusses, beams and subpurlins and where, a clear height of at least 20 ft. exists between the lower cord of the trusses and the top of the floor and for live loads of 40 lbs. per sq. ft. for human occupancy under C26-344.0 and roof loads as provided in Section C26-347.0, provided that no fire resistive rating is required of such uses.

It is further recommended that Porex Slabs shall be placed on spans not exceeding 24", when metal rails are used and 26¾", when wood or steel joists are used, shall weigh not less than 4.0 lbs. per sq. ft. exclusive of cement finish and shall be placed in metal in rails having an edge bearing of not less than ⅝" or over horizontal supports having a width of not less than 1¾ in. and not less than one-fourth in. of cement finish consisting of one part of cement with no more than 2 parts of sand shall be placed over the Porex surfaces, and on the further condition that all erection work be under the supervision of the applicant, and that each bill of lading carry a stamp reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 742-44-SM.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Porete Manufacturing Company's Porex Slabs, size 80 in. x 20 in. x 1¾ in. *on condition* that the material be manufactured, used and labelled in accordance with the above report.

Adjourned: 12:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 6, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

514-44-A

APPLICANT—N. Denner, for United Metal Box Co., Inc., owner.

SUBJECT—Application reopened February 27, 1945—appeal from a decision of the borough superintendent.

PREMISES AFFECTED—168-186 7th street, south side, 100 ft. west of 3rd avenue (Block 996, Lots 21 to 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Denner.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (514-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 168-186 7th street, south side, 100 ft. west of 3rd avenue (Block 996, Lots 21 to 28), Borough of Brooklyn, was granted by the Board on November 14, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this appeal was reopened and restored to the calendar February 27, 1945, to permit reconsideration based on an additional decision issued by the borough superintendent, under B. N. Notice Applic. 727-44, which decision reads:

"3. Projection of screens for windows, beyond building line is contrary to 2.4.1.1 of the Code."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 14, 1944, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on B.N. Applic. 727-44, and that the appeal be and it hereby is *granted on condition* that no panic bolts shall be installed on any doors other than the three doors opening from the first floor to 8th street; that such panic bolts shall be of an approved type; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 513-44-A.

"Resolved further, that two of the doors hereinbefore referred to as opening from the first floor to 8th street may have sill approximately 18 in. above street grade, provided a step beyond the building line is constructed and maintained as permitted by the Code, and *withdrawn* as to Objection 3."

601-44-A

APPLICANT—Frank J. Ross, for Cora Koch, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—340 Casanova street, east side, 150 ft. south of East Bay avenue (first floor); (Block 2774-A, Lot 185), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank J. Ross.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (601-44-A)

WHEREAS, Frank J. Ross, for Cora Koch, owner, filed October 20, 1944, an appeal from a decision of the borough superintendent, affecting premises 340 Casanova street, east side, 150 ft. south of East Bay avenue (1st floor); (Block 2774-A, Lot 185), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated October 3, 1944, on N.B. Applic. 43-44, reads:

"5. One story Class 3, non-fireproof commercial building with one street frontage exceeding 10,000 sq. ft. in area, is contrary to Sec. 4.2.1 of the Building Code and C26-254.0 of the Administrative Code."

and

WHEREAS, the applicant states the building will be one story (23 ft.) in height; 125 ft. 4¾ in. by 97 ft. 4 in. in area, of Class 3 construction; located in an unrestricted use,

A area, Class 2 height district, and used for the storage of crane compressors, tools, etc., with an occupancy of 10 persons; and

WHEREAS, the applicant contends that the storage of contractor's equipment and adequate repairs necessitate the area shown on the plans for the proper handling of equipment; that the owner is a contractor for erecting steel and he will occupy the building himself.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 43-44, Objection 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area, and granted only so long as the building is used as proposed and complies in all other respects with all laws, rules and regulations applying to its use and occupancy, and that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct.

612-44-A

APPLICANT—Ronzoni Macaroni Co., Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—36-20 Northern boulevard, southwest corner of Hulst place (1st floor); (Block 214, Lot 21), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Alfred Weiner and Ernest Ronzoni, Jr.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (612-44-A)

WHEREAS, Ronzoni Macaroni Co., Inc., owner, filed October 28, 1944, an appeal from an order of the fire commissioner, affecting 36-20 Northern boulevard, southwest corner Hulst place (1st floor); (Block 214, Lot 21), Long Island City, Borough of Queens; and

WHEREAS, Order 13529-LF, issued by the fire commissioner September 28, 1944, reads:

"3. Remove panic bolts 1st story to street; arrange doors to open both sides. Section 272 of the Labor Law."

and

WHEREAS, the applicant states the building is 5 stories (65 ft.) in height; 180 ft. by 81 ft. in area; of Class 1 construction; erected 1925, located in an unrestricted use, A area, Class 1½ height district and used and occupied since 1925 for manufacturing macaroni with 11 persons in the cellar, 5 persons on the 1st floor, 30 persons on the 2nd floor; 9 persons on the 3rd floor, 160 persons on the 4th floor and 3 persons on the 5th floor; that the building is equipped with a one source sprinkler system and a standpipe system; that there are two 3 ft. 9 in. reinforced concrete fireproof enclosed stairs leading from the roof to the street; and

WHEREAS, the applicant contends the building is equipped with an ADT fire alarm station system throughout; that the doors in question are at the foot of the stairways in the building; that the building is used for the manufacture of food products and the entire building is occupied by the owner; that a watchman is maintained on the premises when the building is closed and makes regular inspection tours throughout the night, which are recorded with the A.D.T. service; that to prevent prowlers entering the building, it is necessary to keep the doors closed from the outside; that if the panic bolts were discontinued, the owner would be required to have two additional watchmen at these doors; that at the present time, a watchman is maintained at the street level, center door, and this door is kept open and not equipped with panic bolts; that if the doors in question are not equipped with panic bolts or provided with a watchman, the products would be subject to acts of michief and vandalism from outsiders; and it is therefore requested that the Board permit the continuance of the use of panic bolts.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in an order of the fire commissioner acting on Order 13529-LF, Objection 3, and that the appeal be and it hereby is *granted on condition* that no panic bolts shall be installed or maintained on any doors except the east end stair tower door to the street, and west end stair tower door to the street, as indicated on plans filed with this appeal marked "Received October 28, 1944," *on condition* that such panic bolts shall be of approved type; that the use of these panic bolts may continue only so long as the building is occupied for the purpose as set forth by one occupant throughout the building and the sprinkler and standpipe systems are maintained to the satisfaction of the fire commissioner, and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

617-44-A

APPLICANT—Beard's Erie Basin, Inc., owner (International Freighting Corp., Inc., lessee).
SUBJECT—Appeal from a decision and an order of the fire commissioner.
PREMISES AFFECTED—Pier 2, west side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Ernest W. Congdon, Jr.
For Administration: Thomas A. Larkin and Daniel P. Lenihan, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (617-44-A)

WHEREAS, Beard's Erie Basin, Incorporated, owner (International Freighting Corporation, Inc., lessee), filed on November 1, 1944, an appeal from an order of the fire commissioner, affecting Pier 2, west side of Columbia street, 1830 ft. south of Halleck street (Block 613, Lot 1), Borough of Brooklyn; and

WHEREAS, Order 12699-LF, issued by the fire commissioner April 26, 1944, reads:

"1. Install an approved automatic dry sprinkler system throughout the pier having at least one source of water supply. Note: Plans and specifications to be filed with and approved by the Department of Marine and Aviation before work is commenced. Section C19-161.0 Administrative Code, and as per resolution Board of Standards and Appeals. 460-32-A."

and

WHEREAS, a subsequent decision of the fire commissioner, dated August 3, 1944, reads:

"This is to advise you that recent inspections made of the above mentioned pier indicate that the conditions as to occupancy and use have substantially changed since the modification waiving the sprinkler system was granted by the Board of Standards and Appeals on October 21st, 1930.

In your application to the Board you stated that the incoming cargoes consisted principally of raw cocoa beans and outgoing cargoes being principally machinery, steel and iron and case goods.

The latest inspection indicates that the material now stored on the pier is of a more hazardous nature. Therefore, the modification granted by the Board is no longer effective and it will be necessary for you to comply with Order 12699-LF or file an appeal from this decision with the Board of Standards and Appeals requesting a further modification.

You are requested to advise this office what action you have decided to take so that we may mark our records accordingly."

and

MINUTES

WHEREAS, a decision of the fire commissioner dated October 27, 1944, reads:

"This is to advise you that your request for reissuance of Order 12699-LF is denied as it is not the policy of this Department to reissue violation notices."

and

WHEREAS, the applicant states the building is one story (34 ft.) in height to peak; 100 ft. by 854 ft. in area; of Class 5 construction, equipped with a standpipe system; erected 1922; located in an unrestricted use district and used for freight in transit; and

WHEREAS, the applicant contends that the lease does not permit the lessee to store hazardous cargo on the pier; that the lessee has abided by these provisions although occasionally hazardous cargo may have been handled in transit across the pier; that since the inception of the National Emergency, the War Shipping Administration has played an increasing part in the operation of piers and the requirements of the War Shipping Administration have burdened the lessee with the necessity of handling in transit across the pier occasional cargoes which may have been hazardous but which were not explosive; that all these cargoes are packaged cargoes in accordance with the Interstate Commerce Commission requirements and were on the pier only during transit; that the pier is subject to daily inspections by the Coast Guard, the Fire Department, representatives of the lessee and various municipal agencies; that where cargoes were deemed hazardous by the Coast Guard, supplemental fire protection has been provided; that the pier now maintains an adequate and approved standpipe system, auxiliary fire extinguishing equipment, including three 40 gallon chemical extinguishers, foam fire extinguisher, 26 fire bucket tanks, numerous sand boxes and self-closing metal lined rubbish bins and A.D.T. fire alarm system, A.D.T. watchmen's service, a fire brigade, and two men with Fire Department certificates of fitness, adequate pier guard service around the clock, for both shore and river ends of the pier, that vessels using this pier are War Shipping Administration vessels and usually are outfitted with satisfactory fire extinguishing equipment; that at the time of the hearing by the Board on Cal. 462-30-A, there was no contemplation of a National Emergency, that however, the installation of a standpipe system and other requirements of the Board's resolution has developed a security for this pier; that the applicant does not wish to find fault with the Fire Department's determination that the material now stored on the pier is of a more hazardous nature; that such material that may be deemed hazardous has been at the instance of the War Shipping Administration; that title C of Section C19-4.0 of the Administrative Code recognizes the special status of articles shipped in conformity with the I.C.C. regulations and to military and naval forces of the U. S.; that there does appear to be some doubt which may place the applicant in a position as to the Fire Department and in conflict with the Department of Marine and Aviation; that this is due to the specific requirements of Section C-19-161.0, which relates solely to materials requiring manual operation and not to structural changes such as the installation of an automatic sprinkler system; that in view of the special circumstances herein referred, it is requested that the order of the fire commissioner be modified for the duration of the National Emergency; and

WHEREAS, the record indicates that there is also outstanding an order of the Fire Commissioner to install 10" x 10" hose openings in the pier floor which has not been complied with; and

WHEREAS, the Board deemed that the same procedure should be followed as in the appeals brought by the New York Dock Co. (555-44-A and others) now subject to court review, by denying the appeal.

Resolved, that the order of the fire commissioner acting on Order 12699-LF, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

752-44-A

APPLICANT—Sidney Daub, for Ten West Twenty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—9 West 19th street, north side, 195 ft. west of 5th avenue (2nd to 5th floors, inclusive); (Block 821, Lot 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed, as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (752-44-A)

WHEREAS, Sidney Daub, for Ten West Twenty Corp., owner, filed December 29, 1944 ,an appeal from a decision of the borough superintendent, affecting premises: 9 West 19th street, north side, 195 ft. west of Fifth avenue (2nd, 3rd, 4th and 5th floors); (Block 821, Lot 33), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 14, 1944, relating to Violation 5330-40, reads:

"In reply to your letter of December 4, 1944, relative to means of egress from above stated premises in rear of 6 and 8 West 20th Street, you are advised that we have no record in this department showing present egress from rear fire escape was ever accepted."

and

WHEREAS, Violation 5330-44, issued July 7, 1944, reads:

"Sec. 274—Doors leading to rear fire escape are not self-closing on all floors and safe egress from termination of fire escape is not provided as required by law.

Sec. 272—Exit signs and red lights to indicate both means of exit are not provided on each floor as required by law."

and

WHEREAS, the applicant states the building is 5 stories (53 ft.) in height, 25 ft. by 86 ft. in area at 1st story; 25 ft. by 52 ft. in area at typical floor; of Class 3 construction; erected in 1903; located in an unrestricted use, B area district; Class 2 height district; used and occupied as follows: Cellar, boilerroom and kitchen, 5 persons; 1st floor—restaurant, 150 persons; 2nd floor, manufacturing knitwear, 5 persons; 3d floor—vacant; 4th floor—custom tailor, 7 persons; 5th floor—vacant; proposed to be used and occupied as follows: Cellar, same; 1st floor—same; 2nd floor—manufacturing knitwear, 6 persons; 3rd floor, manufacturing clothing, 7 persons; 4th floor—custom tailor—7 persons; 5th floor—manufacturing clothing—7 persons; that the building is equipped with interior fire alarm system and fire drills are maintained; that there is one 3 ft. wide wood stairs from the roof bulkhead to the street, enclosed in partitions of wood studs, lath and plaster, equipped with fireproof, self-closing doors; and one fire escape at the rear, leading to the roof by stair, with egress from its termination over adjoining easterly and northerly extension roof and through easterly and northerly building; and that windows on the course of fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the only matter involved is egress from the termination of the fire escape; that all other items of Violation 5330-44 will be complied with; that the use of the building is of a non-hazardous nature and the building will have a small occupancy above the first floor; that the building has been used for manufacturing since its erection; that the fire escape at the rear extends from the second story extension roof to the roof of the building, and is equipped with fireproof, self-closing casement doors on each floor; that egress from termination of fire escape at 2nd story consists of a 3 ft. wide iron bridge from the extension roof of the building in question, to the extension roof of Nos. 6-8 West 20th street, which building has an exterior stairway with egress from termination over the extension roof of building in question; and that additional egress can

be had by a 60 degree stair from the extension roof at the 3rd story of the building in question to the adjacent second story roof of the building to east at No. 7 West 19th street; that the records of Division of Fire Prevention of the Fire Department, indicate that the fire escape and the egress from its termination was accepted by the Bureau of Buildings in 1920 as complying with Order 71194-LD; that in view of the small area of the building and the light occupancy and that egress is now provided from the termination of the fire escape, the Board is requested to accept the existing condition; and

WHEREAS, applicant has filed a communication dated September 11, 1944, addressed to him by the Division of Fire Prevention, which reads:

"In reply to your letter in reference to our records on the fire escape located on the rear of the above premises, you are advised that a fire escape on the rear of the building was altered to comply with our Order 71194-LD and approved by the Bureau of Buildings in 1920. The plans or records of the present Department of Housing and Buildings should show the means of egress from the second story balcony."

and

WHEREAS, it appears for the record that the existing fire escapes were never lawfully approved; and

WHEREAS, in the opinion of the Board plans should be filed with the Borough Superintendent.

Resolved, that the appeal be and it hereby is *dismissed*, as being improperly before the Board.

1-45-A

APPLICANT—Judson E. Schnall, for Jacob B. Plotkin, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn.
APPEARANCES—
For Applicant: Judson E. Schnall.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (1-45-A)

WHEREAS, Judson E. Schnall, for Jacob B. Plotkin, owner, filed January 2, 1945, an appeal from a decision of the borough superintendent, affecting premises: 1319 50th street, north side, 140 ft. east of 13th avenue (1st floor); (Block 5642, Lot 70), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated December 12, 1944, on Alt. Applic. 3547-44, reads:

"1. Changing occupancy from residence to public use in a frame bldg. is contrary to Section 2.1.3.5 and 4.2.1 of Bldg. Code."

and

WHEREAS, the applicant states the building is 2½ stories (33 ft.) in height, 24 ft. by 48 ft. on 1st floor; 24 ft. 2 in. by 38 ft. in area on the 2nd floor; Class 4 construction; erected in 1916; located in a residence use, C area, Class 1 height district; and used and occupied as a one family dwelling and doctor's office; proposed to be used as follows: Cellar, ordinary storage, toilet facilities; 1st floor—synagogue, prayer room, 90 persons; 2nd story and attic—caretaker's apartment; that the building is equipped with one 3 ft. wide wood stairs, enclosed in one-hour partitions; equipped with self-closing doors and leading directly to the street, and proposed to be equipped with one fire escape at the rear with drop ladder to the yard, with egress therefrom to the street through a driveway; and

WHEREAS, it is proposed to alter the building as follows: the interior cellar stairs will be enclosed in 4 in. terra cotta blocks with fireproof, self-closing door at the bottom; that the cellar ceiling will be fire-retarded with ½ in. plaster boards and two coats of gypsum mortar; that the first tier of beams will be reinforced to sustain a live load of 100 lbs.; that the first floor ceiling will be fire-retarded with perforated gypsum lath and two coats of gypsum mortar; that an additional exit will be provided from the 1st floor by a 3 ft. doorway on the westerly side of the building; that the stairs to the upper floor will be enclosed in fire-retarded partition, and that a regulation fire escape will be erected on the rear wall of building from the upper floors; and

WHEREAS, the applicant contends that the building is fully detached, with 7 and 9 ft. wide side courts and sets back 20 ft. from the building line; and that it is proposed to properly safeguard and fire-retard the area affected and the Board is therefore requested to give favorable consideration to this appeal; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed after inspection, that the appeal should not be granted, as no basis has been presented to justify a variance of the requirements.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 3547-44, Objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

59-45-A

APPLICANT—Henry George Greene, for 3164 Park Avenue Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—851-863 Courtland avenue and 313 East 160th street, northwest corner and northeast corner of Park avenue and East 160th street (ground and 1st floors); (Block 2419, Lot 28), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (59-45-A)

WHEREAS, Henry George Greene, for 3164 Park Avenue Corporation, owner, filed February 6, 1945, an appeal from a decision of the borough superintendent, affecting premises: 851-863 Courtland avenue and 313 East 160th street, northwest corner and northeast corner of Park avenue (ground and 1st floors); (Block 2419, Lot 28), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated February 1, 1945, on amendment to Alt. Applic. 634-44, reads:

"12. Exits must comply with Sections 270 and 272 of the Labor Law."

and

WHEREAS, the applicant states the building is one and two stories (28 ft.) in height; 58 ft. by 194 ft. and 58 ft. by 167 ft. in area; Class 3 construction; erected in 1922; located in unrestricted and business use, B area, Class 1½ height district; used and occupied as a non-storage garage (now vacant); proposed to be used and occupied as follows: ground floor, storage and shipping, 5 persons; 1st floor, manufacturing ceramic clay models, 30 persons; that the building is equipped with a standpipe system, two 3 ft. wide interior iron stairs and with a ladder and scuttle to the roof; and

WHEREAS, the applicant states that the building is of two-story construction; the first story (ground floor on plans) starts at the level of the Courtlandt Avenue grade and the

second (1st floor on plans) starts at the level of the Park Avenue grade; that there are at present two 3 ft. wide steel stairways leading from 1st to 2nd stories, one at each end of the building; that it is proposed to maintain them as a means of egress from both stories, said stairways to be fully enclosed with 6 in. terra cotta blocks and with fireproof, self-closing doors, enclosures to terminate at roof level of present building; that a scuttle and stationary iron ladder will be provided within each stair enclosure for access to the roof; and

WHEREAS, the applicant contends that the building is actually a combination of two one-story structures, as each has a means of exit directly to the street; that the first floor tier of beams is fireproof; that the framing around the present stairways is of such a nature that any requirement to widen these stairs or change them in any manner would involve a material change in construction without adding to the effectiveness of these exits; that the proposed occupancy does not involve more than 40 persons for the entire building and the present means of egress are adequate for this number; it is therefore requested the Board grant permission for the occupancy as proposed, with the present stairways and new enclosures as indicated on plans filed with this appeal.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, acting on Alt. Applic. 634-44, objection 12, and that the appeal be and it hereby is *granted on condition* that the existing stairways shall be enclosed as proposed and as indicated on plans filed with this appeal marked "Received February 6, 1945," showing proposed conditions, and that a scuttle in the roof shall be provided within the enclosure of each stairway with a double rung ladder leading thereto; that such scuttles shall have easy opening devices; that the standpipe system shall be maintained to the satisfaction of the fire commissioner; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that the existing openings on the cellar floor directly to Courtland avenue and on the first floor to Park avenue shall be maintained, and a new door at the Park avenue side shall be constructed as an exit from the stairway; that the boiler room shall be separated from the balance of the building by fireproof construction and shall be enterable only from the exterior; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

61-45-A

APPLICANT—Sidney L. Krakower, for Stella Brilliant, owner (Harry Brilliant d/b/a Parkside School, lessee).

SUBJECT—Appeal from a decision of the fire commissioner

PREMISES AFFECTED—1509 Morris avenue, west side, 126.89 ft. south of Mount Eden avenue (street floor and basement); (Block 2820, Lot 59), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Krakower.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (61-45-A)

WHEREAS, Sidney L. Krakower, for Stella Brilliant, owner (Parkside School, lessee), filed February 8, 1945, an appeal from a decision of the fire commissioner, affecting premises 1509 Morris avenue, west side, 126.89 ft. south of Mt. Eden avenue (street floor and basement); (Block 2820, Lot 59), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner dated January 25, 1945, reads:

"In reply to your letter in reference to the proposed day nursery for 50 children at the above premises, you are advised that the following objections are pending.

1. Install an interior fire alarm system, or reduce to number of children proposed, to not more than 30."

and

WHEREAS, the applicant states the building is two stories (25 ft.) in height; 25 ft. by 68 ft. in area; of Class 3 construction; erected 1925; located in a residence use, B area, Class 1½ height district, and used and occupied as follows: cellar, boiler, storage, day nursery and play room, 15 persons; 1st floor, reception room, office, day nursery and play room, 30 persons; 2nd floor, one family dwelling, and proposed to be used and occupied as follows: cellar, same, 20 persons; 1st floor, same, 55 persons; 2nd floor, same, 3 persons; that the building is equipped with two interior wood stairs, 3 ft. 6 in. and 3 ft. 10 in. in width, respectively, enclosed in fire retarded partitions equipped with fireproof, self-closing doors and leading directly to the street, and provided with a ladder and scuttle to the roof; that there is also one exterior stairs from the 1st floor to the rear yard with egress through alleyway to the street; and

WHEREAS, the applicant contends that the building was erected as a two family dwelling with a garage; that recently the garage and basement and street floor were reconstructed for use as a day care school for children between the ages of 3 and 6 years; that the second floor remains as a private dwelling, occupied by a tenant having no connection with the school; that the 2nd floor has a private entrance; that application was made for the acceptance of these premises for day care of 75 children; that an application for a certificate of occupancy is pending and awaits only the outcome of this appeal, relating to the fire alarm system; that the building is equipped with a substandard fire alarm system with 6 in. gongs on the two floors occupied by the school; that these gongs are actuated by push buttons in places designated by the Fire Department for the standard fire alarm system, and an additional push button at the head of the fire escape leading to the rear yard; that the existing system is actuated by dry cell batteries, located in a wood box painted red; that the bells are vibrating bells; and it is requested that the Board grant a variation of the requirements, so that the present substandard fire alarm system be accepted; and

WHEREAS, the Board is not passing on the question of the height of the building, exceeding by 5 ft., the permitted height for a non-fireproof building under Section C26-254.0.

Resolved, that the decision of the fire commissioner dated January 25, 1945, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a substandard fire alarm shall be installed and maintained substantially as proposed and to the satisfaction of the fire commissioner, throughout the cellar and first story occupied for day nurseries; that the exit doors from such day nurseries shall open outwardly; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the premises are maintained substantially as proposed.

63-45-A

APPLICANT—Lama and Proskauer, for Sam Mosberg, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—9, 10 and 11 Court Square, east side, 48 ft. 4 in. north of Livingston street (Block 153, Lots 3, 4 and 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Sam Mosberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

MINUTES

THE RESOLUTION (63-45-A)

WHEREAS, Lama and Proskauer, for Sam Mosberg, owner, filed February 6, 1945, an appeal from a decision of the borough superintendent, affecting premises: 9, 10 and 11 Court Square, east side, 48 ft. 4 in. north of Livingston street (Block 153, Lots 3, 4 and 5), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated January 25, 1945, on Alt. Applic. 53-45, reads:

"Construction—1. Provide two means of egress complying with the requirements of C26-272.0 of Code."

and

WHEREAS, the applicant states the building will be four stories (42 ft.) in height, 61 ft. 6 in. by 38 ft. 1 in. in area; Class 3 construction; located in business use, B area and Class 1½ height district; used and occupied as follows: Cellar, storage; 1st to 4th floors, inclusive, showroom, two persons on the 1st floor and one person on each of the other floors; that the building is equipped with three interior stairs one 3 ft. 8 in. wide of iron, and two, 2 ft. 6 in. wide of wood construction, unenclosed, and a ladder and scuttle to the roof and two exterior fire escapes, extending to the roof by a ladder and to the street by counterbalanced stairway; that the windows and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the premises are improved with two 4-story and one two-story brick buildings; that it is proposed to combine the three buildings into one and to occupy it for furniture showrooms; that on the first floor there will be five exits to the street, three interior stairs leading to the second floor and two interior stairs leading to the 3rd and 4th floors; that on the first floor between buildings 9 and 10, a 15 ft. opening will be provided, and between buildings 10 and 11, there will be a 5 ft. opening provided; that on the 2nd floor there will be two 10 ft. openings, connecting buildings 9 and 10, and one five ft. opening connecting buildings 10 and 11; that there is an existing fire escape with a sliding dropladder to the street at the rear of building 9; that not more than five persons will be employed in the conduct of the business at any time.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 53-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be maintained throughout the building on all floors, a sprinkler system complying with the requirements of the Building Code therefor; that such system may be a one source system; that if such sprinkler system is installed and maintained, the proposed open stairs may be constructed and maintained provided the fire escape with counterbalanced stairway to street is maintained on building No. 10 on Red Hook Lane as was required by the Board on December 9, 1941 under Cal. No. 1008-41-A, and the existing balcony at the third floor level is connected across to the balcony on the existing fire escape on building No. 9; that this variance is granted only so long as the combined building is not increased in height or area and is occupied throughout as a furniture warehouse as proposed and is not used for the sale of types of merchandise other than furniture and complies with the requirements of the Building Code in all other respects; that the boiler room shall be separated from the balance of the building with fireproof construction and enterable only from the exterior; that the existing 4 exits to Red Hook Lane, as shown on plans filed with this appeal marked "Received February 6, 1945", as well as the exits to Court Square as shown, shall be maintained, and that such portable fire fighting appliances shall be maintained throughout the building as the fire commissioner shall direct.

83-45-A

APPLICANT—A. Gordon Lorimer, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—161-25 Grand Central parkway, north side, from 161st street to 164th street (Block 6858, Lot 1), Jamaica, Borough of Queens (Queens General Hospital).

APPEARANCES—

For Applicant: Abraham Prober and S. John Andruzzi.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (83-45-A)

WHEREAS, A. Gordon Lorimer, for Department of Public Works, owner, filed February 19, 1945, an appeal from a decision of the borough superintendent, affecting premises: 161-25 Grand Central parkway, north side, from 161st to 164th streets (Block 6858, Lot 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated February 13, 1945, on N.B. Applic. 269-43, reads:

"9. All partitions within a fireproof building required to be fireproof, as per section 10.4.3.1.

10. All openings in corridor partitions leading to an exit required to have a protective assembly of ¾ hr. as per section 10.8.3."

and

WHEREAS, the applicant states that the building will be 8 stories (93 ft. 6 in.) in height, 318 ft. 6 in. by 121 ft. in area at first floor, 246 ft. by 43 ft. in area at typical floor; Class 1 construction; located in residence use, E and F area, Class 1 and Class ½ height district; used and occupied as follows: basement, storage and mechanical equipment, 40 persons; 1st floor—dining lounge, kitchen, natitorium and auditorium, 210 persons; 2nd floor, gymnasium, library, classrooms and offices, 140 persons; 3rd to 7th floors, bedrooms and living rooms, 40 persons per floor; 8th floor, infirmary, bedrooms and apartments, 20 persons; that the building will be equipped with a standpipe system, two 3 ft. 8 in. wide interior steel stairs, fireproof enclosed, equipped with fireproof, self-closing doors; and

WHEREAS, the applicant contends as to objection 9 of the borough superintendent's decision, that it is proposed to use wire glass partitions with metal frames and mullions separating the corridor on the first floor from lounge and dining-room; that although the required stairs open to this corridor, they are created solely for convenience and operative reasons; that the stairs continue and lead directly to the street and it can therefore be assumed that the corridor on the first floor is not a required means of egress; that the use of these areas will not be hazardous, and it is requested that permission be granted to use partitions of ¼ in. wire glass; and contends as to objection 10, that it is intended to provide a small area of borrowed lights in the basement, one 5 ft. 5 in. x 3 ft. 6 in. high, opening in Office #7; two 3 ft. 9 in. by 3 ft. 6 in. high, opening in the rest room #29; three 3 ft. 10 in. by 3 ft. 6 in. high opening in rest room #39, to provide some natural light in the corridor which is deemed essential by the hospital authorities; that these lights will be glazed with ¼ in. wire glass with metal frames and mullions; that the occupancy of these rooms will not be of a hazardous nature; that it is also requested to provide louvres in the fireproof, self-closing ¾ hour fire test corridor doors on 1st to 8th floors, inclusive; that these louvres will be for air intakes in such rooms as have mechanical ventilation and are necessary for the proper and efficient functioning in such ventilation and heating systems; that the louvres will vary from 100 sq. in. to 470 sq. in., depending on the room and type of equipment; that louvres will be provided in the doors to toilet, locker room and slop sink closet in the basement, the toilet on the first floor, laboratories, demonstration, practice, lecture, seminar and toilet rooms on the 2nd floor; baths, toilets and laundries on 3rd to 7th floors, inclusive;

kitchen, utility, toilet rooms and slop sink closet on the 8th floor; that the enclosure partitions of all these rooms have the same fire rating required for the corridor partitions; that if permission is denied to use the louvres in the doors, additional cost of operation and maintenance will be incurred; for then the cold air will be drawn in from the outside and the heating system will have to heat it in contrast to the corridor air which is already partly warmed; that inside rooms with no windows will entail ducts to outer air at considerable cost; and in view of these reasons it is requested permission be granted to permit the use of louvres in doors.

Resolved, that the decision of the borough superintendent, acting on N. B. Applic. 269-43, Objections 9 and 10, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that this variance shall refer only to such spaces as are marked on the floor plans filed with this appeal marked "Received February 19, 1945", 6 sheets, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules nad regulations applicable thereto, other than as modified by the Board under Cal. 7-44-BZ.

99-45-A

APPLICANT—Eisemann Corporation, lessee, for Bush Terminal Building Company, owner.

SUBJECT—Appeal from a decision of the borough Superintendent.

PREMISES AFFECTED—32-33rd street, southwest corner of 3rd avenue (5th and 6th floors, Bush Terminal Buildings 7 and 8); (Block 683, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: James R. Texter and Harry Eschbach.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (99-45-A)

WHEREAS, Eisemann Corporation, lessee, for Bush Terminal Building Company, owner, filed on February 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 32-33rd street, southwest corner 3rd avenue, between 33rd and 34th streets (Bush Terminal Buildings Nos. 7 and 8, 5th and 6th stories); (Block 683, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 17, 1945, on B. N. 956-44, reads:

"1. Locking and bolting of exit doors is contrary to Section 272, Par. 3 of the Labor Law."

and

WHEREAS, the applicant states the building is six stories (83 ft.) in height; 700 ft. by 205 ft. in area; of Class 1 construction; erected 1912; located in an unrestricted use, A area, Class 2 height district, and used and occupied for the manufacturing of magnetos, 100 persons on the 1st floor, 100 persons on the 2nd floor, 200 persons on each of the 3rd, 4th and 5th floors, 300 persons on the 6th floor; that the building is equipped with a one source sprinkler system, a standpipe system and 10 interior stairs five of which lead to the roof; that Certificate of Occupancy 83321, issued July 22, 1937, permits the use of the building throughout as a factory; and

WHEREAS, it is proposed to erect three wire partitions, one in stair hall A on the 5th floor between Section A and Section B, and two on the 6th story, one of which would be in the stair hall A between Section A and Section B and the other in stair hall B between Section B and Section C, as indicated on plans filed with this appeal marked "Received February 23, 1945"; and

WHEREAS, the applicant contends that this application is made on the recommendation of the U. S. Army for the purpose of plant protection to facilitate the delivery of necessary war products; and

WHEREAS, the applicant filed a recommendation of the Director of Security and Intelligence Division, Army Service Forces, dated December 1, 1944, recommending the installation in question and that the doors be equipped with panic bolts, and that electric bell tamper-proof signals be installed on all doors equipped with panic bolts.

Resolved, that the decision of the borough superintendent on B.N. Applic. 956-44 dated February 17, 1945, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

419-44-A

APPLICANT—Howard H. Snyder, for Lansing Financial Corporation, owner (Acme-Ward Storage Warehouse, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—234-240 East 54th street, south side, 100 ft. west of Second avenue (Block 1327, Lot 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Howard H. Snyder.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution **amended.**

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (419-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 234-240 East 54th street, south side, 100 ft. west of Second avenue (Block 1327, Lot 29), Borough of Manhattan, was granted by the Board on September 12, 1944, on certain conditions and for a temporary period of time; and

WHEREAS, the applicant requested an amendment of the resolution, to extend the temporary term of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 12, 1944, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"that the proposed storage use shall continue until April 1, 1946 * * * and that other than as herein *amended,* the conditions of the resolution of September 12, 1944 shall be complied with."

463-44-A

APPLICANT—James Stewart and Company, Inc., for Republic Steel Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—160 Scott avenue and 598 Scholes street, southeast corner (1st floor); (Block 2972, Lots 1 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Give.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

MINUTES

THE RESOLUTION (463-44-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 160 Scott avenue and 598 Scholes street, southeast corner (1st floor); (Block 2972, Lots 1 and 25), Borough of Brooklyn, was granted by the Board on September 26, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 26, 1944, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in order 12844-LF of the fire commissioner and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that the panic bolts shall be installed only on such doors as are indicated on plans filed with this appeal, marked 'Received July 27, 1944,' plan being marked 'Bld. 42'; and that such panic bolts shall be of approved type; that this variance shall continue only during the term of the present emergency and for six months thereafter; as to item 2, that the wire screens in question may be continued on the four buildings, as indicated on plans filed with this appeal, marked 'Received July 27, 1944,' showing the buildings marked 'Bld. 40, 41 and 42,' *on condition* that such screens shall be not over ⅛ in. wire and approximately 1½ inch mesh or greater, fastened by clips at the top and by brass or aluminum bolts at the bottom, and that all exits shown shall be maintained; and that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. Nos. 918-41-A, 568-43-A, 1230-21-A, 1253-24-A, 32-27-S, 550-42-A, 553-42-A, 54-43-A, 76-43-A, 188-43-A.

Resolved further, that the existing panic bolts as manufactured by the Russell & Erwin Manufacturing Company, may be continued until the approval by the Board of an application filed by the Russell & Erwin Manufacturing Company under Cal. 35-45-SM, and if such bolts are approved thereunder, they may be continued for the term specified in this resolution."

524-44-A

APPLICANT—J. & J. Perry Drug Co., lessee, for 540 West 165th Street Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1091 St. Nicholas avenue, west side, 75 ft. south of West 165th street, (1st floor); (Block 2122, Lot 84), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

6-45-A

APPLICANT—Maurice Flam, of Flam and Flam, for Jackson Associates, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—174-176 East 104th street, south side, 166.8 ft. west of 3rd avenue (Block 1631, Lot 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Maurice Flam.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn without prejudice to reopening after new application is made to the W.P.B. for permission to obtain material.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

27-45-A

APPLICANT—Milton B. Weissman, for 2861 Third Avenue Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

APPEARANCES—

For Applicant: Milton B. Weissman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

ZONING CASES

621-24-BZ

APPLICANT—Howard H. Snyder, for Lansing Financial Corporation, owner (Acme-Ward Storage Warehouse, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, for a temporary period, the conversion of occupancy of a garage for more than five motor vehicles to storage use.

PREMISES AFFECTED—234-240 East 54th street, south side, 100 ft. west of Second avenue (Block 1327, Lot 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Howard H. Snyder.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (621-24-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of garage for more than five motor vehicles, affecting premises 234-240 East 54th street, south side, 100 ft. west of Second avenue (Block 1327, Lot 29), Borough of Manhattan, was granted by the Board on July 22, 1924, on certain conditions; and

WHEREAS, the resolution was amended on September 12, 1944 and the applicant requested a further amendment of the resolution, to extend the temporary term of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 12, 1944, so that as amended, this portion of the resolution shall read:

"that this building may be used for a temporary term expiring April 1, 1946 for the storage of government materials, * * * and that other than as herein *amended,* the conditions of the resolution of September 12, 1944 shall be complied with."

1193-38-BZ

APPLICANT—Samuel Rosenblum, for Emigrant Industrial Savings Bank, owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting for a term of two years, partly in a business use and partly in a retail use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—29-35 West 28th street, north side, 85 ft. west of Broadway (Block 830, part of Lot 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1193-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a retail use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 29-35 West 28th street, north side, 85 ft. west of Broadway (Block 830, part of Lot 17), Borough of Manhattan, was granted by the Board March 14, 1939, on certain conditions; and

WHEREAS, the permit was extended on March 11, 1941 and March 16, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 14, 1939, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h, to permit that portion of the plot now vacant and unbuilt upon, to be occupied for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this *amended* resolution, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 14, 1939 shall be complied with and that a Certificate of Occupancy shall be obtained."

162-40-BZ

APPLICANT—William R. McVay, for Biagio Becce, lessee (Josephine Wild and Robert T. Wild, owners).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—31-06 31st avenue, southeast corner of 31st street (Block 613, Lots 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen dismissed for laek of prosecution.

THE VOTE TO DISMISS REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (162-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 31-06 31st avenue, southeast corner of 31st street (Block 613, Lots 37 and 38), Astoria, Borough of Queens, was granted by the Board on February 18, 1941, on certain conditions; and

WHEREAS, the resolution was amended on May 27, 1941 and on June 17, 1941 and the permit was extended on February 24, 1943; and

WHEREAS, the applicant requested a further extension of the permit; and

WHEREAS, when this case was called for consideration as to reopening, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the request to reopen be and it hereby is *dismissed* for laek of prosecution.

309-40-BZ

APPLICANT—Lama and Proskauer, for Domenick Salzone, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—125-127 Carroll street, north side, 129 ft. west of Henry street (Block 349, Lot 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (309-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 125-127 Carroll street, north side, 129 ft. west of Henry street (Block 349, Lot 32), Borough of Brooklyn, was granted by the Board on February 11, 1941, on certain conditions; and

WHEREAS, the permit was extended on April 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 11, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of two (2) years from the date of this *amended* resolution, to permit the premises known as Lot 32, with a frontage of 50 ft. to be occupied for the parking and storage of motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 11, 1941 shall be complied with and that a Certificate of Occupancy shall be obtained."

330-36-BZ

APPLICANT—Samuel Rosenblum, for Shelton Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit (expired by limitation) re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

MINUTES

PREMISES AFFECTED—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing March 27, 1945 at 10 A. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. **Smoking.**

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE IN ACCORDANCE WITH SECTION 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939, AS AMENDED DECEMBER 4, 1942, EFFECTIVE DECEMBER 28, 1942.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2 of the New York City Charter pertaining to Sections C-26-1268.0,c,4. and C26-1277,0h. of the Administrative Building Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System, shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the flood level rim of the fixture.

Rule 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved by the Board. When approved sterilizers are used, the waste piping from sterilizers shall not connect directly with any drainage system.

Rule 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 7. Bidets—Bed Pan Washers.

Direct water supply connections to a bidet is prohibited. Water supply connection to bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. Water supply to bed pan washers equipped with an approved flush valve shall be governed by Rule 3.

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

Rule 8. Sump or Well Pumps.

Direct water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

Rule 11. Dishwashing and Laundry Machines.

Direct water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Direct water supply connections, when permitted by the Department of Water Supply, Gas and Electricity, to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, March 13, 1945, at 2 P. M., Affecting Calendar Numbers 209-44-A, 640-44-A, 21-45-A, 31-45-A, 109-45-A, 110-45-A, 127-45-A, 675-41-A, 665-44-A, 666-44-A, 508-44-A, 636-44-A, 645-44-A, 632-44-A, 653-44-A, 657-44-A, 589-38-BZ, 1199-38-BZ, and 31-39-BZ.

(Remaining minutes of the meeting of March 13, 1945 will be printed in the Bulletin of March 27, 1945).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to March 13, 1945.

Cal. No. *Dept.* *Premises Affected.*

122-45-BZ—H.B.B.—176-180 New Jersey avenue (178 displayed), east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn, Alt. 3811-44.

123-45-BZ—H.B.Bx—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx, Amendment to Alt. 386-44.

124-45-A—H.B.Bx—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx, Amendment to Alt. 386-44.

125-45-A—H.B.M.—55-61 West 13th street, north side, 125 ft. east of 6th avenue (1st floor); (Block 577, Lots 12, 71 and 72), Borough of Manhattan, F. P. 195-45.

126-45-A—F.D.—550 Halleck street, southwest side, 250 ft. southeast of Randall avenue (Block 2769D, Lot 204), Borough of The Bronx, 40286-LC and Decision.

127-45-A—H.B.M.—12-16 East 13th street, south side, 175 ft. east of 5th avenue (Block 570, Lot 11), Borough of Manhattan, Amendment to Alt. 311-45.

128-45-A—H.B.M.—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan, Viol. Exit Order 13-45.

129-45-A—H.B.M.—2-4 East 44th street, south side, 105 ft. east of 5th avenue (Block 1278, Lot 67), Borough of Manhattan, Decision re Certificate of Occupancy.

130-45-A—F.D.—42 West 13th street, south side, 100 ft. east of 6th avenue (3rd floor); (Block 576, Lot 16), Borough of Manhattan, 40395-LC.

131-45-A—H.B.B.—1573-1575 McDonald (Gravesend) avenue, east side, 140 ft. north of Avenue N (Block 6564, Lot 58), Borough of Brooklyn, Alt. 2618-44.

132-45-BZ—H.B.Q.—30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 and 26), Long Island City, Borough of Queens, N. B. 272-44.

133-45-A—F.D.—21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn, Decision re 98542-LC.

134-45-A—F.D.—79 Washington street, east side, 127 ft. south of Front street (2nd to 5th floors); (Block 51, Lot 1), Borough of Brooklyn, Decision re 98525-C.

135-45-A—H.B.B.—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn, Alt. 555-45.

136-45-BZ—H.B.Q.—224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens, N. B. 51-45.

137-45-A—F.D.—51-55 Nassau avenue and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn, Decision re 98505-LC.

138-45-A—H.B.M.—213 East 37th street, north side, 180 ft. east of 3rd avenue (Block 918, Lot 10), Borough of Manhattan, Amendment to Alt. 1847-45.

139-45-A—F.D.—80-18 Cooper avenue and 70-27 80th street, southeast corner (Building 31, 1st floor); (Block 3806, Lot 2), Glendale, Borough of Queens, Decision re 96169-LC.

140-45-A—H.B.R.—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond, Amendment to Alt. 39-43.

141-45-A—H.B.Bx—232 East 198th street, south side, 30.48 ft. east of Valentine avenue (1st floor); (Block 3301, Lot 51), Borough of The Bronx, Alt. 109-45.

142-45-A—H.B.Bx—2766-2770 3rd avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx, Alt. 116-45.

143-45-SA—Air-O-Flame Pot Type Oil Heater, Model 103.80205, Appliance.

144-45-A—H.B.B.—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn, Alt. 468-45.

145-45-SM—Atlas Mortar Masonry Cement, manufactured by Universal Atlas Cement Co., Material.

146-45-BZ—Marine & Aviation—126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond, Decision.

147-45-A—H.B.B.—454-468 18th street, south side, 200 ft. east of 8th avenue and 443-455 19th street (Block 882, Lot 17), Borough of Brooklyn, Alt. 3739-44.

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589-38-BZ—H.B.M.—303 West 51st street, north side, 58 ft. 10½ in. west of 8th avenue (Block 1042, Lot 28½ and part of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan, Decision re Certificate of Occupancy.

CALENDAR

62-39-SM—The Philip Carey Manufacturing Co., Built-Up Roofing, manufactured by The Philip Carey Manufacturing Co., Material.

172-44-SM—Ellison Balanced Door Assemblies, manufactured by Ellison Bronze Co., Inc., Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 13, 1945—Vol. 30, No. 11
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28, No. 23A.

MARCH 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

25-45-BZ—Application, January 17, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

Appeals from Administrative Decisions.

32-45-A—21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan.

86-45-A—42-36 21st street, west side, 140.26 ft. north of 34th avenue and 42-37 13th street (1st floor); (Block 457, Lots 205, 153 and 155), Long Island City, Borough of Queens.

Appliance for Approval.

49-45-SA—Safety Oil Heater (Preheater).

HARRIS H. MURDOCK, *Chairman.*

MARCH 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

64-45-A—4301-4313 Avenue H, northeast corner of East 43rd street (1st floor); (Block 7727, Lots 9 and 5), Borough of Brooklyn.

664-44-A—741-775 Ocean avenue, east side, 60 ft. south of Beverly road (Block 5151, Lot 33), Borough of Brooklyn.

142-45-A—2766 3rd avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx.

80-45-A—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.

125-45-A—55-61 West 13th street, north side, 125 ft. east of 6th avenue (1st floor); (Block 577, Lots 12, 71 and 72), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March* 27, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering

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a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

330-36-BZ—Application of Samuel Rosenblum, applicant, on behalf of Shelton Holding Corporation, owner, reopened March 6, 1945 for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Appeal from Administrative Decision.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Material for Approval.

962-39-SM—Gritecrete Long Span Flat Ceiling-Floor Construction.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 27, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

Appeal from Administrative Decision.

698-44-A—197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and Block 5555, Lot 19), Bayside, Borough of Queens (under section 35, General City Law—re bed of mapped streets—46th road and 197th street [place]).

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

56-45-BZ—Application, February 6, 1945, under section 7A of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

589-38-BZ—Application of The Franklin Savings Bank in the City of New York, applicant and owner, reopened March 13, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and parts of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

639-44-BZ—Application, November 13, 1944, under sections 7e and 21 of the zoning resolution, of Halford Realty Corporation, applicant and owner, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises; premises 440 West 240th street, southeast corner of Greystone avenue to Dash place (Block 3414-E, Lot 20), Borough of The Bronx.

40-45-BZ—Application, January 29, 1945, under sections 7c and 21 of the zoning resolution, of Daniel Santoro, applicant, on behalf of Gus Stanzione and Rose Stanzione, owners, to permit in a residence use E area district, the erection of a three-car garage (for light delivery trucks) as an accessory to a bakery-grocery business on the front of plot in a local retail D area district; premises 705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond.

52-45-BZ—Application, February 5, 1945, under section 7c of the zoning resolution, of Joseph H. Cornell, applicant, on behalf of Frances Greenrose, owner, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building; premises 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

533-42-BZ—Application of Paul Friedman and Arnold W. Lederer, applicants on behalf of Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42), reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application, previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of used cars; premises 2242-2262 Church avenue, south side,

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206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of I. Daniel Shorell, owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st tsreet, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

Appeal from Administrative Decision.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

632-44-A—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

501-44-A—114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens (previously denied; reopened January 9, 1945 re consideration of new proposal).

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 13, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, March 6, 1945, and Tuesday afternoon, March 6, 1945, were approved as printed in Bulletin No. 10, Volume 30.

ZONING CASES

56-45-BZ

APPLICANT—George W. Swiller, for R. & A. Building Corp., owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 7A of the zoning resolution, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets.

PREMISES AFFECTED—125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

APPEARANCES—

For Applicant: George W. Swiller.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 10, 1945 at 10 A. M.

57-45-BZ

APPLICANT—Ralph J. Gurfield, for Storch and Hirsche, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of the first story of an existing building to cover the entire lot.

PREMISES AFFECTED—733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Ralph J. Gurfield and Herman B. Waag.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to March 20, 1945 at 10 A. M. Applicant to amend plans.

75-45-BZ

APPLICANT—Milton B. Weissman, for 480 Realty Corporation, owner.

SUBJECT—Application (decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building.

PREMISES AFFECTED—477 East 143rd street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx.

APPEARANCES—

For Applicant: David Kulansck, Milton B. Weissman and Royce H. Potts.

For Opposition: Mrs. Viacave, Peter G. Wicka, Catherine C. Matthews, William P. Dolan, Thomas J. McFarlin, Helen M. Kearns, George Scholz, H. M. Tabhjian, John Harmong, Madeline Coste and Jennie Larusso.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (75-45-BZ)

WHEREAS, Milton B. Weissman for 480 Realty Corporation, owner, filed February 16, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory build-

ing; affecting premises: 477 East 143d street, north side, 215 ft. west of Brook avenue (Block 2288, Lot 63), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Brook avenue is in a business use, B area and Class 1½ height district; that East 144th street is in an unrestricted, B area and Class 1½ height district; and that East 143d street is in a residence use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated February 9, 1945, re Alt. Applic. 602-44, reads:

"1. Proposed extension of factory use in a residence district is contrary to Art. 2, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 25 ft. frontage by 103.4 ft. in depth, now vacant, on which it is proposed to erect a one story, 16 ft. high, Class 3 constructed building, 25 ft. by 99.95 ft. in area, to be occupied as a shipping room for the existing factory on the adjoining lot; and

WHEREAS, the applicant contends that it is proposed to erect a one-story shipping room building as an extension to an existing 3-story factory building, under Art. 2, Subdivision 7c of the zoning resolution; that the use district maps show East 143d street is in a residence use district, starting 100 ft. west of Brook avenue; that plot in question abuts an unrestricted district at the rear, wherein the present factory building is located; that Brook avenue for a depth of 100 ft. westerly is in a business use district; that a 3-story wing of the existing factory adjoins the plot on the easterly side and a 5-story brick multiple dwelling adjoins the plot on the westerly side; that this plot is not favorably situated for development for a residence, because of its orientation and location; that the proposed building being only one story in height will not affect the light or air of the adjoining dwellings; that it will improve conditions by eliminating a vacant plot which now acts as a catch-all for miscellaneous equipment and stored parts; that the existing factory buildings on 480-502 East 144th street were erected in 1888 and 1912, for which Certificate of Occupancy 100 was issued on June 1st, 1923; that the following administrative appeals 103-27-A, 104-27-S and 269-42-A had been filed with and judged by the Board of Standards and Appeals; that the proposed building is to be used as a shipping room for existing factory engaged in the manufacture of small metal and plastic items, some of which are used for the war effort; that the building will be equipped with a depressed ramp to grade and an interior depressed loading space for storage of one trailer truck; that the connection between the existing factory to the north and the proposed structure, will be an opening protected by a 3-hour fireproof, self-closing sliding door; that the purpose of the proposed structure is to separate the shipping and receiving functions of the plant; the present loading space, situated in the open court yard fronting on East 143d Street, has been found inefficient and a bottleneck in the management of the plant; that it is also desired to ship completed articles of manufacture within an enclosure to prevent damage that might result from adverse weather conditions; that the character of the neighborhood is already determined by its present development and has not varied substantially in over twenty years; that the proposed extension will not be used for manufacturing purposes; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision c, of the zoning resolution.

Resolved, that the decision of the borough superintendent dated February 9, 1945 on Alt. Applic. 602-44 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

APPEAL FROM ADMINISTRATIVE DECISION

602-44-A

APPLICANT—Arnold Lefkowitz, for First and Fifty-Eighth Realty Corporation, owner (North American Iron and Steel Company, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—101 58th street, northeast corner of First avenue (Block 844, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lefkowitz.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (602-44-A)

WHEREAS, Arnold Lefkowitz, for First and Fifty-Eighth Realty Corporation, owner (North American Iron and Steel Company, Inc., lessee), filed October 20, 1944 an appeal from an order of the fire commissioner, affecting premises 101 58th street, northeast corner of First avenue (Block 844, Lot 1), Borough of Brooklyn; and

WHEREAS, Order 97453-LC dated July 14, 1944, and repeated in a decision of the fire commissioner, dated September 21, 1944, reads:

"An inspection of your refrigeration system located at the above premises, shows the following must be done to have the system conform with Fire Department regulations:

1. Discontinue and remove the direct method of refrigeration from 1st to 2nd floor as same is prohibited by C19-98.0, Administrative Code."

and

WHEREAS, the applicant states that the building is 2 stories (22 ft.) in height, 68 ft. by 34 ft. in area, of class 3 construction, erected in 1918, located in an unrestricted use, A area class 2 height district and used since 1940 as follows: 1st floor—stock room and hardware—1 person; 2nd floor—office—12 persons; that the building is equipped with one 3 ft. 8 in. wide metal stairs at the front, enclosed in plaster board partitions, equipped with metal self-closing doors and one 2 ft. 2 in. stairs at the rear, similarly enclosed; and

WHEREAS, the applicant contends that the floor of the hardware storeroom is of concrete and the roof of the office is reinforced concrete slab; that the office floor is wood construction and metal covered on the underside, which is the stockroom ceiling; that the stock room is about 9 ft. high and only one or two persons occupy it; that the refrigeration unit is located on this floor and the ducts extend up to ventilate the office above; that there would be no room in the office to house the refrigeration unit, as the office is overcrowded; it is requested that the Board grant a variation, to permit the continuation of the existing refrigeration system as indicated on plans filed with this appeal.

Resolved, that the decision of the fire commissioner as to order 97453-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that the equipment shall in all other respects, comply with all laws, rules and regulations applicable thereto and shall be maintained to the satisfaction of the fire commissioner; that such dampers or baffles within the ducts shall be installed as the fire commissioner shall direct; that the amount of F12 refrigerant shall not exceed 18 lbs.; that the system shall not be further extended.

MINUTES

APPLIANCES SUBMITTED FOR APPROVAL

650-44-SA

APPLICANT—Paasche Airbrush Company, owner.
SUBJECT—Paasche Water Wash Airfinishing Booth, Standard and Deluxe Models (Spray Booth), approval of.
APPEARANCES—
For Applicant: Louis Straub.
ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (650-44-SA)

WHEREAS, the Paasche Airbrush Company, owner, filed on November 15, 1944, an application with the Board of Standards and Appeals for approval of the appliance known as Paasche Water Wash Airfinishing Booth, Standard and Deluxe Models, (Spray Booth); and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

March 3, 1945.

Re: Cal. 650-44-SA.
Subject: Paasche Water Wash Airfinishing Booth, Standard and Deluxe Models (Spray Booth), approval of.

The Paasche Airbrush Company filed an application with the Board of Standards and Appeals for approval of the Paasche Water Wash Airfinishing Booth (Spray Booth) Standard and De Luxe Models, under the provisions of the Rules of the Board governing the use of equipment for spraying and drying of paints, varnishes and lacquers and other flammable surface coatings and the storage of such materials.

DESCRIPTION.

This equipment consists of a sheet metal enclosure open at front end having the inside surfaces of its two side walls and back wall continuously flooded with water to which a stripping compound is added, a minimum of 5 gallons of water per minute per foot flowing smoothly and completely over the baffles to form a dense water curtain. A rear and directly connected sheet metal enclosure, known as a water washed expansion chamber is fitted with 2 sets of eliminator packs between which are located two rows of powerful non-clogging cone spray nozzles.

Exhausting air is drawn through the booth and the water-washed expansion chamber, where air is thoroughly washed and precipitating any remaining solids or particles into the settling tank through the action of the cone spray nozzles. Air movement is distributed in this section by two sets of eliminator packs, below and above the cone spray nozzles. Water at high velocity constantly washes and cleans the lower packs, which deposit into the settling tank any solids that may have passed through the water curtains. The lower packs prevent turbulence in the settling tank and distributes the air uniformly throughout the precipitating or water-washed chamber. The upper moisture eliminator pack removes water from the exhausting air and returns it to the settling tank and when air is exhausted to the outside of building (through connected ductwork) it is clean and free of solids. The water chamber is an extension of the settling tank and fitted with float valve for maintaining a constant level of water, sludge plate and strainer screens, through which water is drawn and pumped to the water manifolds supplying the cone spray nozzles and overflow pans.

Overflow water diffusors distribute the water uniformly in the overflow pans, preventing turbulence.

The water is motivated and directed by means of a circulating pump and its associated pipe system. The pump is mounted at the side of water-wash chamber and settling tank, all pipes fitted with valves for regulating and proportioning flow in overflow pans and over the several baffles.

Specifications are as follows:
Model: 2½ D-S centrifugal Circulating Type
Discharge: 218 G.P.M.
Head: 55 feet of Water
Horsepower: 5 H.P. Explosion-proof motor

A belt-driven ventilating unit is located on top of and connected to the water-wash chamber. Specifications are as follows:
Model: Type B24-24
Fan: 24″ diameter, 24° pitch—6 blade aluminum.
Fan speed: 2085 R.P.M.
Free Air Delivery: 10,000 C.F.M.
Air delivery at ¾″ static pressure—6800 C.F.M.
Horsepower: 2 H.P. explosion-proof motor.
Face Velocity: 165 L.F.M.
Fan mounted on steel shaft and double ball bearings.
Belts: 2 V-fully enclosed in dust and vaporproof housing.
Door: Hinged access door provides easy access to fan for oiling, cleaning or quick removal of fan.

Overall dimensions of booths are 8′ 4″ wide, 8′ 6″ deep and 7′ 2″ high. Working compartment dimensions are 4′ 6″ wide and 5′ 6″ deep and 4′ 6″ high. Rear baffles of De Luxe models are fabricated from 16 gauge stainless steel and side baffles of 18 gauge stainless steel. Baffles in Standard Models are fabricated from 18 gauge sheet steel. Entire booth fabricated from 18 gauge sheet steel panels with a special flange construction. All flanges are outside of booth, thus when panels are assembled, the inside walls are smooth, eliminating any possibility of retarding free flow of air. The settling tank is constructed of 14 gauge sheet steel, coated on inside with rust inhibitive paint. The settling tank is easily removable for cleaning and fitted with removable water distributing plates. It is fabricated from 26 gauge galvanized steel. Packs in De Luxe Models are easily removable through front of booth by removing water curtain baffles which are easily secured in position, or removed, being held in place by interlocking flanges and supported by clips.

Paasche Water Wash Airfinishing Booths are also made in floor type with water wash curtains on rear baffles only and with water wash curtains on both rear and two side wall baffles. Sizes and overall dimensions range from 4′ 8″ wide x 7′ 2″ deep x 7′ 2″ high to 35′ wide x 12′ 2″ deep x 7′ 2″ high with corresponding increased sizes of pumps and fans.

The function of these booths is to provide an enclosure wherein paint spraying operations may be performed, to confine, collect and remove vapors released by the spraying operation to the outside of the building (through associated ductwork) and to separate and collect the pigments in the overspray for disposal.

TEST.

The spray booth was inspected by the Committee on Tests of the Board and the representative of the Division of Combustibles of the Fire Department on November 29, 1944, and found to operate as designed.

RECOMMENDATION.

On the basis of the foregoing data, inspection and test, the Committee on Tests recommends that the Paasche Water Wash Airfinishing Booth (Spray Booth) DeLuxe and Standard Models in sizes stated be approved for use in New York City, when manufactured, installed and operated in accordance with this report and with the Rules of the Board of Stand-

ards and Appeals governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and Other Flammable Surface Coatings and Storage of Such Materials, provided the booth bears a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 650-44-SA"; that accumulated paint material, forming a film in water or on any portion of the booth shall be removed at regular intervals, in accordance with the recommendation of the manufacturer.

(Sgd) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as Paasche Water Wash Airfinishing Booth, Standard and Deluxe Models (Spray Booth), *on condition* that the appliance be manufactured, installed, used, operated and labelled in accordance with the above report.

663-44-SA

APPLICANT—The DeVilbiss Company, owner.
SUBJECT—DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control, approval of.
APPEARANCES—
For Applicant: J. L. Folks.
ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (663-44-SA)

WHEREAS, The DeVilbiss Company, owner, filed on November 15, 1944, an application with the Board of Standards and Appeals for approval of the appliance known as DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control; and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

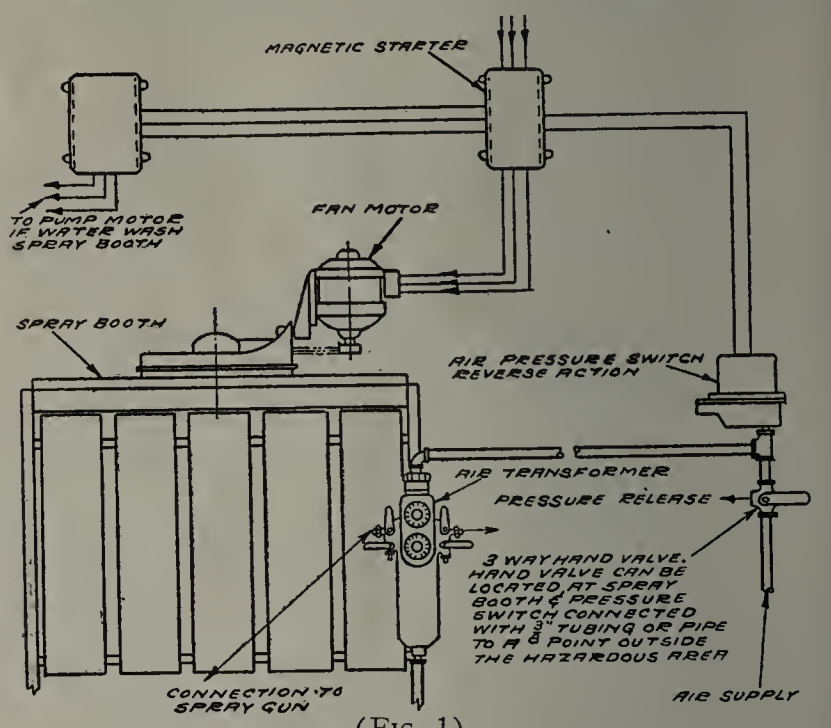
REPORT OF COMMITTEE ON TESTS.

Re: Cal. 663-44-SA
Subject: DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control, approval of.
February 26, 1945.

The DeVilbiss Company of New York City filed an application with the Board of Standards and Appeals for the approval of their method of clearing the atmosphere of paint spray fumes as required by Rule 3.2 of the Rules Governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and other Flammable Surface Coatings and Storage of Such Materials adopted under Cal. 353-30-SR.

DESCRIPTION.

The method of insuring air cleansing is shown on Fig. 1. In order that this system function, compressed air is required to be available at the spray gun at a pressure of at least five pounds per sq. in. This is accomplished by first setting the three-way valve, (Fig. 1) in such a position that the compressed air at a pressure of at least five pounds per sq. in. will pass from the air supply through the connecting piping to the air transformer and then the spray gun. As the pressure of the air acts on the diaphragm of the pressure switch, the contacts will close the electrical circuit



(FIG. 1)

and the exhaust fan and the pump (if water wash spray booth is used) will commence to operate. In this manner, the exhaust system will always be functioning when spraying is being done. In order to turn off the exhaust system, the operator must turn the three-way valve to such a position that the air supply will be closed off and the air remaining in the line between the air transformer and the valve will bleed out into the atmosphere. When the pressure in this portion of the line reaches 2 lbs. per sq. inch, gauge, or less, which is insufficient for paint spraying, the contacts in the pressure switch open the circuit, the exhaust fan and the pump cease to operate. With the above synchronized control, the operator cannot use his spraying equipment when the exhaust system is not in operation.

Part of the equipment but not manufactured by the applicant, consisting of a pressure switch of proper size and load characteristics with reverse action permitting cutting in at a pressure of five lbs. per sq. in. and cutting out at a pressure of two lbs per sq. in. is provided and shall be of an approved type.

RECOMMENDATIONS.

The Committee on Tests has reviewed the applicant's method of simultaneously controlling the spray gun and exhaust fan so interlocked as to accomplish the intent of Rule 3.2 of the Board's Rules Governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and Other Flammable Surface Coatings and Storage of Such Materials, which allows the air to be cleansed of paint fumes, and accordingly recommends that this method of apparatus layout be approved under the Board's powers granted by the Charter of the City of New York, Section 666, subdivisions 1, 2, and when the pressure switch is located within ten feet of the spray booth, such switch shall be of a type approved for use in explosive atmospheres.

The Committee on Tests further recommends that all layouts of the applicant's method, when submitted to the authorities having jurisdiction, shall bear a label reading as follows: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. 663-44-SA."

(Sgd) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as DeVilbiss Spray Gun and Electric Motor Electro-Pneumatic Control, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:45 A.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 13, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

209-44-A

APPLICANT—Raymond Irrera, for S. H. L. Realty Corporation, owner.

SUBJECT—Application reopened December 12, 1944—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—103-09 165th street, east side, from South road to Liberty avenue, 165-11 South road and 165-06 Liberty avenue (Block 10158, Lot 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera and Lester H. Tillman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Abent: Commissioner Blum..... 1

THE RESOLUTION (209-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 103-09 165th street, east side, from South road to Liberty avenue, 165-11 South road and 165-06 Liberty avenue (Block 10158, Lot 1), Jamaica, Borough of Queens, was granted by the Board on April 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this appeal was reopened by the Board on December 12, 1944, to permit consideration of additional objections issued by the borough superintendent; and

WHEREAS, the decision of the borough superintendent dated November 13, 1944, on Alt. Applic. 1121-43, reads:

"2. Secure approval of Board of Standards and Appeals as this building was approved by the Board of Standards and Appeals under Cal. 209-44-A.

4. Provide additional exit from roof, as roof is to have an occupancy which was not on original approval. Only one stair goes to roof at present time."

and

WHEREAS, the applicant contends that application was made to the borough superintendent for permission to use the roof for parking of pleasure cars and objections 2 and 4 dated November 13, 1944 were issued; and

WHEREAS, the applicant contends that one of the existing 4 ft. wide interior fireproof stairway leads to the roof and the other is provided with a scuttle and ladder to the roof; that the original plans for the building indicate the roof construction is satisfactory to sustain a live-load of 120 lbs. per sq. ft.; that the freight elevator adjacent to the Liberty avenue stairway has a landing at the roof level, which was built according to the original plans; that although Certificate of Occupancy 29099, issued April 19, 1927, did not include the roof occupancy, the roof has always been used for parking of pleasure cars and the exclusion of this roof occupancy from the certificate was evidently an oversight; that there will be no human occupancy on the roof other than the attendants delivering the cars to the roof; that the one 4 ft. stairway to the roof affords ample exit facilities for the number of persons which may occupy the roof at any one time; therefore it is requested that the Board amend the resolution of April 25, 1944, to permit the inclusion of the roof use and occupancy for storage and parking of pleasure motor vehicles and accept the existing means of egress therefrom.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 25, 1944, by adding thereto:

"* * * that nothing in this resolution shall prevent the occupancy of the roof for the storage of motor vehicles belonging to the ground floor tenant, *on condition,* that the extension of the standpipe shall be maintained at two points on the roof, and the exit shall be maintained as shown on plans filed with this appeal marked "Received January 16, 1945;" that the floor loads shall be not less than 120 lbs. per superficial foot; that the parapet shall be not less than 3 ft. in height at all points and that in addition, a bumper shall be maintained against the parapet wall on all sides, extending 3 ft. out from the inner face of the wall; that such bumpers may be of wood beams, properly anchored in place; that the existing exits, consisting of stairway toward the north side and a scuttle toward the south side located within the stair enclosure, may be deemed sufficient, provided the roof is used only as proposed and not for human occupancy, except for one or two persons engaged in placing of the cars; that roof scuttles shall be so arranged as to be openable both from the roof and from the third floor landing and double rung iron ladders shall be maintained for access thereto; and that other than as herein *amended,* the conditions of the resolution of April 25, 1944, shall be complied with."

640-44-A

APPLICANT—Charles A. Levitt, for 114 North 4th Street Corporation, owner (Lewis Steel Products Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—76-116 North 4th street, south side, from Wythe avenue to Berry street, 203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4-13 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles A. Levitt and Lawrence L. Harris.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

THE RESOLUTION (640-44-A)

WHEREAS, Charles A. Levitt, for 114 North 4th Street Corporation, owner (Lewis Steel Products Corporation, lessee), filed November 13, 1944, an appeal from a decision of the borough superintendent, affecting premises 76-116 North 4th street, south side between Berry street and Wythe avenue, 203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4 to 13, inclusive), Borough of Brooklyn; and

MINUTES

WHEREAS, the decision of the borough superintendent, dated March 6, 1945, on Alt. Applic. 2702-41, reads:

"1. Questioned whether roof structure as shown to be considered or penthouse and as such, so comply with Section 10.12.3 of Bldg. Code."

and

WHEREAS, the applicant states the building will be 3 stories and penthouse (60 ft.) in height; 450 ft. by 60 ft. in area; of Class 3 construction; erected 1942, used and occupied—1st floor, steel storage, 10 persons; 2nd floor, manufacturing metal goods, 15 persons; 3rd floor, packing and painting, 11 persons; penthouse, storage of metal goods, 3 persons; that the building is equipped with three 8 ft. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant states it is proposed to erect on top of the present roof, a bulkhead made of light steel to house a 4 in. Monorail conveyor; that the bulkhead will be 400 ft. long by 12 ft. wide by 12 ft. high and will not house any employees or have any floor load; and

WHEREAS, the applicant contends that the installation is for the purpose of drying painted parts of vital war materials, thus expediting delivery; that a bulkhead of this nature should not be considered as roof area; that the bulkhead will be built entirely of steel with the front facing the street, to be of steel sash and the back to have corrugated sheets for siding and the roof to be of corrugated sheets; that the floor will be of sheet iron and the entire bulkhead will be sprinklered and that access doors will be provided and 12 in. by 12 in. ventilators will be provided every 75 ft.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 2702-41, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the structure for conveyor shall be maintained substantially as proposed and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 675-41-A, as amended; and that the sprinkler system shall be continued into the conveyor as proposed.

21-45-A

APPLICANT—Samuel Rosenblum, for Jessie Ridley, owner (Abbott Glass Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (21-45-A)

WHEREAS, Samuel Rosenblum, for Jessie Ridley, owner (Abbott Glass Company, lessee), filed January 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated March 2, 1945, on amendment to Alt. Applic. 1227-44, reads:

"2. The means of egress shall conform with Section 270 Sub. 3, 4 and 5, Labor Law.

5. The subdividing partitions shall conform with C26-637 also C26-667, Sub. 10.9.2.5 B. Code."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 100 ft. by 100 ft. 11 in. in area, of class 1 construction, erected in 1913, located in a business use, B area, class 1½ height district and used and occupied since 1944 as follows: cellar—boiler room—no persons; 1st floor—office, glass cutting—12 persons; mezzanine—office—3 persons; 2nd floor—storage and cutting of glass, polishing and mirror silvering—24 persons; one tenant throughout the building; that the building is equipped with one interior fireproof stairs, 3 ft. 8 in. wide, fireproof enclosed, equipped with fireproof, self-closing doors and extending from the roof bulkhead, directly to the street at the center of the building, and a secondary stairs, 2 ft. 8 in. and 3 ft. 4 in. wide at easterly side of the building, extending from the 1st story to the 2nd story; that there is also one fire escape at the rear, extending to the roof by a ladder and to the yard by stair with egress proposed through the adjoining premises to the south; that the windows and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that plans for the new building were filed subsequent to October 1, 1913; that the building was formerly used for garage purposes and is now being used by one tenant for the cutting of glass, polishing and silvering of mirrors, with a maximum occupancy not to exceed 24 persons above the grade floor; that the interior fireproof stairs conforms to the Labor Law; that the secondary stairs, which is fireproof, is enclosed on the 2nd and mezzanine floors in fireproof partitions; that it does not conform to Section 270 of the Labor Law; that the stair from the mezzanine to the 2nd floor is 2 ft. 8 in. wide, enclosed on top and bottom with fireproof, self-closing doors; that from the mezzanine, there is a 3 ft. 4 in. iron stair leading to the grade floor; that in addition to these two means of egress, there is an iron stair in the rear court, terminating in the court, but proposed to be provided with a fireproof door to the adjoining premises to the south under the same ownership; that as the proposed occupancy will not exceed the capacity of the primary means of egress, it is requested that this appeal be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1227-44, and that the appeal be and it hereby is *granted,* as to objection 2, *on condition* that the means of egress shall be maintained as indicated on plans filed with this appeal marked "Received March 8, 1945"; that the fireproof door, in the lot line wall of the adjoining garage building to the south, shall be maintained so long as the adjoining premises are under the same ownership and free access shall be possible at all times through such building to East 119th street; that the means of access to the roof as indicated, shall be maintained; as to Objection 5, that the temporary partitions indicated on first floor and second floor, may be continued for a term of two years, provided such partitions are covered on both sides with approved plaster board; that the building shall not be increased in height or area; that the occupancy throughout shall be by one tenant; that the boiler room shall be separated from the balance of the building by fireproof construction; that any gasoline storage system previously used, shall be sealed to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws and rules applicable thereto.

31-45-A

APPLICANT—Joseph S. Rodell, for Paul and Esther Blackarsh and Rose and Isidore Podolsky, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Joseph S. Rodell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (31-45-A)

WHEREAS, Joseph S. Rodell, for Paul and Esther Blackarsh and Rose and Isidore Podolsky, owners, filed January 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 153-19 Jamaica avenue, north side, 175.05 ft. east of 153rd street (2nd floor); (Block 9754, Lot 48), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated December 27, 1944, and as amended on March 13, 1945, on Alt. Applic. 1149-44, reads:

"1. Stair enclosure not shown of fireproof material and extending above the roof. Section 270, Labor Law.

2. Live load not shown to comply with Section 7.3.23 Building Code.

3. Cellar ceiling not shown properly fire-retarded. Section 10.11 Building Code (C26-669.0)."

and

WHEREAS, the applicant states that the building is 2 stories (33 ft.) in height, 100.03 ft. by 126.5 ft. in area, of class 3 construction, erected in 1930, located in a business use, C area, class 1 height district and used and occupied since 1930 as follows: cellar—boiler room and storage; 1st floor—stores; 2nd floor—offices and storage; proposed to be used and occupied as follows: cellar—same; 1st floor—same; 2nd floor—manufacturing clothing—85 persons; that the building is equipped with two interior steel stairs with terrazzo treads, enclosed with wood studs and ¾ in. portland cement mortar, both sides, on metal lath, equipped with metal covered doors which are not self-closing, and extending from the 2nd story to the street; that a ladder and scuttle to the roof is provided; that one stairs is 4 ft. 10 in. wide and the other 5 ft. 11 in. wide; that there is safe egress from the roof; and

WHEREAS, Violation 2660, issued November 14, 1944, was for occupying the first story for manufacturing of upholstered furniture, without a certificate of occupancy; and

WHEREAS, said violation was returnable in Magistrates Court January 2, 1945 and adjourned to February 6, 1945; and

WHEREAS, Certificate of Occupancy 45282 issued January 26, 1931 on N. B. Applic. 4771-30, permits the use of the first floor for stores, 75 lb. liveload and the 2nd floor for offices—75 lb. liveload; and

WHEREAS, the applicant contends as to Objection 1, that the two existing stairways are of steel construction, with steel risers and terrazzo treads and platforms and enclosed in partitions of wood studs and ¾ in. Portland cement mortar both sides on metal lath and are 5 ft. 11 in. and 4 ft. 10 in. respectively in width and are adequate for the proposed number of occupants and are so located as to provide remote egress to both street fronts, independent and unobstructed directly from the proposed manufacturing area; and

WHEREAS, the applicant contends as to objection 2, that the proposed use will be that of clothing manufacturing, using light machines of the sewing machine type and by reason of the small number of occupants proposed for the large floor area, the arrangement of these machines will be such as to impose a liveload of much less than 75 lbs., which has been previously accepted for the existing public occupancy; and

WHEREAS, the applicant further contends that the existing interior partitions on the 2nd floor, as indicated on plans filed with this appeal, are of wood studs, metal lath and plaster; that the arrangement of these partitions is such that the Board may deem it advisable that all of them be removed except those which provide passageways connecting to the interior stairs; that the applicant is agreeable to such removal, if the Board so requires; that the existing occupancy on the 2nd floor by the Court of Special Sessions imposed a greater load on the exits than will be imposed by the proposed manufacturing with an occupancy not to exceed the capacities of the existing interior stairs; that manufacturing will be confined to the rear and central portion of the second floor and the rooms fronting on Jamaica avenue will be used for office and showroom purposes only; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1149-44, as denied March 13, 1945, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; as to objection 1, that the stair enclosure around each stair as shown on plans filed with this appeal marked "Received March 8, 1945" shall be maintained substantially as proposed and as indicated thereon; as to Objection 2, that the existing live load of 75 lbs. may be retained, provided the tenancy of the 2nd floor is by one concern throughout and the type of manufacturing is light in nature and that the floor shall not be overloaded beyond such capacity; that such floor load shall be posted; and *denied* as to objection 3; that such portable fire fighting appliances shall be maintained throughout the building as the fire commissioner shall direct; that the existing scuttles to the roof as proposed, shall be maintained with iron ladders leading thereto and with easy opening device; that the windows shown in the courts to the east and west shall be made fireproof self-closing; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

109-45-A

APPLICANT—Hess, Mela and Popkin, for The City Ice and Fuel Co., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—890 Grant avenue, northeast corner of East 161st street (Block 2444, Lot 32), Borough of The Bronx.
APPEARANCES—
For Applicant: Arthur A. Segall and William Schmid.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

THE RESOLUTION (109-45-A)

WHEREAS, Hess, Mela and Popkin, for The City Ice and Fuel Company, owner, filed March 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 890 Grant avenue, northeast corner of East 161st street (Block 2444, Lot 32), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated February 9, 1945, on Alt. Applic. 70-45, reads:

"1. Cooler tower must be constructed in accordance with Section C26-679.0."

and

WHEREAS, the applicant states that the building is 1 and 2 stories (15 ft. and 25 ft.) in height, 172 ft. 6 in. by 109 ft. 6 in. in area, of class 1 construction, erected in 1922, located in an unrestricted use, B area class 1½ height district and used and occupied as an ice manufacturing plant for which no certificate of occupancy has been issued; that the building

is equipped with two 3 ft. 8 in. fireproof stairs which lead directly to the street and a scuttle to the roof is provided; and

WHEREAS, the applicant contends that the plant manufactures ice for use in icing railroad cars used for the transportation of perishable commodities used predominantly by government agencies including the Armed Forces; that the plant also supplies ice for domestic use; that the demand for ice has increased because of the current unavailability of mechanical refrigeration for such purposes; that the type of cooling tower sought to be erected is a single cased 3500 G.P.M. mechanical forced draft; that the interior will have wood members constructed of California heart redwood of which a considerable amount is comprised of drip bars; that the tower will be in operation continuously 24 hours a day; that the interior will be saturated with water; that the manufacturer states when not saturated, California heart redwood is difficult to burn; that the outer covering of the tower will be of linasbestos sheets ¼ in. thick, bolted to the supporting steel framework on close centers and completely water tight and fire-resistant; that the tower constitutes no fire hazard and it is requested that the Board permit the construction of the tower as proposed.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 70-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cooling tower shall be constructed substantially as proposed; that all wood parts, with the exception of the drip bars, shall be fireproofed, meeting the requirements of the Building Code therefor, and painted with a prime coat of lead and oil before erection at the site; that after erection, all such fireproofed wood parts shall again be painted with a field coat of lead and oil except such portions as are permanently under water; that the exterior of the tower shall otherwise be covered with approved incombustible siding.

110-45-A

APPLICANT—John A. Thompson, for Estate of Cortlandt F. Bishop, owner (A. A. Berle and Beatrice B. Berle, trustees); (Alex Taylor and Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—22 East 42nd street, south side, 210 ft. east of 5th avenue (1st floor); (Block 1276, Lot 64), Borough of Manhattan.

APPEARANCES—

For Applicant: John A. Thompson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (110-45-A)

WHEREAS, John A. Thompson, for Estate of Cortlandt F. Bishop, owner (Alex Taylor & Company, Inc., lessee), filed March 5, 1945, an appeal from a decision of the borough superintendent, affecting premises: 22 East 42nd street, south side, 210 ft. east of Fifth avenue (1st floor); (Block 1276, Lot 64), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 23, 1945, on Alt. Applic. 127-45, reads:

"1. Wood construction for suspended ceiling not permitted by 8.4.10.5 and Departmental Interpretation.

2. Show window may not project from building line over 8 feet into lobby Section 6.3.1 Bldg. Code." and

WHEREAS, the applicant states that the building is 6 stories (78 ft.) in height, 22 ft. by 98 ft. 9 in. in area at first floor, 22 ft. by 88 ft. 9 in. in area at typical floor; Class 1 construction; erected in 1916; located in a restricted retail use, B area, Class 2 height district; used and occupied since 1922 as follows: Cellar, receiving and shipping, one person; 1st, 2nd and 3d stories, sale of athletic goods, 10 persons on the 1st floor, two persons on the 2nd floor and 3 persons on the 3rd floor; 4th floor—office, 8 persons; 5th floor, selling of athletic goods, 2 persons; 6th floor, stockroom, 2 persons; that no change in use or occupancy is proposed except for the 4th floor, which will be increased to nine persons; that the building is equipped with one 3 ft. 8 in. steel stairs enclosed in 6 in. terra cotta block partitions, equipped with kalamein, self-closing doors, extending from the roof bulkhead to the first floor; and

WHEREAS, the applicant contends as to objection 1, that the present ceiling construction of show windows is 2 ft. by 6 ft. wood joist with rough wood floor over; that the 5 ft. high space above show windows is open to store interior; that permission is requested to lower the wood construction approximately one foot, extend it as indicated on plans filed with this appeal, and to shut off space above the windows from the store, by metal lath and plaster partitions; that the utilization of present wood framing members will conserve critical materials; that to shut off the space over windows will improve existing conditions; and contends as to objection 2, that it is proposed to project show windows 17 ft. 6 in. inside building line in lieu of present 10 ft. projection; that the greater part of such extension will be used for the installation of vestibule and storm doors; that all sides of show windows and vestibule will be plate glass in metal frames; that bulkheads under windows will be terra cotta blocks, faced with structural glass; that the ceilings of the windows and space between will be metal lath and plaster; that the floor between windows will be terrazzo; that the existing conditions will be improved, as the present exit door is a single 3 ft. wide door swinging in and opening to space 3 ft. wide increasing to 10 ft. at the building line; that the proposed alteration will provide double doors, 5 ft. wide opening to a space 10 ft. wide; that the lessee is the sole occupant of the building; that practically all of the selling done on the premises will be on the first floor; that when plans were filed in 1921 for altering these premises for use by the present tenant it was planned to use more employees than at present; that the character of business has changed since that time and the occupancy of the building greatly reduced.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 127-45, objections 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the entrance shall be substantially as proposed and as indicated on plans filed with this appeal marked "Received March 5, 1945"; that in other respects, the occupancy shall be in accord with the resolution previously adopted under date of November 22, 1921; that if glass doors are used, they shall be in accordance with a general approval of the Board therefor; that the wood framing proposed over the entrance vestibule shall be filled in to a point one half inch above the level of the beams with vermiculate and gypsum plaster or rock wool; that there shall be installed within each show window, as proposed, not less than three ½ in. sprinkler heads, which may be fed from the domestic water supply of the building.

127-45-A

APPLICANT—William O. Staber, for Surob Realty Corporation, owner (U. S. Electric Manufacturing Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—12-16 East 13th street, south side, 175 ft. east of 5th avenue (Block 570, Lot 11), Borough of Manhattan.

APPEARANCES—

For Applicant: William O. Staber and Harold Hyman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (127-45-A)

WHEREAS, William O. Staber, for Surob Realty Corporation, owner (U. S. Electric Manufacturing Corporation, lessee), filed March 8, 1945, an appeal from a decision of the borough superintendent, affecting premises 12-16 East 13th street, south side, 175 ft. east of 5th avenue (Block 570, Lot 11), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 6, 1945, on amendment to Alt. Applic. 311-45, reads:

"1. As building was erected after October 1, 1913, construction of building should comply with Section 270 Labor Law. Building does not comply with Section 270 Labor Law in the following respects.

(a) 'Second means of egress required to be an interior enclosed fireproof stairway or an exterior enclosed fireproof stairway. Rear stairway does not conform.'

(b) 'Both stairways do not extend to roof.' Reconsideration denied.

(c) 'Treads not 10 in. wide exclusive of nosing.' Reconsideration denied.

(d) 'New door to stairs not 1½ hour fire test. Reconsideration denied.

2. 'Lot line ventilation for women's rest room not acceptable.' Reconsideration denied.

3. 'Loading space required to conform to 7.3.2.3—6 Building Code. Live load required is 175 lbs. per sq. ft. Also provide for minimum concentration of 12000 lbs. at any point of floor of trucking space.' Reconsideration denied."

and

WHEREAS, the applicant states the building is 8 stories (90 ft.) in height; 67 ft. by 99 ft. 6 in. in area at 1st floor; 67 ft. by 89 ft. 6 in. in area at typical floor; of Class 1 construction; erected in 1929, located in a business use, B area, Class 1½ height district and used and occupied since 1930 as a garage for more than five motor vehicles, and proposed to be used and occupied as follows: 1st to 5th floors, storage; 6th floor, manufacturing flash lights, 45 persons; 7th floor, manufacturing flash lights, 45 persons; 8th floor, manufacturing flash lights, 45 persons; that the building is equipped with an approved standpipe system, one 3 ft. 11 in. wide steel stairs (fire tower), enclosed in 8 in. brick, equipped with fireproof, self-closing doors and extending directly to the street, but not to the roof and one fire escape at the rear, extending to the roof by stairs and to the yard by stairs with egress from the yard to the street through fire passage on the 1st floor; that the windows and door openings on the course of the fire escape and fireproof and self-closing; and

WHEREAS, the applicant contends that the building has been leased for the duration of the war for the manufacture and assembling of flash light casings, packing and shipping by the lessee, which is a prime contractor for the Army and Navy departments; that only light machinery will be installed and no inflammable materials will be stored or used; that the lease is predicated on condition that the tenants restore the premises to its original condition on termination of the lease; it is therefore requested that the present certificate of occupancy remain in force and that no new certificate of occupancy be required; and

WHEREAS, the applicant further contends that in view of the proposed temporary occupancy, it is requested that the Board grant reconsideration as to the objections of the borough superintendent on the following grounds: As to Objection 1a—the existing rear stairway is a screened open stair, complying with Section 268 of the Labor Law; these stairs are 3 ft. 8 in. in width in the clear with five ft. clear landing platforms and 4 ft. 6 in. wide intermediate landings; that this stair extends from the yard to the roof and egress to the street is had by means of the fire passage on the street floor; that all doors opening on the rear stairway are self-closing, fireproof and swing in the direction of egress; that there are no locking devices on these doors; and contends as to Objection 1b, that the present front fire tower consists of steel risers, cement finished treads and has a clear width of 3 ft. 11 in. with floor landing platforms 5 ft. clear and intermediate platforms 4 ft. clear; that the present doors opening on the balcony will be removed and a new stair vestibule created, to afford ready access to these stairs from each floor; and contends as to Objection 1c, that the full width of the treads is 10 in. including the nosing, and acceptance is requested, and contends as to 1d, it is intended to re-use the existing doors removed from the stairhall; that these doors are of kalamein construction with wire glass panels, equipped with self-closing hardware, and contends as to Objection 2, that the window in question is located above the adjoining building to the east; that this window is of steel sash, wire glass, equipped with fusible link; that in view of the proposed temporary occupancy of the building, it is requested that this be accepted for ventilation of the women's toilets and dressing rooms, and contends as to Objection 3, that the floor construction in this area is designed to sustain a 160 lbs. per sq. ft. live load; that the trucks used by the tenants are two ton capacity weighing 3,000 lbs. empty, making the total axle load 7,000 lbs. and inasmuch as two-thirds of the total load is concentrated on the rear axle, the maximum concentrated load at any point is not more than 2400 lbs.; it is therefore requested that the existing condition be accepted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 311-45, and that the appeal be and it hereby is *granted*, as to objection 1a, *on condition* that the means of egress as indicated on plans filed with this appeal marked "Received March 8, 1945" shall be maintained; that such means of egress shall consist of the existing fire tower, which shall be maintained in accordance with the fire tower requirements for all floors up to and including the fifth; that on the 6th, 7th and 8th floors, the vestibule partition indicated on plans, may be constructed and the door between the vestibule and the stairway eliminated; and that the exterior screened stairway shall comply with the requirements of the Labor Law, as proposed, exiting to the street through a fire passage, as indicated; as to objection 1b, that both the primary and secondary means of exit shall extend to the roof; as to objection 1c, that the stair treads shall not be less than 9 inches in width, exclusive of nosing and shall be steel cement surfaced; as to objection 1d, that the doors to stairs, where proposed to be changed on the 6th, 7th and 8th floors, may be the existing fire tower doors, reset as shown on plans; as to objection 2, that the lot line window may be accepted as ventilation for the rest room, provided the toilets are ventilated in accordance with the Code therefor; as to objection 3, that the space over the boilerroom on the first floor may be occupied for trucking space, provided that the liveload shall not be less than 160 lbs. per superficial foot and shall be so posted; that the trucks entering such loading space shall not exceed the weight of 3½ tons each, as proposed, and the space shall be so posted: that this variance is *granted* only for the term of the present war emergency and for six months thereafter, and upon its expiration, the proposed manufacturing and storage use shall be discontinued; that the occupancy of the building may thereafter be resumed as a public garage and the requirements therefor complied with; and that during the term of this variance, any gasoline storage system shall be sealed to the satisfaction of the fire commissioner.

MINUTES

675-41-A

APPLICANT—Charles A. Levitt, for Lewis Steel Products Corp., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—76-116 North 4th street, south side, between Berry street and Wythe avenue, 199-203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4 and 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles A. Levitt and Lawrence L. Harris.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (675-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 76-116 North 4th street, south side, between Berry street and Wythe avenue, 199-203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4 and 13), Borough of Brooklyn, was granted by the Board on July 22, 1941, on certain conditions; and

WHEREAS, the resolution was amended on December 15, 1942 and the time was extended on December 14, 1943, to install the sprinkler system; and

WHEREAS, the applicant requested a further extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 22, 1941, as amended by resolutions adopted through December 14, 1943, so that as amended, the portion relating to the sprinkler system shall read:

"* * * that the installation of such sprinkler system shall commence within thirty (30) days and be completed within three (3) months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of July 22, 1941 and December 15, 1942, shall be complied with."

665-44-A

APPLICANT—Ranger Aircraft Engines, Div. Fairchild Engine & Airoplane Corporation, lessee; Defense Plant Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Bldg. No. 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Franklin H. George.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (665-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Bldg. No. 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 5, 1944, by deleting in the applicant's contention "that there is a fire alarm installed and that fire drills are maintained," and by amending the resolution, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 548-44, Objection 1, and that the appeal be and it hereby is *granted on condition* that the partitions as proposed shall be continued only during the term of the present emergency and for not over one (1) year thereafter; that no additional combustible partitions shall be installed; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner; that a Certificate of Occupancy shall be obtained, to cover the present use and to record the full number of persons per floor, based on the exits and allowance for the sprinkler system; that such portable fire extinguishing equipment shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. Nos. 356-42-A and 24-43-S."

666-44-A

APPLICANT—Ranger Aircraft Engines, Div. Fairchild Engine & Airoplane Corporation, lessee; Defense Plant Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Bldg. No. 2); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Franklin H. George.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (666-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 184-10 Jamaica avenue, south side, 411 ft. east of 183rd street (Bldg. No. 2); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 5, 1944, by deleting in the applicant's contention "that there is a fire alarm installed and that fire drills are maintained," and by amending the resolution, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the

borough superintendent on Alt. Applic. 549-44, Objection 1, and that the application be and it hereby is *granted on condition* that the partitions as proposed, shall be continued only during the term of the present emergency and for not over one (1) year thereafter; that no additional combustible partitions shall be installed; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner; that a Certificate of Occupancy shall be obtained to cover the present use and to record the full number of persons per floor based on the exits and allowance for the sprinkler system; that such portable fire extinguishing equipment shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 573-43-S."

508-44-A

APPLICANT—William Intner Co., Inc., for William and Dora Intner, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—340 East 40th street and 695-699 First avenue, southwest corner (1st floor); (Block 945, Lot 33), Borough of Manhattan.

APPEARANCES—
For Applicant: William Dugan and William Intner.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative: 0
Negative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Absent: Commissioner Blum..... 1

636-44-A

APPLICANT—Max Horn, for Goldwein Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (Under section 35, General City Law re bed of mapped street—150th street).

APPEARANCES—
For Applicant: Max Horn and Hyman Goldberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

645-44-A

APPLICANT—Dominick Salvati, for Isaac Putterman and Robert Levine, owners (Moy Him, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—534-538 Eastern parkway, southwest corner of Nostrand avenue (2nd floor); (Block 1268, part of Lot 38), Borough of Brooklyn.

APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

632-44-A

APPLICANT—Interborough Engineering Co., for Long Island Star-Journal, owner (Petrometer Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Ribelle Perrotto.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to April 10, 1945 at 2 P. M. for further consideration.

653-44-A

APPLICANT—Samuel Rosenblum, for Adon Realty Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

APPEARANCES—
For Applicant: Samuel Rosenblum and William Bick.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to March 20, 1945 at 2 P. M. for further consideration.

657-44-A

APPLICANT—Scott and Prescott, for Central Gospel Chapel of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

APPEARANCES—
For Applicant: William O. Prescott, Duncan McFinlay, Trustee and Amelia McKinlay.
For Administration: Henry Pheney and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M., pending an inspection by a committee of the Board.

ZONING CASES

589-38-BZ

APPLICANT—The Franklin Savings Bank in the City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under sections 7h and 21 of the zoning resolution, permitting in a retail use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and part of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

APPEARANCES—
For Applicant: Alfred G. Genung.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on April 10, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

1199-38-BZ

APPLICANT—Edward Malloy, for Emma Mattern, as General Guardian of Gertrude Mattern, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—341-343 West 53d street, north side, 275 ft. east of Ninth avenue (Block 1044, Lots 11 and 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Malloy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

THE RESOLUTION (1199-38-BZ)

WHEREAS, this application, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 341-343 West 53rd street, north side, 275 ft. east of Ninth avenue (Block 1044, Lots 11 and 12), Borough of Manhattan, was granted by the Board on May 9, 1939, on certain conditions; and

WHEREAS, the resolution was amended and permit extended on April 15, 1941 and the permit was further extended on March 9, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 9, 1939, as amended through March 9, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolutions of May 9, 1939 and April 15, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

31-39-BZ

APPLICANT—Edward Malloy, for Townsend L. Connor, Laura Investing Company and Gertrude Ederle, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—331-339 West 53rd street, north side, 390 ft. west of Eighth avenue (Block 1044, Lots 13 to 17, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Malloy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

THE RESOLUTION (31-39-BZ)

WHEREAS, this application, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 331-339 West 53rd street, north side, 390 ft. west of Eighth avenue (Block 1044, Lots 13 to 17, inclusive), Borough of Manhattan, was granted by the Board on April 4, 1939. on certain conditions; and

WHEREAS, the resolution was amended and permit extended on April 15, 1941 and the permit was further extended on March 9, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 4, 1939, as amended through March 9, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolutions of April 4, 1939 and April 15, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

(Remaining minutes of the meeting of March 13, 1945 will be printed in the Bulletin of March 27, 1945.)

Adjourned: 5:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, March 20, 1945, at 10 A. M., Affecting Calendar Numbers 25-45-BZ, 57-45-BZ, 475-44-A, 32-45-A, 86-45-A and 49-45-SA.

Minutes of Regular Meeting, March 20, 1945, at 2 P. M., Affecting Calendar Numbers 64-45-A, 125-45-A, 142-45-A, 271-42-A, 646-44-A, 129-41-A, 577-44-A, 647-44-A, 653-44-A, 664-44-A, 715-44-A, 80-45-A, 872-39-BZ, 11-37-BZ, 715-38-BZ, 840-38-BZ, 1197-38-BZ, 1261-39-BZ, 463-41-BZ, 340-44-BZ, 74-42-SM and 75-42-SM.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to March 20, 1945.

Cal. No. Dept. Premises Affected.

148-45-A—F.D.—207-213 Norman avenue and 750-760 Humboldt street, northeast corner (1st floor); (Block 2628, Lot 38), Borough of Brooklyn, Decision re: 98578-LC.

149-45-A—H.B.M.—186 William street, east side, 48 ft. 4¼ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan, Alt. 351-45.

150-45-BZ—H.B.Bx.—3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx, Alt. 51-45.

151-45-A—H.B.B.—32-48 Eagle street and 206-212 West street, southeast corner (3rd floor); (Block 2503, Lot 1), Borough of Brooklyn, Alt. 515-45.

152-45-SM—Solus Oil and Gasoline Separator, manufactured by The Central Foundry Co., Material.

153-45-A—F.D.—35-18 37th street, west side, 165 ft south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens, Decision re 97639-LC.

154-45-A—F.D.—110-112 West 40th street, south side, 175 ft. west of 6th avenue (Block 815, Lot 39), Borough of Manhattan, 33295-LF.

155-45-SA—Russwin Semi-Concealed Door Closer, Model 400, Appliance.

156-45-A—F.D.—318 3rd avenue, west side, 257 ft. south of Carroll street (Block 453, Lot 52), Borough of Brooklyn, 13115-LF and Decision.

157-45-BZ—H.B.Q.—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens, N.B. 58-45.

158-45-A—H.B.Q.—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens, N. B. 58-45.

159-45-BZ—H.B.B.—1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn, B.N. 48-45.

Restored to Calendar.

577-44-A—H.B.M.—13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan, Amendment to P.A. 605-44.

129-41-A—F.D.—7 and 8 Chatham Square, west side, 106 ft. 4½ in. north of Mott street (Block 162, Lot 39), Borough of Manhattan, 33095-LF.

872-39-BZ—H.B.B.—7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O, (Block 6574, Lot 6), Borough of Brooklyn, N.B. 262-45.

475-44-A—F.D.—42-56 Crescent street, west side, 84 ft. north of 43rd (Harris) avenue (Block 429, Lot 31), Long Island City, Borough of Queens, 9741-C.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
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Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
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Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
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Tank Trucks, Gasoline, etc	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

MARCH 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, March 27*, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an

CALENDAR

F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

330-36-BZ—Application of Samuel Rosenblum, applicant, on behalf of Shelton Holding Corporation, owner, reopened March 6, 1945 for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Appeal from Administrative Decision.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Material for Approval.

962-39-SM—Gritecrete Long Span Flat Ceiling-Floor Construction.

HARRIS H. MURDOCK, *Chairman.*

MARCH 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, March* 27, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

Appeals from Administrative Decisions.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

664-44-A—741-775 Ocean avenue, east side, 60 ft. south of Beverly road (Block 5151, Lot 33), Borough of Brooklyn.

698-44-A—197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and Block 5555, Lot 19), Bayside, Borough of Queens (under section 35, General City Law—re bed of mapped streets—46th road and 197th street [place]).

161-45-A—237-239 Richmond street, east side, 65 ft. north of Dinsmore place and 91-95 Dinsmore place (1st and 2nd floors); (Block 4141, Lot 4), Borough of Brooklyn.

144-45-A—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.

76-45-A—139 Evergreen avenue, east side, 25 ft. north of Troutman street (1st and 2nd floors); (Block 3172, Lot 2), Borough of Brooklyn.

149-45-A—186 William street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than used cars; premises 2242-2262 Church avenue, south side, the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

56-45-BZ—Application, February 6, 1945, under section 7A of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

589-38-BZ—Application of The Franklin Savings Bank in the City of New York, applicant and owner, reopened March 13, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and parts of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

639-44-BZ—Application, November 13, 1944, under sections 7e and 21 of the zoning resolution, of Halford Realty Corporation, applicant and owner, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises; premises 440 West 240th street, southeast corner of Greystone avenue to Dash place (Block 3414-E, Lot 20), Borough of The Bronx.

40-45-BZ—Application, January 29, 1945, under sections 7c and 21 of the zoning resolution, of Daniel Santoro, applicant, on behalf of Gus Stanzione and Rose Stanzione, owners, to permit in a residence use E area district, the erection of a three-car garage (for light delivery trucks) as an accessory to a bakery-grocery business on the front of plot in a local retail D area district: premises 705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond.

CALENDAR

52-45-BZ—Application, February 5, 1945, under section 7c of the zoning resolution, of Joseph H. Cornell, applicant, on behalf of Frances Greenrose, owner, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building; premises 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

533-42-BZ—Application of Paul Friedman and Arnold W. Lederer, applicants on behalf of Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42), reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application, previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of I. Daniel Shorell, owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st tsreet, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

Appeals from Administrative Decisions.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

165-45-A—33-67 35th street and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (2nd floor, West Section A, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

95-42-A—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn (reopened January 23, 1945).

Appliance for Approval.

2-45-SA—Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

632-44-A—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

164-45-A—783-787 11th avenue, west side, between West 54th and West 55th streets, 617 West 54th street and 606-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan.

627-44-A—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.

117-45-A—47-09 to 47-51 Austel place (Anable avenue), northwest corner of 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens.

51-45-A—30-30 Thomson avenue, south side and 47th avenue, north side, from 30th place (Manley street) to 31st (Mount) street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1), Long Island City, Borough of Queens.

80-45-A—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.

501-44-A—114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens (previously denied; reopened January 9, 1945 re consideration of new proposal).

678-44-A—1600-1606 Atlantic avenue, south side, 95 ft. east of Albany avenue (2nd floor); (Block 1334, Lot 5), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

167-45-A—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (under section 35, General City Law—re bed of mapped street—127th street).

577-44-A—13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan (reopened and restored to calendar, March 20, 1945; previously withdrawn).

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning,* April 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

660-44-BZ—Application, November 21, 1944, under sections 7a and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Doris Gordon, owner, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores; premises 200 East Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

671-44-BZ—Application, November 27, 1944, under section 7c of the zoning resolution, of Charles H. Richter, applicant, on behalf of Terry and McMichael, Inc., owner, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for an existing

CALENDAR

smaller frame garage building; premises 424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant, on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard; premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Bulova Watch Co., owner (Bulova School of Watchmaking, lessee), to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

Appeal from Administrative Decision.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 17, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

25-45-BZ—Application, January 17, 1945, under sections 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of March 13, 1945.)

271-43-BZ

APPLICANT—Lama and Proskauer, for Schrier Trading Corporation, owner.

SUBJECT—Application for consideration—reopening and reconsideration as to new decision—Application (decision of the borough superintendent) previously revoking approval of plans, permits and certificates of occupancy; decision as to zoning variance to be deferred until after compliance—under section 7c of the zoning resolution, to permit in a business use district the maintenance of more than five individual garages.

PREMISES AFFECTED—11-17 (7-17 displayed) Schenectady avenue and 617-627 Herkimer street, northeast corner (Block 1701, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Proskauer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn	3
Negative:	0
Absent: Commissioner Blum	1

THE RESOLUTION (271-43-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, to permit in a business use district, the maintenance of more than five individual garages, affecting premises 11-17 (7-17 displayed) Schenectady avenue and 617-627 Herkimer street, Northeast corner (Block 1701, Lot 1), Borough of Brooklyn, was placed on the reserve calendar on April 4, 1944 and action on zoning deferred on May 23, 1944, but a resolution was adopted, revoking plans, permits and certificate of occupancy; and

WHEREAS, the applicant requested a reopening and reconsideration of the action of the Board of May 23, 1944; and

WHEREAS, the applicant amended the application at the hearing for consideration under section 7 subdivision f; and

WHEREAS, the premises and area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* its action of May 23, 1944, and does hereby grant a variation of the zoning resolution as follows:

"*Granted* under section 7f, to permit the reconstruction and alterations of existing garages as indicated on revised plans marked "Received March 5, 1945", *on condition* that no additional garages shall be constructed; that all open space not covered by the single car garages shall be paved with concrete; that existing curb cuts on Herkimer street and Schenectady avenue shall not be increased; that no signs advertising the garage use shall be displayed; that no parking of cars shall be permitted other than the parking and storage within the garages themselves; that this variance is for a term of ten (10) years from the date of this resolution; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution."

MATERIALS SUBMITTED FOR APPROVAL

62-39-SM

APPLICANT—The Philip Carey Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re The Philip Carey Company "Built-up" Roofing, Approval of (previously approved).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and restored to the calendar and referred to the Committee on Tests for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

172-44-SM

APPLICANT—Ellison Bronze Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Ellison Balanced Door Assemblies (Metal, Metal or Wood and Glass Self-Closing Doors, Jambs and Hardware).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee on Tests for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

1003-41-SM

APPLICANT—World Steel Products Corporation, owner.

SUBJECT—World Door Two A, Hollow Metal One and One-Half Hour Door, World Door One, World Door One A and World Door Two, Kalamein, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Gunn..... 3
Negative: 0
Absent: Commissioner Blum..... 1

THE RESOLUTION (1003-41-SM)

WHEREAS, the World Steel Products Corporation, owner, filed on November 21, 1941, an application with the Board of Standards and Appeals, for the approval of their material known as the World Door Two A, Hollow Metal One and One-Half Hour Door, World Door One, World Door One A and World Door Two, Kalamein Doors; and

WHEREAS, the applicant failed to arrange for a proper inspection and test of these doors, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

REGULAR MEETING

TUESDAY MORNING, MARCH 20, 1945, 10 A. M.

Present: Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, March 13, 1945, and Tuesday afternoon, March 13, 1945, were approved as printed in Bulletin No. 11, Volume 30.

ZONING CASES

25-45-BZ

APPLICANT—Paul Friedman, for Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform.

PREMISES AFFECTED—211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Leo Zimmerman and John Spegle.

For Opposition: Joseph McGrath, Mabel McGrath, Nicholas Ditta, Josephine Condon, Jacob Schreck, Vincenze Salerno.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 24, 1945 at 10 a. m. for an inspection by a committee of the Board. No further argument.

57-45-BZ

APPLICANT—Ralph J. Gurfield, for Storch and Hirsche, owners.

SUBJECT—Application (decision of borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area, district, the extension of the 1st story of an existing building to cover the entire lot.

PREMISES AFFECTED—733 9th avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 32), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: Ralph J. Gurfield.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to March 27, 1945 at 10 a. m. for further consideration.

APPEALS FROM ADMINISTRATIVE DECISIONS

475-44-A

APPLICANT—Leo H. Schoen, for Reliable Remover and Lacquer Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re appeal from an order of the fire commissioner re Packaging of Inflammable mixture known as "Reliable Paint, Varnish and Lacquer Remover" in 8 oz., 16 oz., 32 oz. and 128 oz. glass containers (previously withdrawn).
PREMISES AFFECTED—42-56 Crescent street, west side, 84 ft. north of 43rd (Harris avenue); (Block 429, Lot 31), Long Island City, Queens.
APPEARANCES—
For Applicant: Leo H. Schoen and Julius Kaplan.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

32-45-A

APPLICANT—K. Stenzel and Sons, lessees, for The Newspaper PM, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan.
APPEARANCES—
For Applicant: Hyman Stenzel.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (32-45-A)

WHEREAS, K. Stenzel and Sons, lessee, for the Newspaper PM, Inc., owner, filed January 20, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan; and

WHEREAS, Order 39925-LC, issued by the fire commissioner December 6, 1944, and repeated in a decision of the fire commissioner dated January 19, 1945, reads:

"With reference to your application for a permit to store and use celluloid and acetone, at the above location, I regret to inform you that this department is without power to grant such a permit for the reason:

A. Building is used for the storage of paints, varnishes or lacquers. Sec. C19-110.0-1-b-7.

B. Building is used for the storage of matches, rosin, turpentine, oil, hemp, cotton. Sec. C19-110.0-1-b-8, Administrative Code.

You are hereby advised to:

1. Remove all nitro cellulose products from the above premises."

and

WHEREAS, the applicant states the building is 12 stories (148 ft.) in height; 121 ft. by 98 ft. in area, of Class 1 construction; erected 1910; located in an unrestricted use, A area, Class 2 height district, and occupied as follows: cellar, printing, 15 persons; 1st to 4th floors, inclusive, publishing, 40 persons; 5th floor, manufacturing shoes, 50 persons; 6th floor, manufacturing cosmetics, 6 persons; 7th floor, photographic work, 15 persons; 8th floor, manufacturing pills, 39 persons; 9th floor, manufacturing marine lights, 25 persons; 10th floor, manufacturing toys, 50 persons; 11th floor, manufacturing sweaters, 75 persons; 12th floor, manufacturing celluloid glass frames, 50 persons; that no change in use or occupancy is proposed, except for the 12th floor, which will be increased in occupancy to 75 persons; that the building is equipped with a two source sprinkler system and an interior fire alarm system, but fire drills are not maintained; that there are three 35 in. fireproof stairs, one of which extends from the street to the roof; and

WHEREAS, the applicant contends that it was the first tenant to sign a lease with the owners and consequently at that time there were no other occupants in the building storing paints, matches, rosin, turpentine, etc.; that the owners had a vault constructed specially for the purpose of storing the applicant's stock of celluloid and acetone; that before leasing the premises, the applicant ascertained that the building was fireproof, sprinklered, had three exits and was equipped with a fire alarm system; that the applicant has gone to considerable expense to see that all other precautions were taken, necessary for the conduct of its business; that the applicant is enaged in an essential industry of manufacturing celluloid optical frames; that to be required to remove all nitro cellulose products from its premises as directed by the order, would mean that they would have to vacate the premises; that an investment of $20,000 was made in installing the plant to meet all fire, health, labor and Building Department standards and that these installments were made with a view of a long term occupancy; it is therefore requested that this appeal be granted; and

WHEREAS, examination of the Fire Department records indicates that permit was applied for to store 10,000 pounds of nitro-cellulose and 10 gallons of acetone.

Resolved, that the order of the fire commissioner, acting on Order 39925-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed storage of celluloid and acetone may be permitted, provided such nitro-cellulose materials as are not actually in process, shall be stored in a vault approved for this purpose by the borough superintendent; that the two source sprinkler system shall be maintained throughout the building; that such other portable fire fighting appliances shall be maintained, including receptacles with water for nitro-cellulose waste, as the fire commissioner shall require; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. 722-44-A.

86-45-A

APPLICANT—Sidney L. Strauss, for 42-26 Corporation, owner (International Diesel Electric Co., lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—42-36 21st street, west side, 140.26 ft. north of 34th avenue and 42-37 13th street (1st floor); (Block 457, Lots 205, 153 and 155), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (86-45-A)

WHEREAS, Sidney L. Strauss, for 42-26 Corporation, owner (International Diesel Electric Company, lessee), filed February 21, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 42-36 21st street, west side, 140.26 ft. north of 34th avenue, and 42-37 13th street (1st floor); (Block 457, Lots 205, 153 and 155), Long Island City, Borough of Queens; and

WHEREAS, order 98108-C, issued by the fire commissioner November 6, 1944 and repeated in a decision of the fire commissioner dated February 19, 1945, reads:

"1. Surrender to the bearer Fire Department Permit No. B-226441 expiring August 11, 1945, permitting the storage and use of 550 gallons gasoline (Private Selling Station) on above premises as same is revoked pending compliance with the following:

4. Discontinue use of blow torch in same room where gasoline is used and stored. C19-11.0, Adm. Code."

and

WHEREAS, the applicant states that the building is 1 story (27 ft.) in height, 96 ft. by 190 ft. in area, of class 3 construction, erected about 1920, located in an unrestricted use, B area, class 1 height district and used and occupied since 1943 as a factory for testing and repairing Diesel engines, packing and shipping and office—30 persons, for which no certificate of occupancy has been issued and that the building is equipped with a one source sprinkler system; and

WHEREAS, the applicant contends that the building is used entirely in connection with the war effort; that a portion of the building, as indicated on plans filed with this appeal, is used for testing Diesel engines; that it became necessary to install a buried gasoline tank and an approved pump; that the gasoline is used to prime the Diesel engines for testing; that subsequent to this installation, the process carried on required that certain welding be conducted and that a blow torch be used; that the portion of the building in question is entirely open and at no time is any welding done or a blow torch used within 20 ft. of the testing rack or the gasoline pump; it is respectfully requested that a variation be granted, to permit the work to continue, with the understanding that there will be no open flame from either a blow torch or any welding apparatus within 20 ft. of a point where gasoline is used.

Resolved, that the decision of the fire commissioner, as to Order 98108-C, objection 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sash in the monitor of the building shall be kept open during working hours and that in the bottom half of the exit door on the southerly side of the gasoline engine testing bay, there shall be provided fixed metal louvres, so arranged as to be open at all times; that such portable fire fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL

49-45-SA

APPLICANT—Safety Heater Company, owner.
SUBJECT—Safety Oil Heater (Preheater), approval of.
APPEARANCES—
For Applicant: Harry P. Jaenike.
ACTION OF BOARD—Appliance approved in accordance with the report of the Committee of the Board.

THE VOTE TO APPROVE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (49-45-SA)

WHEREAS, the Safety Heater Company, owner, filed on February 2, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as the Safety Oil Heater (Preheater); and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

March 10, 1945

Re: Cal. 49-45-SA
Subject: Safety Oil Heater (Preheater), approval of.

The Safety Heater Company filed an application with the Board of Standards and Appeals for approval of the Safety Oil Heater (Preheater), under the provisions of C19-57.0.a Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

The Safety Oil Heater is a fuel oil heater which, by using an intermediate heating medium for heating the oil, is designed to prevent any fuel oil from entering the boiler, or piping system, should an oil tube become defective and leak. Provisions are also made in conjunction with the Safety Oil Heater to "cut out" the oil burner motor, or, if desired, the entire oil burner circuit, should any of the tubes in the heater leak.

The Safety Oil Heater consists of two chambers—the oil heating chamber #1 (see Fig. 1), containing tubes #2, through which passes the oil to be heated, and the primary heating chamber #3, containing tubes #4, through which passes the primary heating medium.

The primary heating medium, either steam or the boiler water, enters chamber #3, through opening #5, passes through tubes #4, transferring its heat to the intermediate heating medium and then leaves through opening #6.

The fuel oil to be heated enters chamber #1, through opening #7, passes through tubes #2, where it is heated by the intermediate heating medium and leaves through opening #8.

The intermediate heating medium, usually City water, is supplied through opening #9 and completely fills pipe #11, chambers #1 and #3 and also pipe #10 and extends into air chamber #13, up to the level of the pet cock #12. Pet cock #12, is open during the period in which the intermediate medium is being supplied. When the pet cock level is reached, the supply of the intermediate medium is stopped and the petcock closed.

The intermediate medium is heated by the primary heating medium in the tubes #4, in chamber #3, circulates through pipe #10, into chamber #1, where it heats the oil in tubes #2, in chamber #1 and returns by way of pipe #11, to chamber #3, to complete the circuit.

The intermediate medium, when heated in chamber #3, increases in volume. Chamber #13, contains air above the level of petcock #12 and is used as an expansion chamber, to allow for the increase in volume of the heated intermediate medium.

By the use of the intermediate medium, there is no possibility of direct contact between the primary heating medium and the fuel oil, thus preventing the oil from entering the boiler or piping system, should any of the tubes become defective and leak.

Further safety is provided by the use of the Differential Control Switch #14, which, through wires #15, is wired in series with the oil burner motor wiring or,

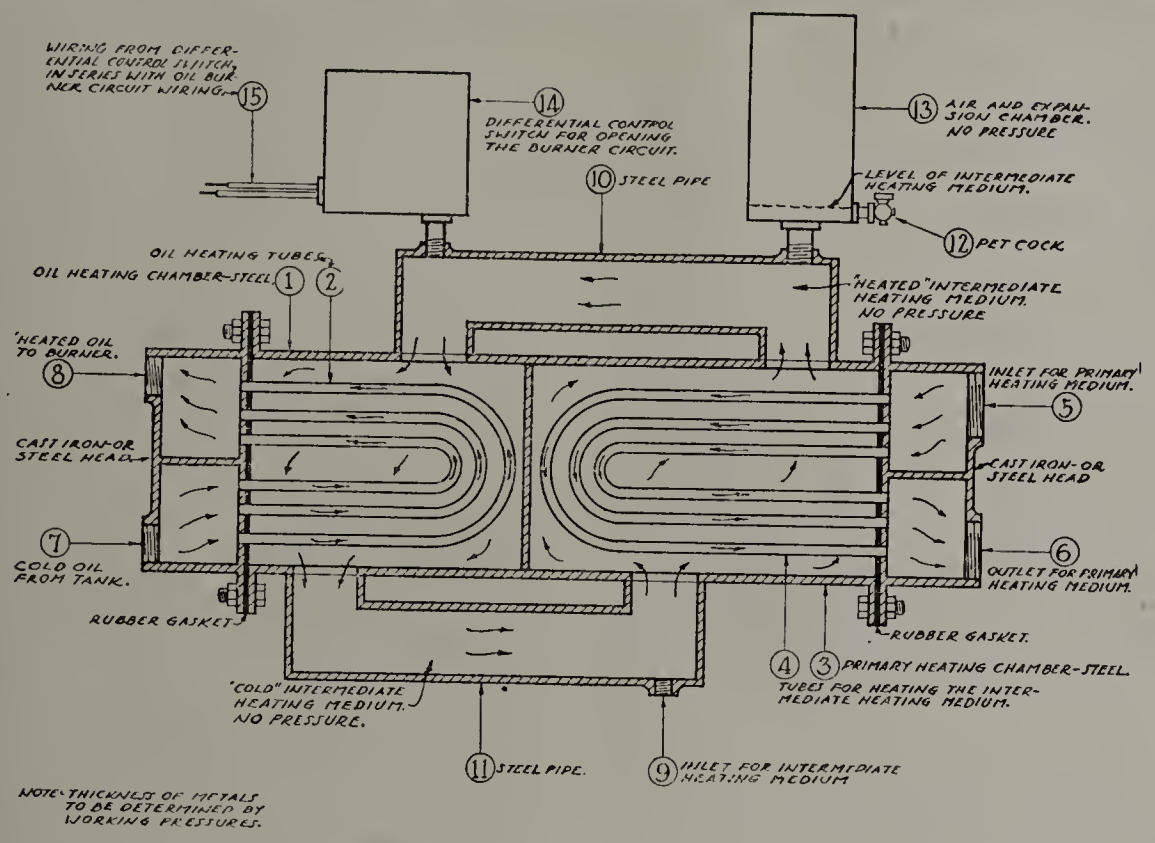

FIG. 1

if desired, the complete oil burner circuit wiring. The switch is set to open the circuit if the pressure on the intermediate heating medium should reach 5 pounds. The switch can be reset to open the circuit at any other pressure which will be less than that in the tubes.

A failure in any of the tubes in the heater will cause the pressure in the defective tubes to be transmitted to and will immediately build up the pressure on the intermediate heating medium. As soon as this pressure reaches 5 pounds, Differential Control Switch #14, will be actuated, the electrical circuit will be opened and stop the oil burner (or, if so wired, "cutout" the entire oil burner circuit).

The heater chambers are constructed of cast iron or steel for low pressures and steel for high pressures. The tubes are of copper. The heater is so designed that the tubes in each chamber are easily removed for inspection, cleaning or replacement, so that each chamber is easily accessible for cleaning. The heater is designed for a maximum pressure of 180 lbs. The pressure control acts at 10 p.s.i. and shuts off the oil flow in 15 seconds.

TESTS

Inspection and test of the Safety Oil Heater (Preheater) were made at 354 Cumberland street, Brooklyn, in the presence of the Committee on Tests of the Board and the representatives of the Division of Combustibles of the Fire Department and of the manufacturer. The device was tested as to construction and controls and found to operate as designed, the controls shutting down flow of oil in 15 seconds.

RECOMMENDATION

On the basis of the inspection and tests, the Committee recommends the approval of the Safety Oil Heater (Preheater) under the provisions of Section C19-57.0.a of the Administrative Code and the Oil Burner Rules, Section *7.2.2*, provided that the installation shall comply with the requirements of the Oil Burner Rules and that the device bears a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 49-45-SA."

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Safety Oil Heater (Preheater), *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:05 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 20, 1945, 2 P. M.

Present: Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

64-45-A

APPLICANT—Secling and Finkelstein, for 4311 Avenue H Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—4301-4313 Avenue H, northeast corner of East 43rd street (1st floor); (Block 7727, Lots 5 and 9), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Harry Finkelstein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (64-45-A)

WHEREAS, Seeling and Finkelstein, for 4311 Avenue H Corporation, owner, filed February 9, 1945 an appeal from a decision of the borough superintendent, affecting premises 4301-4313 Avenue H, northeast corner of East 43rd street (1st floor); (Block 7727, Lots 5 and 9), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 8, 1945 on F. O. Applic. 2137-44, reads:

"1. Proposed use of a 4000 gallon fuel oil tank for Diesel oil contrary to Special Order #218—Fire Department and Ch. 19-69.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 1 story (13 ft. 6 in.) in height, 40 ft. by 97 ft. 6 in. in area, of class 3 construction, erected in 1926, located in an unrestricted use, A area class 1 height district and used and occupied since January 1945, as a garage for storage and repair of more than five motor trucks with an occupancy of 1 person, and proposed to be used and occupied as a garage for the storage and repair of more than five motor trucks with an occupancy of five persons; and

WHEREAS, the applicant contends that the building was erected under N. B. 472-26, as a two story wetwash laundry; that under Alt. 2392-44, the second story was removed and the use changed to garage for storage and repair of more than five trucks; that the trucks to be stored in this building are Diesel engine powered, owned by the owner of the building; that a 4000 gallon fuel oil tank was installed under F. O. Applic. 4586-31; that the high pressure boiler has been removed completely and it is now proposed to use the existing tank for the storage of Diesel oil for the owner's trucks; that the decision of the borough superintendent is based on C19-69.0 of the Administrative Code, which refers to the storage of volatile inflammable oils; that Diesel oil is a fuel oil and is not a volatile inflammable oil and it is therefore contended that Section C19-69.0 does not apply to Diesel oil storage; it is therefore requested that the Board permit the existing tank for the storage of Diesel oil for the owner's trucks exclusively, and not to be sold or used for any other purpose.

Resolved, that the decision of the borough superintendent dated Feburay 8, 1945 on F. O. Applic. 2137-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that only fuel oil of a type used for Diesel engines shall be stored in the tank, and specifically for use in the applicant's trucks only; that such portable fire-fighting equipment shall be provided as the fire commissioner shall direct; that in all other respects, the installation shall comply with the requirements of the Oil Burner Rules of the Board, and granted only so long as there is no buried storage system for gasoline on the premises.

125-45-A

APPLICANT—Michael Glick, for Noma Electric Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—55-61 West 13th street, north side, 125 ft. east of 6th avenue (1st floor); (Block 577, Lots 12, 71 and 72), Borough of Manhattan.

APPEARANCES—
For Applicant: Michael Glick and Irwin Wolf.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (125-45-A)

WHEREAS, Michael Glick, for Noma Electric Co., Inc., owner, filed March 6, 1945 an appeal from a decision of the borough superintendent, affecting premises 55-61 West 13th street, north side, 125 ft. east of 6th avenue (1st floor); (Block 577, Lots 12, 71 and 72), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 6, 1945, on Misc. F. P. Applic. 195-45, reads:

"3. Denied. C19-72.0 of Adm. Code calls for a boiler room completely detached from balance of the garage."

and

WHEREAS, the applicant states that the building is 9 stories (90 ft.) in height, 100 ft. by 206 ft. in area, of class 1 construction, erected in 1920, located in an unrestricted use district and used and occupied as follows: 1st floor—manufacturing electrical supplies—8 persons; 2nd to 9th floors inclusive—same; 77 persons on the 2nd floor; 4 persons on the 3rd floor; 60 persons on the 4th floor; 50 persons on the 5th floor; 70 persons on the 6th floor; 25 persons on the 7th floor; 60 persons on the 8th floor; and 20 persons on the 9th floor; that the building is equipped with a one source sprinkler system, a standpipe system, interior fire alarm system and that fire drills are maintained; that there are two 44 in. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant contends that the owner occupies the entire building and manufactures various electrical equipment for the U. S. Navy and in order to expedite deliveries purchased a 1½ ton truck, which is now being used for delivery purposes; that it has been necessary to store this truck at night in the driveway on the 1st floor and permission was requested of the borough superintendent; that this application was objected to by the decision herein appealed; that no gasoline will be stored or sold on the premises; that the truck will only be stored after 6 P.M., after which time, there will be no employees on this floor; that no manufacturing will be done on the 1st floor, but the space is used for the shipping and loading of supplies manufactured in the building; that all materials handled are of an incombustible nature; that the boiler room is located in the cellar and is entirely enclosed with 12 in. brick walls, with a three hour test door to the cellar; that the boiler is under the sidewalk and the proposed location of the car storage will not be over the boiler room, but over a portion of the open cellar; that the present ladder from the boiler room to the street and the iron sidewalk door will in no way be interfered with by the use of the driveway; that the storage of one car on the 1st floor as proposed, will not create a condition hazardous to employees and occupants of the building and it is therefore requested that this appeal be granted.

Resolved, that the decision of the borough superintendent dated March 6, 1945 on Misc. F. P. Applic. 195-45, Objection 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the boiler room in the cellar shall be separated from the balance of the building by fireproof construction and may be enterable from the cellar through one opening only as proposed, such opening to be protected by a fireproof self-closing door; that the engineer's ladder, leading directly to street from the boiler room space, shall be retained; that the use of the building for garage purposes shall be limited to the storage of one 1½ ton truck, used in connection with the

owner's business and such truck shall be stored on the east side of the building on West 13th street, as proposed; that such portable fire fighting equipment shall be installed as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified under Cal. 556-32-A; that this modification is granted for the period of the existing emergency and six (6) months thereafter.

142-45-A

APPLICANT—M. Milton Glass, Rudolph Kahn, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2766-2770 3rd avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx.
APPEARANCES—
For Applicant: M. Milton Glass.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (142-45-A)

WHEREAS, M. Milton Glass, for Rudolph Kahn, owner, filed March 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 2766-2770 Third avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated February 26, 1945, on Alt. Applic. 116-45, reads:

"1. Provide two interior enclosed fireproof stairways from the 2nd floor, as per Section 270 of the Labor Law."

and

WHEREAS, the applicant states the building is 2 stories (23 ft.) in height; 83 ft. and 118 ft. by 98 ft. in area; of Class 3 construction; erected 1929; located in an unrestricted use, B area, class 1½ height district, and used and occupied as follows: cellar, storage; 1st floor, stores; 2nd floor, offices, stores and dance hall, 100 persons; proposed to be used and occupied cellar, same; 1st floor, same; 2nd floor, offices, stores and factory, 110 persons; that the building is equipped with two 3 ft. 8 in. interior stairs of steel construction with marble treads, enclosed in partitions of wood studs, metal lath and Portland cement plaster both sides, equipped with kalamein self-closing doors and extending directly to the street and one of which extends to the roof; that the building is also equipped with a 45 degree fire escape, extending to the street by a counterbalanced ladder and that the building to the east is 3 stories and the building to the north is 4 stories; and

WHEREAS, Certificate of Occupancy 897, issued January 14, 1929, permits the use of the 2nd floor for dance hall, 100 persons and classifies the building as stores, offices and dance hall of brick construction, 120 lbs. live load on all floors; and

WHEREAS, the applicant contends it is proposed to erect an additional approved type fire escape balcony and 45 degree counterbalanced stair, leading to the street, to serve the easterly part of the 2nd floor, and erect a stationary iron ladder to a new scuttle in the roof within the enclosure of stair No. 1, which does not now lead to the roof; and

WHEREAS, the applicant contends that the neighborhood is such that only tenants will lease the premises who can use it for manufacturing purposes; that this appeal is for a waiver of the requirements of Section 270, Paragraph 4 of the Labor Law, for fireproof stair enclosures and to permit the use of the 2nd floor of the building for a factory; that the proposed occupancy of the 2nd floor will be within the capacity of the stairs as provided in Section 270 of the Labor Law; that all other applicable provisions of the Labor Law and the Building Code will be complied with.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent in Alt. Applic. 116-45, and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that there shall be erected along the easterly end of the East 146th street side of the building, a second fire escape complying with the Labor Law in all respects; that a gooseneck ladder shall be provided from either one of the two fire escapes along East 146th street to the roof; that a stationary iron ladder of the double rung type shall be provided to a new scuttle in the roof within the stair enclosure, discharging on Third avenue; that no manufacturing shall be permitted on the second floor, other than as shown on plans filed with this appeal marked "Received March 12, 1945"; that the occupancy of the floors shall be limited to the capacity of the interior stairways; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

271-42-A

APPLICANT—The Procter and Gamble Manufacturing Company, owners.
SUBJECT—Application for consideration—reopening and extension of variance—re Appeal form a decision of the borough superintendent.
PREMISES AFFECTED—West side of Western avenue, 900 ft. south of Richmond terrace (Block 1400, Lot 1), Port Ivory, Borough of Richmond.
APPEARANCES—
For Applicant: Sydney Blackett.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (271-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises west side of Western avenue, 900 ft. south of Richmond terrace (Block 1400, Lot 1), Port Ivory, Borough of Richmond, was granted by the Board on April 7, 1942, on certain conditions, permit extended on March 30, 1943 and April 4, 1944 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 7, 1942 as amended through April 4, 1944, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of one (1) year from the date of this *amended* resolution, to permit the enclosure of the hoppers as proposed, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 7, 1942 shall be complied with and that a new Certificate of Occupancy shall be obtained."

646-44-A

APPLICANT—Frank D. Hutchinson, for Metropolitan Engineering Company, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from the decision of the borough superintendent.
PREMISES AFFECTED—1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); (Block 1200, Lot 21), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Frank D. Hutchinson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (646-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1262-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (3rd floor); (Block 1200, Lot 21), Borough of Brooklyn, was granted by the Board on November 21, 1944, on certain conditions; and

WHEREAS, the resolution was amended on January 16, 1945; and

WHEREAS, the applicant has requested the Board to reopen this application for the purpose of consideration of an additional objection issued by the borough superintendent March 15, 1945, which objection reads:

"1. Shafts extending above the roof to have a skylight or windows of ¾ the area of the shaft as per sect. #270 of Labor Law."

and

WHEREAS, the applicant states it is proposed to install two windows equipped with steel sash, one 7 ft. 6 in. by 5 ft. 2 in. in area on the street wall of the elevator bulkhead and the other 3 ft. 8 in. by 5 ft. 2 in. in area in the rear wall of this bulkhead; that ⅔ of the area of these sash will be pivoted for ventilation.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 21, 1944, as amended on January 16, 1945, by adding thereto:

"that two windows as shown on plans marked 'Received March 16, 1945' shall be installed above the machinery floor, as shown on such plans; that the building and occupancy shall comply in all other respects with all laws, rules and regulations applicable thereto other than as modified under Cal. 380-31-A, 444-43-A, 243-44-A and 562-44-A."

129-41-A

APPLICANT—Yuen Shing Hong Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and decision of the fire commissioner.
PREMISES AFFECTED—7 and 8 Chatham square, west side, 106 ft. 4½ in. north of Mott street (Block 162, Lot 39), Borough of Manhattan.
APPEARANCES—
For Applicant: Lee Tom Kin and M. Polglone.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

577-44-A

APPLICANT—Joseph J. Furman, for Peoples Realty Corporation, owner Tom Mooney Hall Association, Inc., lessee.
SUBJECT—Application for consideration—reopening and restoration to calendar, (previously withdrawn) re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—13-15 Astor place, northwest corner of Lafayette street, and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of manhattan.
APPEARANCES—
For Applicant: Joseph J. Furman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

647-44-A

APPLICANT—F. P. Platt and Brother, for Advertising Club of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Charles E. Murphy and Charles Platt.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M., pending an inspection by a committee of the Board.

653-44-A

APPLICANT—Samuel Rosenblum, for Adon Realty Corporation, owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to March 27, 1945 at 2 P. M., for further consideration.

664-44-A

APPLICANT—Jochanon I. Rudavsky, for Midwood Gardens, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—741-775 Ocean avenue, east side, 60 ft. south of Beverly road (Block 5151, Lot 33), Borough of Brooklyn.
APPEARANCES—
For Applicant: Morris Rosenberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to March 27, 1945 at 2 p. m. on request of applicant's representative.

715-44-A

APPLICANT—Robert Teichman, for George F. Corlis, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Robert Teichman and George F. Corlis.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 17, 1945 at 2 p. m., without further argument.

80-45-A

APPLICANT—Sidney L. Strauss, for Marvin Horowitz, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 10, 1945 at 2 p. m., for further consideration.

ZONING CASES

872-39-BZ

APPLICANT—Herman Kron, for Paramount Filling Stations, Inc., owner.
SUBJECT—Application for consideration—reopening on a new proposal—re Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, (previously withdrawn) to permit in a business use district, the extension of an existing gasoline service station and the erection of an office and lubritorium.
PREMISES AFFECTED—7001-7019 Bay parkway and 1-23 Avenue O, southwest corner of West 10th street (Block 6574, Lot 6), Borough of Brooklyn.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

11-37-BZ

APPLICANT—Shanley, Purcell & McKegney, for E. M. V. Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the parking and storage of more than five motor vehicles for a term of two years.
PREMISES AFFECTED—6007-6023 Broadway, northwest corner of Spuyten Duyvil parkway, northeast corner of Post road (Block 3415-F, Lots 275, 305 and 307), Borough of The Bronx.
APPEARANCES—
For Applicant: Osborne A. McKegney.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (11-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the parking and storage of more than five motor vehicles, affecting premises 6007-6023 Broadway, northwest corner of Spuyten Duyvil parkway and northeast corner of Post road (Block 3415-F, Lots 275, 305 and 307), Borough of The Bronx, was granted by the Board April 27, 1937, on certain conditions, for a temporary term of two years, permit extended April 25, 1939, April 22, 1941 and March 30, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 27, 1937, as amended through March 30, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the unbuilt-upon portion of the premises, to be used for the parking or storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 27, 1937, as amended through March 30, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained."

715-38-BZ

APPLICANT—Sidney L. Strauss, for Thomas Martin, owner (Alfred A. Harned, lessee).
SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted under section 7f of the zoning resolution, permitting in a residence use district, the maintenance of a golf driving range, for a term of one year.
PREMISES AFFECTED—78-01 to 78-47 Main street, east side, 318.88 ft. north of Union turnpike (Blocks 6670 and 6671, Lots 1 and Blocks 6689 and 6690, part of Lot 1), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (715-38-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a residence use district, the erection and maintenance of a golf driving range for a term of one (1) year, affecting premises 78-01 to 78-47 Main street, east side of Main street, 318.88 ft. north of Union turnpike (Blocks 6670 and 6671, and Lots 1, and Blocks 6689 and 6690, part of Lots 1), Flushing, Borough of Queens, was granted by the Board February 28, 1939, on certain conditions, the permit extended February 20, 1940, February 11, 1941, January 20, 1942, February 2, 1943 and March 14, 1944, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 28, 1939, as amended through March 14, 1944, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7e for a term of one (1) year from the date of this *amended* resolution, to permit the area between 78th avenue on the north, 79th avenue on the south, Main street on the west, and a point 800 feet therefrom and running parallel thereto on the east, to be used as a golf driving range, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 28, 1939, as amended through March 14, 1944, shall be complied with and that a Certificate of Occupancy shall be obtained (N.B. Application 6164-38)."

840-38-BZ

APPLICANT—Hawkins, Delafield & Longfellow, for the Trustees of the Sailors Snug Harbor, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use district and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—52-58 East 8th street and 305 Mercer street, southwest corner (Block 548, Lots 32 to 35, inc.) Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph G. Kelly and Albert E. Buck.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (840-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 52-58 East 8th street and 305 Mercer street, southwest corner (Block 548, Lots 32 to 35 inclusive), Borough of Manhattan, was granted by the Board March 21, 1939, on certain conditions, permit extended on February 18, 1941 and March 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 21, 1939, as amended through March 16, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7, subdivision h for a term of two (2) years from the date of this *amended* resolution, to permit the plot to be occupied for the parking and storage of more than five (5) motor vehicles of the pleasure car type only, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 21, 1939 shall be complied with and that a Certificate of Occupancy shall be obtained."

1197-38-BZ

APPLICANT—D. W. M. Incorporated, for 314 West 34th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit, re Application (decision of the borough superintendent previously granted on condition under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—314-318 West 34th street, south side, 225 ft. west of Eighth avenue (Block 757, Lots 46, 47 and 48), Borough of Manhattan.

APPEARANCES—

For Applicant: David Lewis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (1197-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five motor vehicles for a term of two years, affecting premises 314-318 West 34th street, south side, 225 ft. west of Eighth avenue (Block 757, Lots 46 to 48, inclusive), Borough of Manhattan, was granted by the Board on February 15, 1939, on certain conditions, permit extended on December 3, 1940 and February 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 15, 1939, as amended through February 16, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 15, 1939, as amended through February 16, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained."

1261-39-BZ

APPLICANT—Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) under section 7c of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the parking and storage of more than five motor vehicles, upon a plot occupied as a gasoline service station.

PREMISES AFFECTED—2701-2711 Ft. Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block 5284, Lot 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (1261-39-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a temporary term of two years, the parking and storage of more than five motor vehicles in conjunction with an existing gasoline service station, affecting premises 2701-2711 Ft. Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block 5284, Lot 64), Borough of Brooklyn, was withdrawn on September 10, 1940; and

MINUTES

WHEREAS, the applicant requested a reopening of the application and rehearing under section 7c of the zoning resolution; and

WHEREAS, this application was reopened by vote of the Board on May 26, 1942, subject to usual procedure; and

WHEREAS, on February 9, 1943, this application was granted by the Board, on certain conditions and time extended on September 14, 1943 and March 21, 1944; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 9, 1943, as amended through March 21, 1944, only in so far as it has reference to completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by applicant that all permits have been obtained and part of the work completed, all remaining work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of February 9, 1943, as amended through March 21, 1944, shall be complied with and that a certificate of occupancy shall be obtained."

463-41-BZ

APPLICANT—Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, parking and storage of more than five motor vehicles, upon plot occupied as a gasoline service station.

PREMISES AFFECTED—618-628 Jamaica avenue and 1 Hale avenue, southeast corner (Block 3905, Lots 3 and 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn	3
Negative:	0
Absent: Chairman Murdock	1

THE RESOLUTION (463-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five motor vehicles, upon a plot occupied as a gasoline service station, affecting premises 618-628 Jamaica avenue and 1 Hale avenue, southeast corner (Block 3905, Lots 3 and 5), Borough of Brooklyn, was granted by the Board on May 19, 1942, on certain conditions; and

WHEREAS, time to complete the work was extended on September 14, 1943 and March 21, 1944; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 19, 1942, as amended through March 21, 1944, only in so far as it has reference to completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that permits have been obtained and part of the work completed, all remaining work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of May 19, 1942, as amended through March 21, 1944, shall be complied with and that a certificate of occupancy shall be obtained."

340-44-BZ

APPLICANT—Henry George Greene, for Durand Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—Re Application (decision of the borough superintendent) under section 7c of the zoning resolution, permitting the maintenance of part of an existing business building (bakery) which is located (without permit) and projects approximately 5 ft. into a residence use district, and also permitting the erection and maintenance of a structure (wall and shed, which is accessory to the bakery business use) which also extends less than 5 ft. into a residence use district.

PREMISES AFFECTED—750-762 Allerton avenue and 2556-2560 Holland avenue, southeast corner (Block 4435, Lot 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn	3
Negative:	0
Absent: Chairman Murdock	1

THE RESOLUTION (340-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting the maintenance of part of an existing business building (bakery) which is located (without permit) and projects approximately 5 ft. into a residence use district, and also permitting the erection and maintenance of a structure (wall and shed, which is accessory to the bakery business use) which also extends less than 5 ft. into a residence use district, affecting premises 750-762 Allerton avenue and 2556-2560 Holland avenue, southeast corner (Block 4435, Lot 32), Borough of The Bronx, was granted by the Board on October 3, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 3, 1944 only in so far as it has reference to completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the applicant's statement that he has procured permits and WPB approvals, all work shall be completed within three (3) months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of October 3, 1944, shall be complied with and that a certificate of occupancy shall be obtained."

MATERIALS SUBMITTED FOR APPROVAL

74-42-SM

APPLICANT—Detroit Steel Products Company, owner.

SUBJECT—Detroit Steel Products Company (Fenestra Fireproof Windows) Pivoted Type Windows and Commercial Projected Windows, approval of.

APPEARANCES—

For Applicant: E. R. Armengol.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn	3
Negative:	0
Absent: Chairman Murdock	1

MINUTES

75-42-SM

APPLICANT—Detroit Steel Products Company, owner.
SUBJECT—Detroit Steel Products Company Fenmark Projected and Casement Windows, Fenwrought Residential Casements and Dalmo Fenmark Windows, approval of.
APPEARANCES—
For Applicant: E. R. Armengol.
ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

Adjourned: 4:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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APR 4 1945

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, March 27, 1945, at 10 A. M., Affecting Calendar Numbers 661-44-BZ, 57-45-BZ, 93-45-BZ, 330-36-BZ, 94-45-A and 962-39-SM.

Minutes of Regular Meeting, March 27, 1945, at 2 P. M., Affecting Calendar Numbers 664-44-A, 698-44-A, 161-45-A, 76-45-A, 230-44-A, 653-44-A, 144-45-A, 149-45-A, 670-44-BZ and 191-34-BZ.

(Remaining minutes of the meeting of March 27, 1945 will be printed in the Bulletin of April 10, 1945).

PETITION FOR CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On March 29, 1945, copy of petition and order of certiorari was served on the board by Irving Meller, attorney for The Bristol Investing Corporation and Ida Sassulsky, objectors, in re decision of the Board on February 14, 1945, granting an amendment of resolution to extend time in which to obtain permits and complete work in connection with variance granted by the Board on March 25, 1941, permitting, under Section 21 of the building zone resolution, the alteration of two buildings, so that the two restaurants now located therein are changed to one restaurant with new store fronts and entrances located more than twenty-five feet from the business corner; premises 1128-1132 Eastern Parkway (1128-1130 displayed), south side, 20 ft. east of Utica Avenue, Borough of Brooklyn; Cal. No. 79-41-BZ.

It is claimed that since no substantial construction had taken place, the variance itself expired under Section 22A, and, therefore, the Board did not have the power to grant the extension of time to complete.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to March 27, 1945.

Cal. No. Dept. Premises Affected.

160-45-A—H.B.M.—842-846 Greenwich street and 46-50 Gansevoort street, southwest corner (2nd floor); (Block 643, Lot 54), Borough of Manhattan, Alt. 81-45.

161-45-A—H.B.B.—237-239 Richmond street, east side, 65 ft. north of Dinsmore place and 91-95 Dinsmore place (1st and 2nd floors); (Block 4141, Lot 4), Borough of Brooklyn, Alt. 383-45.

162-45-BZ—H.B.Q.—228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens, N.B. 332-44.

163-45-A—H.B.Q.—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens, Alt. 1441-44.

164-45-A—F.D.—783-787 11th avenue, west side, from West 54th street to West 55th street, 617 West 54th street and 606-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan, Decision.

165-45-A—F.D.—33-67 35th street and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (2nd floor); (Block 687, Lot 1), Borough of Brooklyn, Decision re 97994-C.

166-45-A—H.B.B.—7015 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn, Alt. 1765-44.

167-45-A—H.B.Q.—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens, (Under Section 35, General City Law re bed of mapped street—127th street), Alt. 312-45.

168-45-SM—Gentile Flow Tube, manufactured by Coldwell Wilcox Division of Krajewski Pesant Manufacturing Corporation, Material.

169-45-A—H.B.B.—6625 Bay parkway, south side, 53 ft. 11¾ in. east of West 8th street (1st floor); (Block 6577, Lot 3), Borough of Brooklyn, P.A. 65-45.

170-45-A—H.B.M.—Block bounded by East Houston street to East 6th street, between Avenue D and East River drive (Block 356, Lot 1); (Lillian Wald Housing), Borough of Manhattan, Decision.

171-45-A—H.B.M.—Block bounded by East Houston street to East 6th street, between Avenue D and East River drive (Block 356, Lot 1); (Lillian Wald Housing), Borough of Manhattan, Decision.

172-45-A—F.D.—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan, 32038-LF, 32039-LF and Decision.

173-45-A—F.D.—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens, Decision re 98181-LC.

174-45-A—F.D.—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 96), Maspeth, Borough of Queens, Decision re 97681-LC.

175-45-BZ—H.B.M.—403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lots 10 and 11), Borough of Manhattan, Amendments to Alt. 753-44 and Alt. 754-44.

176-45-A—F.D.—64-70 West 36th street, south side, 125 ft. east of 6th avenue (5th floor); (Block 837, Lot 80), Borough of Manhattan, 33514-LF.

177-45-A—F.D.—321-325 East 3rd street, north side, 120 ft. west of Avenue D (Block 373, Lot 44), Borough of Manhattan, 15828-LF and Decision.

178-45-A—F.D.—1068 Flatbush avenue, west side, 86.1 ft. south of Beverly road (cellar); (Block 5152, Lot 11), Borough of Brooklyn, Decision re 98339-LC.

Restored to Calendar.

230-44-A—H.B.M.—297-303 Lexington avenue, and 133-139 East 37th street, northeast corner (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan, Alt. 307-44.

191-34-BZ—H.B.Bx.—2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx, N.B. 703-41.

607-40-BZ—H.B.Q.—89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens, Misc. 3289-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A

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	Last Publication in Bulletin
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
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Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
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Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
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Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of June 8, 1943, Vol. 28. No. 23A.

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

56-45-BZ—Application, February 6, 1945, under section 7A of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

589-38-BZ—Application of The Franklin Savings Bank in the City of New York, applicant and owner, reopened March 13, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and parts of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

639-44-BZ—Application, November 13, 1944, under sections 7e and 21 of the zoning resolution, of Halford Realty Corporation, applicant and owner, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises; premises 440 West 240th street, southeast corner of Greystone avenue to Dash place (Block 3414-E, Lot 20), Borough of The Bronx.

40-45-BZ—Application, January 29, 1945, under sections 7c and 21 of the zoning resolution, of Daniel Santoro, applicant, on behalf of Gus Stanzione and Rose Stanzione, owners, to permit in a residence use E area district, the erection of a three-car garage (for light delivery trucks) as an accessory to a bakery-grocery business on the front of plot in a local retail D area district; premises 705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond.

52-45-BZ—Application, February 5, 1945, under section 7c of the zoning resolution, of Joseph H. Cornell, applicant, on behalf of Frances Greenrose, owner, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building; premises 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

533-42-BZ—Application of Paul Friedman and Arnold W. Lederer, applicants on behalf of Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42), reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application, previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of used cars; premises 2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of I. Daniel Shorell, owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st tsreet, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

Appeals from Administrative Decisions.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

165-45-A—33-67 35th street and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (2nd floor, West Section A, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

95-42-A—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn (reopened January 23, 1945).

28-45-A—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (3rd floor); (Block 2616, Lot 12), Borough of Brooklyn.

731-44-A—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.

CALENDAR

751-44-A—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.

199-45-A—2072-2074 3rd avenue, west side, 82 ft. 8 in. south of East 114th street (Block 1641, Lot 37), Borough of Manhattan.

Appliance for Approval.

2-45-SA—Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

632-44-A—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

164-45-A—783-787 11th avenue, west side, between West 54th and West 55th streets, 617 West 54th street and 606-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan.

627-44-A—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.

117-45-A—47-09 to 47-51 Austel place (Anable avenue), northwest corner of 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens.

51-45-A—30-30 Thomson avenue, south side and 47th avenue, north side, from 30th place (Manley street) to 31st (Mount) street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1), Long Island City, Borough of Queens.

77-45-A—340 East 43rd street, south side, 90 ft. west of Prospect place (Block 1335, Lot 37), Borough of Manhattan.

177-45-A—321-325 East 3rd street, north side, 120 ft. west of Avenue D (Block 373, Lot 44), Borough of Manhattan.

80-45-A—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.

501-44-A—114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens (previously denied; reopened January 9, 1945 re consideration of new proposal).

678-44-A—1600-1606 Atlantic avenue, south side, 95 ft. east of Albany avenue (2nd floor); (Block 1334, Lot 5), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

167-45-A—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (under section 35, General City Law—re bed of mapped street—127th street).

577-44-A—13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan (reopened and restored to calendar, March 20, 1945; previously withdrawn).

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

723-44-A—70-15 to 70-17 51st avenue, north side, 125 ft. east of 70th street (2nd floor); (Block 2440, Lots 48 and 49), Woodside, Borough of Queens.

734-44-A—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

230-44-A—297-303 Lexington avenue and 133-139 East 37th street (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan (reopened and restored to calendar, March 27, 1945; previously withdrawn).

634-44-A—227-229 East 56th street, north side, 260 ft. east of 3rd avenue (Block 1330, Lot 11), Borough of Manhattan (reopened February 20, 1945).

138-45-A—213 East 37th street, north side, 180 ft. east of 3rd avenue (Block 918, Lot 10), Borough of Manhattan.

68-45-A—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.

70-45-A—151-165 35th street, north side, 100 ft. west of 4th avenue (1st floor); (Block 688, Lot 48), Borough of Brooklyn.

105-45-A—351-361 Grand Concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx.

141-45-A—232 East 198th street, south side, 30.48 ft. east of Valentine avenue (1st floor); (Block 3301, Lot 51), Borough of The Bronx.

170-45-A—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

171-45-A—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

184-45-A—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.

131-45-A—1573-1575 McDonald (Gravesend) avenue, east side, 140 ft. north of Avenue M (Block 6565, Lot 58). Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning,* April 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the

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area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

660-44-BZ—Application, November 21, 1944, under sections 7a and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Doris Gordon, owner, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores; premises 200 East Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

671-44-BZ—Application, November 27, 1944, under section 7c of the zoning resolution, of Charles H. Richter, applicant, on behalf of Terry and McMichael, Inc., owner, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for an existing smaller frame garage building; premises 424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant, on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard; premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Bulova Watch Co., owner (Bulova School of Watchmaking, lessee), to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

Appeals from Administrative Decisions.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 17, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

144-45-A—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.

149-45-A—186 William street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

25-45-BZ—Application, January 17, 1945, under sections 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

607-40-BZ—Application of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), reopened March 27, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

23-45-BZ—Application, January 17, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Santa Fazzini, owner, to permit in a residence use D area district, the extension of a garage for more than five motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution; premises 107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens.

796-23-BZ—Application, of Lama and Proskauer, applicants, on behalf of 1507-1535 Coney Island Avenue Corporation, owner, reopened October 10, 1944, under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station (previously granted by the Board) to include a room for display and sale of new and used cars; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

123-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Benjamin H. Whinston, applicant, on behalf of Young Israel Synagogue of Claremont Parkway, Inc., owner, to permit in a B area district, the conversion and extension in area of a building now occupied as a two family dwelling into a synagogue without complying with the area requirements for a B area district; premises 1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

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Appeal from Administrative Decision.

124-45-A—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 27, 1945.

Present: Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, March 20, 1945, and Tuesday afternoon, March 20, 1945, were approved, as printed in Bulletin No. 12, Volume 30.

ZONING CASES

661-44-BZ

APPLICANT—Max Horn, for Kaymos Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district.

PREMISES AFFECTED—147 Beach 117th street, west side, 440 ft. south of Rockaway Beach Boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

APPEARANCES—
For Applicant: Max Horn.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945 at 10 A. M. on request of applicant.

57-45-BZ

APPLICANT—Ralph J. Gurfield, for Storch and Hirsche, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of the first story of an existing building to cover the entire lot.

PREMISES AFFECTED—733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

APPEARANCES—
For Applicant: Ralph J. Gurfield.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 17, 1945 at 10 A. M. on request of applicant.

93-45-BZ

APPLICANT—Seelig and Finkelstein, for A. Milder & Sons and Trustees of Leake & Watts Orphan House, in the City of New York, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use and D area district, the change of occupancy of an existing residence building covering more than 55% of the area lot.

PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry Finkelstein.
For Opposition: Samuel A. Moss, I. R. Tillmon, Morris Korn and Irving Roossin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 17, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

330-36-BZ

APPLICANT—Samuel Rosenblum, for Shelton Holding Corp., owner.

SUBJECT—Application reopened March 6, 1945 for consideration as to extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan.

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APPEARANCES—
For Applicant: Samuel Rosenblum and Edwin Carey.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Permit extended.
THE VOTE TO EXTEND PERMIT—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (330-36-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block 1303, Lots 24, 25, 26 and 27), Borough of Manhattan, was granted by the Board on January 12, 1937, on certain conditions; and

WHEREAS, the permit was extended on November 1, 1938, October 15, 1940 and October 6, 1942; and

WHEREAS, the applicant requested a further extension of the permit, which had expired by limitation of time; and

WHEREAS, this case was reopened by vote of the Board on March 6, 1945, restored to the calendar and set for hearing on March 27, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on March 27, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 12, 1937, as amended through October 6, 1942, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolutions of January 12, 1937, as amended through October 6, 1942, shall be complied with that a new Certificate of Occupancy shall be obtained."

APPEAL FROM ADMINISTRATIVE DECISION

94-45-A

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake and Watts Orphan House in the City of New York, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry Finkelstein.
For Opposition: Samuel A. Moss, I. R. Tillmon, Morris Korn and Irving Roossin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 17, 1945 at 10 A. M. in conjunction with Cal. 93-45-BZ.

MATERIAL SUBMITTED FOR APPROVAL

962-39-SM

APPLICANT—Aerocrete Corporation of America, owner.
SUBJECT—Gritcrete Long Span Flat Ceiling-Floor Construction, approval of.
APPEARANCES—
For Applicant: Charles H. Nichols, Jr.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (962-39-SM)

WHEREAS, the Aerocrete Corporation of America, owner, filed on July 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as Gritcrete Long Span Flat Ceiling-Floor Construction; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

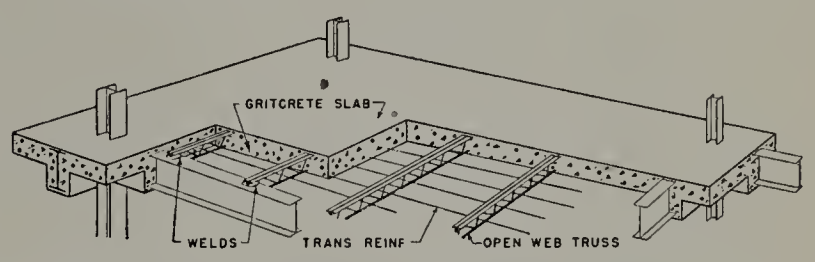
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

March 20, 1945.

Cal. 962-39-SM
Subject: Gritcrete Long Span Flat Ceiling-Floor Construction, approval of.

The Aerocrete Corporation of America, New York City, filed an application with the Board of Standards and Appeals in accordance with the mandatory requirement of C26-178.0-b of the Administrative Building Code and requests an approval be granted for Gritcrete Long Span Flat Ceiling-Floor Construction (Fig. 1.), under C26-191.0, as a new method of construction not specifically provided for in the Administrative Building Code.



GRITCRETE FLAT CEILING FLOOR CONSTRUCTION
FIG. 1

GRITCRETE

Gritcrete is a form of porous lightweight concrete obtained by adding to the usual ingredients of concrete, compounds as follows:

Gritcrete Compound No. 1—This is a dry metallic powder (Aluminum dust) which causes a foaming to the mix or aerating action about twenty minutes after adding, by combining with the water forming an aluminum oxide and free hydrogen, the latter bubbling up through the concrete and thus rendering it cellular.

Gritcrete Compound No. 2—This is an alkaline water solution *used* in cold weather as a catalytic agent to accelerate the action. The Gritcrete mix is in the proportion of 1 part cement, 2½ parts sand, and 3½ parts grit by volume with 6¾ gallons of water per sack of cement to which is added 6 ozs. per sack of cement of compound No. 1 and one quart per sack of Compound No. 2, yielding a 10 inch stump and a weight of 108 lbs. per cu. ft.

Tests

In order to develop data on which to base a finding, tests were conducted by Columbia University—Report No. 2492 (insofar as the report pertains to Reinforced Gritcrete Flat Ceiling Construction), witnessed by representatives of the Committee on Tests and by Weiskopf and Pickworth, Consulting Engineers, representing the applicant, with tests and results as follows:

Materials Used in Columbia University Tests

The fineness modulus of the coarse sand and ⅜" pea

gravel as used in these tests was 3.23 for sand and 5.79 for gravel. The Gritcrete mix for all four inch floor slabs and the laboratory test specimens with proportions measured by loose and damp values consisted of 1 part cement, 3⅛ parts of sand, 3⅛ parts of pea gravel, and mixing water added at the rate of 6¾ gallons per sack of cement.

Six ounces of Gritcrete Compound No. 1, and ½ to 1½ quarts of Gritcrete Compound No. 2 (alkaline solution) were added per sack of cement.

Loads and Method of Loading

The loading weights consisted of cast iron elevator weights of approximately rectangular shape and varying thickness and weight. The average weight of each type of loading unit was determined before the loading tests were begun. The weight of the smaller units ranged from 29 to 47 lbs., and the larger units weighed 75, 106, 128 and 174 lbs. respectively.

The test load was applied in segregated piles on the floor surface to produce a uniformly distributed load on the panel surface. The piles of loading weights adjacent to the edge of the floor slab were brought within 3″ of the inside face of the 8″ concrete supporting walls.

(A) Load Test of 8½″ Two-Way Panel, 18′-0″ x 27′-0″ Hung Forms

This floor construction consisted of thirteen 7″ welded trusses spaced 23″ c.c. and whose camber was ⅝″. These trusses were composed of a top chord of 2 angles 2″ x 1½″ x 3/16″. The web was one 7/16″ diam. plain bar whose bends were at 45 degrees. The bottom chord comprised two 1″ diam. plain bars. The component parts of the trusses were composed of steel of structural grade, fusion welded together, and a seat was provided at each end consisting of plates 3″ x 5″ x ¼″ welded to the bottom chord. These trusses spanned the short direction of the floor panel and through these were threaded fifteen ½″ diam. deformed straight bars 27′-4″ long, and fourteen ½″ diam. deformed straight bars 20′-6″ long. In addition to these bars, at each end of the long direction of the panel there were placed eight ⅜″ round deformed anchorage bars 3′-2″ long in the last 23″ space which were bent up to provide anchorage for the ½″ diam. straight bars. The straight bars were spaced 7″ cc.

The forms were hung from the trusses and Gritcrete was poured so as to provide ¾″ of Gritcrete below and above the trusses. The Gritcrete was poured to a depth of 6–3/16″ and after expansion was struck off to the 8½″ thickness. The maximum thickness obtained from measurements of the hardened slab after completion of the loading test was 8⅞″. Allowing for small variations, the nominal thickness may be taken as 8½″. The clear spans were 17′-4″ x 26′-4″ and the loaded area was 456.4 sq. ft. The test panel was designed for a superimposed load of 160# per sq. ft.

RESULTS OF TEST—AGE AT TEST, 28 to 32 DAYS

Age (days)	Loads: Total Applied Load on Panel in Lbs.	Deflections (inches): Avg. of Two ¼* Pts. on 27′ Span	Center of Panel Avg. of Two Adjacent Pts.	Avg. of Two ¼* Pts. on 18′ Span
28	56,898	0.09	0.12	0.07
29	113,721	0.32	0.43	0.29
31	113,721	0.36	0.48	0.32
31	170,228	0.65	0.80	0.54
32	170,228	0.75	0.90	0.59
32	221,674	1.76	2.37	1.37
32	238,178 (Max. Load)	(Deflection readings discontinued.) Tension cracks formed along center line of lower surface of panel, in 27′ direction.		

Failure: Loading of slab discontinued at 238,178 lbs. Slab deflected slowly until supported by cribbing. Negative tension cracks also formed in top surface across corners of panel.

* The almost equal relative deflection in these two columns gives a good indication of the Two-Way action of this panel.

(B) Load Test of 5½″ Two-Way Panel—14′ x 16′ Hung Forms

This test floor panel consisted of three 4″ deep welded trusses spaced 48″ c.-c. and whose camber was ½″. These trusses were composed of a top chord of 2 angles 2 x 1½ x 3/16. The web was one 7/16 diameter plain bar whose bends were at 45 degrees. The bottom chord comprised two 1″ diameter plain bars. The component parts of the trusses were composed of steel of structural grade, were fusion welded together, and a seat provided at each end consisting of plates 3″ x 5″ x ¼″ welded to the bottom chord. These trusses spanned the short direction of the floor panel and through which were threaded seven ½″ diameter deformed straight bars 16′-6″ long and six ½″ diameter deformed straight bars 12′ long. In addition to these bars, at each end in the long direction of the panel there were placed seven ⅜″ round deformed bars 3′-2″ long in the last 48″ space which were bent up to provide anchorage for the ½″ diameter straight bars. The straight bars were spaced 12″ c.c.

The forms were hung from the trusses and the Gritcrete was poured so as to provide ¾″ of Gritcrete below and above the trusses. The Gritcrete was poured to a depth of 4–7/16″ and after expansion was struck off to the 5½″ thickness. The maximum thickness obtained from measurements of the hardened slab after completion of the loading test was 6″. The nominal thickness was taken at 5½″, the clear spans were 13′-4″ x 15′-4″, and the loaded area was 204.4 sq. ft. The floor was designed for a superimposed load of 75# per sq. ft.

RESULTS OF TEST—AGE AT TEST, 26 to 28 DAYS

Age (days)	Loads: Load Applied Load on Panel in Lbs.	Deflections (inches): Avg. of Two ¼* Pts. on 16′ Span	Center of Panel	Avg. of Two ¼* Pts. on 14′ Span
26	10212	0.02	0.03	0.01
26	20698	0.04	0.05	0.03
28	20698	0.06	0.08	0.06
28	30994	0.10	0.15	0.10
28	41339	0.24	0.37	0.24
28	51671	0.46	0.72	0.49
28	62266	0.76	1.25	0.79
		(Tension crack formed at mid-span in 16′ direction.)		
28	68490 (max. load)	—	2.52	—

Failure: Tension crack in lower surface as noted above and cracks top surface (Negative tension) across corners of panels at max. load. Slab deflected until supported by cribbing.

* The almost equal relative deflection in these two columns gives a good indication of the two way action of this panel.

(C) Supplementary Laboratory Load Tests Diagonal Tension

The tests for diagonal tension consisted of two Gritcrete beams 6″ wide, 10″ deep and 6′6″ long. They were reinforced with steel reinforcement composed of five ⅜′ diam. hooked deformed bars at the bottom of the beam spaced 1″ c.c. and having ¾″ projection measured from the bottom of the steel reinforcement. The diameter of the hooks in the reinforcement was 8 times

the diam. of the bar, and the length of the bar beyond the hook was 6".

This test was conducted in a 600,000 lb. Southwark-Emery Hydraulic testing machine. The loading was applied at two points 14" from the center of each support and the distance between load points was 34". The bearing at the supports was 4" wide and the bearing at the load points was 5" wide. The age of the specimens at test was 28 days. The dimensions of the specimens tested were 6¼" wide x 9⅞" deep, and were 78" long.

RESULTS OF TEST—AGE AT TEST, 28 DAYS

Specimen	Load at 1st Crack, Lbs.	Max. Load Lbs.	Remarks
1	13,200	22,400	At 13,200 lbs. diag. tension crack ext. from one support. At 22,400 lbs. diag. tension crack ext. from one support to top surface at load point.
2	13,400	19,350	At 13,400 lbs. diag. tension crack ext. from one support. At 19,350 lbs. diag. tension crack ext. from one support to top surface at load point.

(D) Special Anchorage

For this test, using the same mix, there were cast two beams 7½" wide by 6" deep by 6'6" long, reinforced with two ¾" diam. straight deformed bars in the bottom of the beam, and four ⅜" diam. anchor bars hooked and bent up at the end, 2 at each end of the beam with straight lower ends placed on top of the corresponding ¾" diam. straight bars to form the special anchorage. Concrete cover below steel ¾" thick.

These beams were tested in the 600,000 lb. Southwark-Emery Hydraulic testing machine. They were loaded at two points 10" from each support and having a distance between load points of 42". The bearing at the supports was 4" wide and the bearing at the load points was 5" wide. The specimens were measured just prior to testing and were found to be as follows:

Spec. #3, 7⅞" wide x 5¾" deep x 78" long
Spec. #4, 7⅝" wide, 5⅝" deep and 78" long

RESULTS OF TEST—AGE AT TEST, 39 DAYS

Specimen	Load at 1st Crack, Lbs.	Max. Load Lbs.	Remarks
#1	15,800	17,750	At 15,800 lbs. diag. crack formed extending from load point to support. At 17,750 lbs. combined Shear and Compression failure at one end only.
#2	15,200	18,200	At 15,200 lbs. tension crack under load point. At 18,200 lbs. combined Shear and Compression failure at one end of beam.

(E) Bond Tests

Bond tests were made on deformed straight bars embedded in blocks using the same mix with various lengths of embedment and with deformed straight bars with anchorage consisting of standard hooks. These bond tests consisted of two 7½" x 7½" x 6" cubes in which is embedded one ½" diam. deformed straight bar the length of the embedment, being 6" and two 7½" x 7½" x 8" cubes with one ¾" diam. deformed straight bar embedded therein, the length of the embedment being 8". There were two 8 x 16 x 16" blocks, and two 8" x 16" x 20" blocks with one ½" diam. deformed hooked bar embedded in each block, the lengths of embedment being two at 9" and two at 13" respectively.

There were also two 8 x 20 x 20" blocks and two 8 x 20 x 24" blocks with one ¾" diam. deformed hooked bar embedded in each block, the length of embedment being 11" and 15" respectively.

Results of Bond Tests on Deformed Straight Bars

Spec. No.	Dimen. of Block (ins.)	Dia. Def. Bars (ins.)	Length of Embed. (ins.)	Load at 1st Slip (lbs.)	Max. Load (lbs.)	Bond Stress at 1st Slip (#sq. in.)	Bond Stress at Max. Load # sq. in.
5	6 x 7¾ x 7.55	½"	7.55	—	4450	—	376
6	6¼ x 7¾ x 7.60	½"	7.60	2500	3800	186	318
7	7⅜ x 8 x 7.75	¾"	7.75	3500	6500	192	356
8	7¾" x 8 x 7.78	¾"	7.78	4600	8600	251	470

Results of Bond Tests on Deformed Hooked Bars

Spec. No.	Dimen. of Block in Inches	Dia. Bar (Ins.)	Length of Shank (Ins.)	Length of Hook	Load at 1st Slip from Curve (lbs)	Max. Load (lbs)
9	8x16x16	½"	9	9.28	4000	6200
10	8x16x16	½"	9	9.28	3500	5850
11	8x16x20	½"	13	9.28	4000	7500
12	8x16x20	½"	13	9.28	4300	8100
13	8x20x20	¾"	11	12.42	8000	15,750
14	8x20x20	¾"	11	12.42	5900	11,850
15	8x20x24	¾"	15	12.42	10,300	16,800
16	8x20x24	¾"	15	12.42	9400	16,100

(F) Compression Tests—Age at Test, 28 to 31 Days

Note: To determine the compressive strength of Gritcrete and in view of its aerating properties the Committee of the Board required that compression tests be made along the vertical axis for the reason that in this type of construction strength varies with vertical distance, which is a procedure similar to that prescribed for cast stone and as used by the Bureau of Standards. Thus a sample was obtained which was indicative of the properties of the actual floor construction.

On the basis of the foregoing, tests on 6" cubes using the same mix were conducted at Columbia University with the results as follows:

Source of Cube	Age at Test (days)	Area sq. in.	Height (ins.)	Max. Load Lbs.	Ultimate Strength lbs/sq. in.
4" Floor	31	36.4	6.40	35,900	986
Slabs	31	36.3	6.40	34,200	942
8½"	31	36.3	6.23	62,700	1730
Panel	31	36.3	6.25	56,700	1560
5½"	28	36.0	6.70	37,100	1030
Panel	28	35.8	6.35	36,000	1005
Beams &	27	35.3	6.30	64,250	1540
Blocks	28	33.9	6.35	52,890	1560

(G) Physical Tests

Tests were conducted to determine the properties of the reinforcement using the same mix used with the results as follows:

MINUTES

Specimen	Size	Area sq. in.	Elong. in 8″ in %	Red. in Area %	Yld. Pt. #/sq.in.	Ult. St. #/sq.in.
Rein. bars						
Spec. Anch. & Diag. Ten. Test Beams 18′x27′ 14′x16′ Panels	⅜″ round deformed	0.109	28.8	—	47,700	67,800
	½″ round deformed	0.194	30.0	—	42,700	65,800
Spec. Anch. Test Beams	¾″ round deformed	0.437	31.8	—	37,700	65,600
Welded Trusses						
Ten. Spec. Mach. from Top Chord Angle	0.187″ x 1.874	0.350	34.4	62.2	35,700	51,000
Bars. from Ch. Bot.	Dia= 1.005	0.795	32.5	70.7	32,300	49,200
	Dia= 1.005	0.795	33.5	70.7	32,800	49,300

(specimens taken from floor after test)

(H) Additional Field Test

In addition to developing the data on which to base the findings in the form of tests conducted at Columbia University under Report 2492, there was conducted a load test on a floor panel of a completed structure as follows. This panel was loaded, as required under Sec. C26-498.0 of the Administrative Building Code, being Load Test of Completed Reinforced Concrete Structures. This test was conducted by Columbia University and recorded in Report No. 2509.

The floor construction formed a part of the completed floor as herein described, located in apartment house at 220 Madison Avenue, New York City. The panel tested was part of the 11th floor of the building, and was supported on four sides by steel beams framing into steel columns. The supporting beams were as follows: spandrel beam on north side between columns No. 107 and 108, 10 B. L. 19#; west side between columns No. 98 and 108, 16 W. F. 45#; south side between columns No. 97 and 98, 8 B. L. 13#; east side between columns No. 97 and 107, 14 W. F. 30#. All beams had 2″ fire protection of Gritcrete. The panel was 13′ 11″ x 23′ 7½″ center to center of supporting beams with clear spans of 13′-0″ by 23′-0″. The gritcrete slab was 5½″ thick including a monolithic finish. The reinforcement in the short direction (13′ clear span) consisted of six 4″ deep open web steel joists 41″ center to center. Fire protection of the joists was ¾″ Gritcrete top and bottom. The lower chord of the joists consisted of two 1″ round bars, the 45 degree web members were ½″ rounds, and the upper chords were two angles 2″ x 1½″ x 3/16″. Standard steel joist end connections were used with a 5″ x 3″ x ¼″ bearing plate welded to supporting beams by a 1″ x ¼″ fillet weld. The reinforcement in the long direction of the slab (23′ clear span) consisted of ⅜″ round bars 12″ center to center near the lower surface of the slab passing through the steel joists. Reinforcing mesh consisting of No. 7 wire 4″ center to center in the long direction of slab, and No. 11 wire 16″ center to center in the short direction was hooked over the spandrel beam at the north edge of the slab and extended 2′ 6″ into the slab near the lower surface. At the south edge of the slab similar reinforcing mesh was placed over the supporting beam and extended 2′ 6″ into both adjacent panels.

The panel, reported to have been poured on Feb. 27, 1941, had an age of 48 days at time of test. The Administrative Building Code requires not less than 60 under C26-498.0.

Method of Loading

The load applied to the slab consisted of 4″ x 8″ x 18″ hollow cinder concrete partition blocks having an average weight of 21 lbs. each. The blocks were uniformly distributed over the entire slab in piles four blocks square leaving a space of about 3″ around each pile to insure against any tendency for "arching" of the load directly to the supporting beams. The loading was applied in three increments of 10, 40, and 40 lbs. per sq. ft. of clear span of the slab (23′ x 13′) making a total load of 90 lbs. per sq. ft. The loading remained on the slab for 24 hours and was then removed.

Deflections were measured and recorded at each increment of load, after 24 hours of sustained load, immediately after removal of load, and 24 hours later. These measurements were made by means of a deflectometer which consisted essentially of a steel bar and a recording dial reading to .001″. The deflectometer measured the change in distance between a suitable reference mark set in the upper surface of the tenth floor and a similar reference mark set in the under surface of the eleventh floor. These reference marks consisted of expansion bolts machined to engage the deflectometer. Deflections were measured at nine points on the slab (Columbia Report 2509) and are briefly described as follows:

Long Axis of Slab (23 ft. clear span)

Point No.	Location
1	9″ from edge of fireproofing of north beam
2	¼ point of clear span
3	Center of slab
4	¼ point of clear span
5	2″ from edge of fireproofing of south beam

Short Axis of Slab (13 ft. clear span)

Point No.	Location
6	2″ from edge of fireproofing of west beam
7	¼ point of clear span
3	Center of slab
8	¼ point of clear span
9	2″ from edge of fireproofing of east beam

RESULTS OF FIELD TEST

Appl. load on panel in lbs.	Deflection: Avg. of 2 ¼ pts. on 23′ span	Deflection: Center of panel	Deflection: Avg. of two ¼ pts. on 13′ 0″ spans
3066	.011	.013	.010
15288	.068	.091	.071
27300	.163	.209	.155
27300**	.194	.249	.185
0	.076	.094	.068
0***	.065	.084	.060

** Sustained load for 24 hours.

*** 24 hours after removal of load and with a recovery of at least 75% of the 24 hour loading deflection as provided in C26-498.0.

Observations: At maximum load crack visible on upper surface of slab over west of supporting beam; fine crack on undersurface of slab at midspan running north and south (23 ft. direction) about 3 ft. long.

At maximum load sustained for 24 hours, fine crack over east supporting beam. No visible change in previously noted crack over west beam or in crack on under surface of slab. Fine crack observed on upper surface of slab over south supporting beam.

Measured Deflections

	Load	Center Point	At Edge	Short Way D for Slab
Before test	0	0″	0	0
Max.	91.3#/sq. in.	.249″	.090	.084 .165″
			.076	

Measured Deflections (*Continued*)

	Load	Center Point	At Edge		Short Way D for Slab
After test	0	.084″	.016	.018	.066″
			.020		

Summary: Computed deflection = 0.49″
Measured deflection = 0.165″
24 hrs. after load was removed = 0.066″

(I) Compression Tests on Job Specimens

In order to develop data upon which to base a finding relative to working stresses to be used in Gritcrete, samples were taken from various projects installed and tested in accepted laboratories. These samples were taken under job conditions, using job materials. The fineness modulus of the aggregates, brands of cement, and water-cement ratio varied to suit the job conditions and represents the varied conditions under which the material is to be used. In each of the following cases the materials were mixed as follows:

One part of Portland Cement to 5½ parts of aggregate (sand and pea gravel) by dry rodded weight, and so graded as to give a fineness modulus as defined in A.S.T.M.C.-125-36T between 4.0 and 4.3 with total water of not more than 8¾ gals. per bag of cement. To this was added 6 oz. of Gritcrete powder No. 1 to the bag of cement, and where weather conditions necessitated using Gritcrete Compound No. 2, an alkaline solution, it was added up to three quarts of alkaline solution to the bag of cement. This alkaline solution and the moisture in the aggregates was included in the quantity of 8¾ gals. of water per bag of cement. Tests were made on 6 x 6 x 6″ cubes similar to those tested by Columbia University Report No. 2492. These tests were witnessed by a representative of the Board of Buildings Inspection Department.

RESULTS OF COMPRESSION TESTS ON PROJECT AT 735 PARK AVE. NYC

Laboratory: Haller Testing Laboratories

Sample No.	Floor	7-Day	28-Day
1	3-4	1037	——
2	3-4	——	1731
3	3-4	——	1411
4	5-6	1171	——
5	5-6	——	1357
6	5-6	——	1511
7	7-8	1046	——
8	7-8	——	1272
9	7-8	——	1651
10	9-11	920	——
11	9-11	——	1306
12	9-11	——	1508
13	12-14	962	——
14	12-14	——	1615
15	12-14	——	1056
16	16th	——	1724
17	16th	——	1711
Average Strength		1027	1488

RESULTS OF COMPRESSION TESTS ON PROJECT AT 220 MADISON AVENUE

Laboratory: Haller Testing Laboratories (As reported to Bldg. Department by applicant as requested by the Board)

Sample No.	Floor	7-Day	28-Day
1	3rd	——	950
2		——	987
3	4th	1233	——
5		1109	——
4	4th	——	1706
6		——	1486
7	5th	——	1686
8		——	1306
9	6th	——	1013
10		——	994
11		616	——
13	7th	——	1001
14		——	815
12		648	1154
15	8th	——	1359
16		——	——
17		1541	1300
18	9th	——	1410
19		——	——
20		923	1344
21	10th	——	1434
22		——	——
23		1227	——
24	11th	——	1750
25		——	1777
26		1235	——
27	12th	——	1800
28		——	1560
29		1235	——
30	13th	——	1083
31		——	1170
32		929	——
33	14th	——	1250
34		——	1005
35		1084	——
Average Strength		1071	1306

FIRE TESTS

A four hour fire test of Aerocrete Floor Construction was made by Columbia University, Report No. F. W. 42, January 3, 1929. This construction consisted of a test floor made up as follows:

Type 1—Construction consists of reinforced stone concrete ribs 20 ins. on centers and having a width of 4 ins. at the top and 4½ ins. at the bottom, and a thickness of 4½ ins. between precast or cast-in-place Aerocrete fillers 4½ ins. thick, 16 ins. wide at the top, and 15½ ins. wide at the bottom.

Type 11—Construction consists of a poured in place Aerocrete slab 10½ ins. thick with a ½″ Portland cement mortar finish on top.

The results of the test indicate that the temperature of the lower flange of westerly I-beam did not exceed 221 degrees F. total for Type 11 during the four hours of the test (starting temperature 31 degrees F.) while the unexposed surface of the Type 1 floor reached a temperature of 212 degrees F. which was within the permitted 250 degrees Fahr. rise.

The Building Department, Borough of Manhattan, issued an approval dated April 2, 1929, on both types of floors when protected with precast or poured in place Aerocrete and a fireproof floor fill between beams and girders.

CORROSION TEST

In order to determine the corrosive effect on reinforcing bars embedded in Aerocrete, the following test was made by Theodore Crane, Professor Architectural Engineering at Yale University.

This test was carried out by placing a slab of Aerocrete cast approximately 2″ thick and reinforced with steel wire, in containers with sufficient tap water to cover them. An air jet was placed beneath the water in the container to insure that the latter would, at all times, be completely saturated with air. This test was of the nature of an accelerated corrosion test and rep-

resented conditions much more severe than might be expected under actual construction conditions. After eight weeks exposure in the above described apparatus, the following results were observed. The reinforcement showed very little corrosion. The attack was not sufficient to impair the strength of the reinforcement appreciably.

Control specimens of ⅛" cold rolled steel rods were subjected to identical test conditions in the same apparatus. After eight weeks exposure the following loss of weight was observed:

Aerocrete 0.44%

GENERAL

In order to consider this construction, when designed in accordance with C26-468.0, it is pertinent to compare the results of the load tests (Columbia University Test #2492, Oct. 9, 1939) with those as determined by the formulas of the Administrative Building Code, using allowable values of f'c, as given in Table 1 of C26-364.0 and an n value of 30.

Test Specimen	Designed Superimposed Load	Ult. Superimposed Load	Ratio of Test Load to Formula Load
8½" Slab 18'-0"x27'-0" Panel	160	522	3.26
5½" Slab 14'-0"x16'-0" Panel	75	334	4.45

Results of the Tests on Gritcrete for Diagonal Tension Special Anchorage and Bond compared with results obtained from the Building Code Formulas are as follows:

Columbia University Report #2492

Specimen	Designed Load, N.Y.C. Bldg. Code	Ultimate Load from Test	Ratio Test Load to Designed Load
Diag. Tension (Av. of 2 Specs.)	2740#	20,875	7.62
Spec. Anchorage (Av. 2 Specs.)	2665	17,975	6.74
No Special Anchorage			
½" dia. def. bars	589	4,125	7.01
¾" dia. def. bars	913	7,550	8.27
Bond; Av. of 2 Spec. Anchorage of Standard Hooks			
½" Def. bars 9" embed.	1061	6,025	5.67
½" dia. def. bars 13" embed.	1532	7,800	5.19
¾" dia. def. bars 11" embed.	1943	13,800	7.10
¾" dia. def. bars 13" embed.	2651	16,450	6.21

In the aforementioned tests, Gritcrete was cast using various Portland cements, fine aggregate, coarse aggregate and water cement ratios. These specimens were tested in accepted laboratories, giving the following results:

	Av. Strength lbs./sq. in. in 7 days	Av. Strength lbs./sq. in. in 28 days
Tests by Columbia Univ. Report 2492	——	1282
735 Park Ave. Project ...	1027	1488
220 Madison Ave. Project	1071	1306

STRESS ANALYSIS OF 8½" x 5½" PANELS

An analysis of the 8½" and 5½" Panels in accordance with Sub-article 5, Reinforced Concrete Construction, Administrative Building Code, at the designed loads, and based on an ultimate strength of 1000# per sq. in. = f'c in compression and corresponding working stresses, gives the following results:

Columbia University Report #2492

Spans	8½" Panel 18'-0" x 27'-0"	5½" Panel 14'-0" x 16'-0"
Slab Thickness	8½"	5½"
Wt. of Floor per sq. ft.....	81 lbs.	51 lbs.
Applied Load	160 lbs.	75 lbs.
TRUSS MAKE-UP:		
Top Chord of 2 Ls.....	2-1½" x 3/16"	2 x 1½ x 3/16"
Bot. Chord of 2 r'd bars.....	1" dia.	1" dia.
Web of 1 r'd bar.....	7/16" diam.	7/16" dia.
Spacing of Truss	23"	48"
Trans. Reinf. Def'd bars, r'd	½" diam. 7" c.c.	½" dia. 12" c.c.
EFFECT OF WEIGHT OF SLAB:		
Moment per truss in lbs.....	75,500	60,000
Shear per truss in lbs.....	1,400	1,428
Stresses in Truss:		
Top Chord, lbs. per sq. in...	9,960	15,580
Bottom Chord, lbs. per sq. in.	7,880	12,280
Web, lbs. per sq. in.....	13,200	13,460
DISTRIBUTION OF LOAD:		
Short Direction	77%	60%
Long Direction	23%	40%
FACTOR:		
Short Direction	80%	70%
Long Direction	60%	64%
EFFECT OF APPLIED LOAD IN SHORT DIRECTION:		
Moment per truss, in lbs.....	92,000	37,400
Shear per truss, in lbs.....	2,130	1,262
Stresses in Truss		
Top Chord, lbs. per sq. in....	4,670	2,390
Bot. Chord, lbs. per sq. in....	9,520	6,840
Web, lbs. per sq. in.....	7,700	2,930
Stresses in Gritcrete		
Comp. lbs. per sq. in.....	243	193
Shear lbs. per sq. in.....	9.3	6.5
Bond lbs. per sq. in.....	27.9	35.8
EFFECT OF APPLIED LOAD IN LONG DIRECTION:		
Moment per ft. in lbs.....	24,100	7,300
Shear per ft. in lbs.....	495	239
Stresses in Rods		
Reinf. bars, lbs. per sq. in.....	12,700	12,330
Stresses in Gritcrete		
Gritcrete, Comp. per sq. in.....	276	281
Gritcrete, Shear per sq. in.....	7.3	6.6
Gritcrete, Bond per sq. in.....	64.8	100.7
STRESSES IN TRUSS FROM TOTAL LOADING:		
Top Chord, lbs. per sq. in...	14,630	17,970
Bottom Chord, lbs. per sq. in.	17,400	19,120
Web lbs. per sq. in.....	20,900	16,390

Similar analyses of the 8½" and 5½" Test Panels at the breaking loads give the following results:

Item	8½" Thick Panel	5½" Thick Panel
Max. Unif. Load lbs/sq. in. Center	522	334
Deflect. in inches	2.37	2.52
A—Stresses—Short Dir.		
Top Chord in lbs/sq. in.....	25,190*	26,120*
Bot. Chord lbs/sq. in.....	38,930**	42,280**
Web Chord lbs/sq. in.....	38,320	28,640
Gritcrete:		
Compres. lbs/sq. in.	1,119	858
Shear lbs/sq. in.	30.4	27.5
Bond lbs/sq. in.	91.0	151.0
B—Stresses—Long Dir.		
Reinf. Bars in lbs/sq. in.....	41,430***	55,400***
Gritcrete		
Comp. in lbs/sq. in.....	900	1,265
Shear in lbs/sq. in.....	23.8	29.5
Bond in lbs/sq. in.....	106	225
* Yield Pt. 35,700 p.s.i.....	Ultimate 81,000 p.s.i.	
** Yield Pt. 32,300 p.s.i.....	Ultimate 49,200 p.s.i.	
*** Yield Pt. 42,700 p.s.i.....	Ultimate 65,800 p.s.i.	

A further analysis of concrete construction with a wide range in moduli of elasticity show only minor changes in the concrete stress and, in the worst case, results in a slight increase in the stresses of the reinforcing steel. In Sec. C26-364.0 Item S17, it provides that "in determining the ratio for design purposes, the modulus of elasticity for the concrete shall be taken as 1000 f'c and that for steel as 30 million pounds per sq. in. where f'c is the ultimate compressive strength of concrete." On the basis of the foregoing data, it is apparent that this relatively new construction known as

MINUTES

Reinforced Gritcrete Flat Ceiling Construction can be safely used when designed in accordance with the accepted engineering formula. Numerous specific approvals and tests on completed floor constructions have been made by several Borough Superintendents and the Board in recent years, which upon inspection indicates satisfactory performance, further justify the integrity of this construction.

The Committee on Tests of the Board visited premises where this method of construction had been used and reports as follows:

Inspections were made by the Committee on Tests of the Board on January 27, 1943, of floor slab in apartments 14-J, 11-M, 8M and 2-G at 220 Madison Avenue (Cal. 1018-40-A) and in apartments 12C, 7B and 8E at 735 Park Avenue, corner of 71st Street (Cal. 44-40-A). These buildings have been completed and occupied about a year and a half.

There were no indications of settlement or cracking in Gritcrete slabs in any of these apartments, while there was evidence of settling and cracking in walls, ceilings and slabs of other construction and the reinforced concrete fireproofing of hall girders did show several cracks at supports. The ordinary hair cracks were observed on plaster and calcinous ceilings. These cracks were not probed for depth and extent. On painted ceilings no cracks were observable. In one Duplex apartment a heavy man jumped up and down repeatedly on the floor slab while ceiling underneath was being observed. There was no noticeable effect.

A recent inspection of Gritcrete Long Span-Flat Ceiling-Floor Construction, installed some four years ago, was made in buildings located at 280 Madison Avenue and 737 Madison Avenue, New York City, by Mr. John W. Pickworth of Weiskopf and Pickworth, who reports as follows:

"At 280 Madison Avenue the superintendent and the renting agent, who authorizes all repair work and who receives all complaints, were closely questioned, as were tenants in various apartments. The floors and ceilings were observed to be in excellent condition and the questions were all answered in a manner indicating entire satisfaction with the installation. The flat ceiling as a feature is appreciated and considered much better sound insulation than is the short span cinder concrete construction in other portions of each apartment.

At 737 Madison Avenue several apartments were inspected and the superintendent and tenants questioned. The ceilings in the Long Span Gritcrete construction were in excellent condition and in places still looked clean and uncracked, although they have never been repainted. All concerned were well pleased and even enthusiastic about the installation.

An experiment was made to compare the soundproofing qualities of the Long Span Gritcrete construction used in the living rooms and the short span cinder concrete floor construction used in the other rooms. Steel balls of various sizes were dropped from a height of two feet and two listeners a floor below made careful notes on the noise. After the experiment comparisons of their notes showed that they were in complete agreement that considerably more sound was transferred through the cinder concrete short span construction.

In conclusion we wish to state that we find the Gritcrete construction in as good shape and as satisfactory as when last inspected in January, 1943, over two years ago."

RECOMMENDATIONS

On the basis of the foregoing data, in accordance with Sections C26-189.0 and C26-191.0, which vest in the Board the power to test and approve new materials and methods of construction, the Committee on Tests recommends approval of Gritcrete and Gritcrete Long Span Flat Ceiling Floor Construction, fig. 1 for uses as follows:

As a permissive type of fireproofing under C26-575.0, Grade I in long spans, and for use in floor and roof construction for clear spans as listed hereinafter, and for superimposed loads not exceeding 115 lbs. per sq. ft. under Sections C26-315.0 to 319.0 incl., 366.0, 468.0 to 473.0 incl., 478.0 to 486.0 incl., 489.0 to 492.0 incl. of the Administrative Building Code.

Provided that the average Ultimate Compressive Strength of not less than five 6" cubes as determined by compression tests at end of 28 days shall be not less than 1,000 lbs. per sq. in. with no individual specimen less than 800 lbs. per sq. in., in which event all samples shall be disregarded and the necessary corrections made to the mix. Should the tests meet these requirements the f'c established shall be 900 p.s.i. and the corresponding values for bond, shear and flexure and n shall be as given in table below:

Designation	Description	Allowable Working Stresses %	lbs/sq. in.
	Flexure: f_c		
S_1	Extreme fibre stress in compression	0.40f'c	360
S_2	Extreme fibre stress in compression adjacent to supports of continuous or fixed beams or slabs or of rigid frames	0.45f'c	405
	Shear: v		
S_3	Beams without web reinforcement and without special anchorage of longitudinal steel	0.02f'c	18
S_4	Beams without web reinforcement, but with special anchorage of longitudinal steel	0.03f'c	27
S_5	Beams with properly designed web reinforcement, but without special anchorage of longitudinal steel	0.06f'c	54
S_6	Beams with properly designed web reinforcement, and with special anchorage of longitudinal steel	0.09f'c	81
	Bond: u		
	In beams, slabs and one-way footings:		
S_{10}	Plain bars	0.04f'c	36
S_{11}	Deformed bars	0.05f'c	45
	Double values for bond		
	Bearings: f_c		
S_{14}	Direct bearing	0.25f'c	22
S_{17}	Ration (n)		25

Provided further that the minimum thickness of slabs and the depth of open-web trusses shall be the following:

Table

Thickness of Slab	Depth of Truss	Minimum Camber of Truss	Principal Max. Clear Span Short Dir.
5½"	4"	½"	14' 0"
6"	4½"	½ to ⅝"	15' 6"
6½"	5"	⅝ to ¾"	17' 0"
7"	5½"	¾ to ⅞"	18' 0"
7½"	6"	¾ to ⅞"	19' 0"
8"	6½"	¾ to ⅞"	20' 0"

Provided further that the maximum spacing of the open web trusses shall be 48" o.c. and that in calculating the resisting moment, the effective width of the Gritcrete shall be taken as 48" or one-quarter of the span,

whichever is less and the finish not to be included in the computations.

Provided, further that the reinforcement in the long direction shall be at least one third of the amount which is required in the short direction for the support of the superimposed loading. At the supports running parallel to the short direction, deformed hooked bars shall be provided not less than ⅜" in diameter, 30" in length, and spaced 24" c. to c. or an equivalent mesh area may be substituted.

Provided that the open web trusses where used shall be welded securely to the principal steel beams with fillet welds complying with the Welding Rules of the Board, at least one inch total length at each end, and that each one of these trusses be cambered by means of a distinct cambering operation and of an amount equal to the deflection of the open web trusses for the dead weight of the slab and forms when carried by the floor. Any openings in the floor shall be either framed for, or the slabs shall be reinforced, to provide for such conditions as may exist.

The ingredients of the proposed mixture of Gritcrete weighing 108 lbs. per cu. ft. shall consist of one part of approved cement to 5½ parts aggregate (sand and grit) by dry rodded weight, and so graded as to give a fineness modulus as defined by A. S. T. M. C125-36T between 4.0 and 4.3 and with total water of not more than 8¾ gals. to the bag. This mixture shall be aerated by adding Gritcrete Compound No. 1 (a dry metallic powder) in the ratio of six ounces of powder to a bag of cement. Where weather conditions necessitate, Compound No. 2, an alkaline solution mixed in proportions of one pound of such compound to two gals. of water may be added in amounts not to exceed 3 quarts to a bag of cement. The amount of this water added shall be included in arriving at the maximum water cement ratio given above in the mixing water.

The proportioning, mixing, handling and placing shall be under the supervision of an experienced engineer of the Aerocrete Corporation continuously during the pouring of all floors and fireproofing and field records of mixes and tests shall be kept on the job, as required under C26-497.0. He shall also be responsible for the placing and welding of trusses and the reinforcement, and the camber of the trusses.

Field tests as provided for in C26-501.0 (8.5.33) insofar as applicable to this material shall be made by the Borough Superintendent. All reinforcing steel used herein shall correspond to the requirements of C26-316-7.0 and comparable to the test values of reinforcing steel, and shall be protected as required in C26-509.0. Conduits and piping shall be so placed as not to reduce the strength of the construction.

It is further recommended that all designs be certified to by a Professional Engineer in charge of design, that drawings submitted to the Department of Housing and Buildings bear wording as follows: The design of .....floors under Building permit #..... year ..... is strictly in accordance with the approval granted under Cal. 962-39-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Gritcrete Long Span Flat Ceiling-Floor Construction, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:00 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 27, 1945.

Present: Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

664-44-A

APPLICANT—Jochanon I. Rudavsky, for Midwood Gardens, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—741-775 Ocean Avenue, east side, 60 ft. south of Beverly road (Block 5151, Lot 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jochanon I. Rudavsky.

For Administration: Fred Dahlem and Henry Pheney, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

Absent: Chairman Murdock 1

THE RESOLUTION (664-44-A)

WHEREAS, Jochanon I. Rudavsky, for Midwood Gardens, Inc., owner, filed November 24, 1944, an appeal from a decision of the borough superintendent, affecting premises 741-775 Ocean avenue, east side, 60 ft. south of Beverly road (Block 5151, Lot 33), Borough of Brooklyn and;

WHEREAS, the decision of the borough superintendent, dated November 14, 1944, on Alt. Applic. 2834-44, reads:

"Const. 2. Roof construction of space devoted to sun bathing weak. To be good for 100 lbs. per sq. ft. live load as per Sec. 7.3.2.2.5 of the Building Code."

and

WHEREAS, the applicant states the building is six stories (65 ft.) in height; 300 ft. by 87 ft. in area; of Class 3 construction; erected 1931; located in a residence use, C area, Class 1¼ height district, and used and occupied as follows: cellar, ordinary, 1st floor, dentist's office and 16 apartments; 2nd to 6th floors, inclusive, 16 apartments each; and

WHEREAS, Certificate of Occupancy 104327 issued January 30, 1942 on Alt. Applic. 1417-40, classifies the building as Class A hereafter erected and permits the use of the building as follows: cellar, ordinary; 1st floor, 16 families, including the dentists office; 2nd to 6th floors, 16 families each; and

WHEREAS, violation was issued by the Division of Housing for erecting a 25 ft. by 50 ft. frame sun platform, half of which is covered with a frame roof supported by 2 ft. by 4 ft. supports and directed the restoration of the above premises to the original legal condition existing prior to said alteration; and

WHEREAS, the applicant contends it is proposed to use a small portion of the roof as a space for sun bathing by the tenants; that this space or platform will have a 3 ft. high pipe railing all around same; that the roof is designed for a live load of 40 lbs. per sq. ft.; that at no time will the roof area be loaded in excess of 40 lbs. per sq. ft.; that the roof area will be furnished with beach chairs and will be used by the tenants for recreational purposes only.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2834-44, Obj. 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

698-44-A

APPLICANT—Harold Carlson, for Anna Marmon, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and Block 5555, Lot 19), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped streets—46th road and 197th street [place]).
APPEARANCES—
For Applicant: Harold Carlson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Charles M. McWilliams, Borough President's office.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn	3
Negative:	0
Absent: Chairman Murdock	1

THE RESOLUTION (698-44-A)

WHEREAS, Harold Carlson, for Anna Marmon, owner, filed December 1, 1944, an application pursuant to Section 35 of the General City Law, for permission to erect a building extending into the bed of a mapped street, affecting premises 197-23 47th avenue, north side, 340.22 ft. west of Francis Lewis boulevard (Block 5554, Lot 12 and 5555, Lot 19) Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superindentent, dated November 10, 1944, on N. B. Applic. 6368-44, reads:

"1. The erection of a building in the bed of a mapped street is contrary to Art. 3, Sec. 35 General City Law."

and

WHEREAS, the building will be one story, 18 ft. in height; 50 ft. by 150 ft. in area; of Class 5 construction, located in a business and residence use, D area, Class 1 height district and used and occupied as a green house; and

WHEREAS, the applicant states that should this application be granted, the owner will remove any portion of the building encroaching on the mapped street, when the street is acquired by the city; and

WHEREAS, drawings filed with this application indicate that the proposed building will project approximately 25 ft. into the bed of 197th street (as proposed), north of 46th road (as proposed); and

WHEREAS, due notice of this hearing was had by publication in the Bulletin of the Board, in accordance with the requirements of Section 35 of the General City Law.

Resolved, that the decision of the borough superintendent, acting on N. B. Applic. 6368-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under Section 35 of the General City Law, to permit the extension of the green house as proposed, into the bed of 197th street for a distance of approximately 25 ft., *on condition* that in the event the premises are acquired by the City of New York for street purposes, that such portion of the green house shall be removed by the owner at his expense and no claim made for the cost or removal or reconstruction of the remaining portion of the green house and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

161-45-A

APPLICANT—M. Allen Schlendorf, for John W. Kiesling and Son, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—237-239 Richmond street, east side, 65 ft. north of Dinsmore place and 91-95 Dinsmore place (1st and 2nd floors); (Block 4141, Lot 4), Borough of Brooklyn.
APPEARANCES—
For Applicant: M. Allen Schlendorf.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn	3
Negative:	0
Absent: Chairman Murdock	1

THE RESOLUTION (161-45-A)

WHEREAS, M. Allen Schlendorf, for John W. Kiesling and Son, Inc., owner, filed March 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 237-239 Richmond street, east side, 65 ft. north of Dinsmore place and 91-95 Dinsmore place (1st and 2nd floors); (Block 4141, Lot 4), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated March 20, 1945, on Alt. Applic. 383-45, reads:

"6. Provide exits from 2nd floor as per Section 270 of the Labor Law.

7. Provide exits from the first floor leading to the street, so that no point on the floor is distant more than 100 ft. from an exit as required by Section 270, par. 3 of the Labor Law."

and

WHEREAS, the applicant states that the building is 1 and 2 stories in height, 60 ft. front on Richmond street, 60 ft. front on Dinsmore place with a depth of 250 ft. therefrom, of class 3 construction, erected in 1920, located in an unrestricted use, C area and class 1 heiglit district, used and occupied since March 1, 1945 as follows: cellar—boiler room—no persons; 1st floor—garage (non storage) for more than five cars—25 persons; 2nd floor—office—10 persons; proposed to be used and occupied: cellar—same; 1st floor—machine shop—50 persons; 2nd floor office and dead file storage—5 persons; that the building is equipped with a standpipe system, one 3 ft. 5 in. wide interior steel stairs enclosed in 6 in. terra cotta blocks, equipped with one hour test fireproof, self-closing doors and leading directly to the street, but not to roof; and

WHEREAS, no Certificate of Occupancy has been issued and

WHEREAS, the applicant contends that it is proposed to alter the building for use as a factory on the first floor and retain the existing office on the second floor; that the Board is requested to accept the present exit facilities from the 2nd floor, consisting of a 3 ft. 5 in. wide steel stairs, enclosed with 6 in. terra cotta on 1st floor; that the occupancy of the second floor will not be changed, but will be reduced in office area by the construction of a dead file storage room occupying ½ of the floor area; that the maximum number of occupants on the 2nd floor will be five persons; and

WHEREAS, the applicant has filed plans with the Board, marked "Received A-2)", indicating that it is proposed to install a new 3 ft. 8 in. wide one-hour self-closing fireproof door on the easterly wall opening to an easement at the rear of the adjoining premises, which easement will have a minimum width of 6 ft. and will lead to Chestnut street.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 383-45, and that the appeal be and it hereby is *granted* as to Objection 6, *on condition* that a hinged iron ladder is placed either on the Dinsmore place wall or the portion of the interior lot line wall adjacent to the property of Jack Siegal at premises 242 Chestnut street, Brooklyn, New York, for which a copy of a properly executed easement shall be filed with the borough superin-

tendent; and withdrawn as to Objection 7, to comply and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

76-45-A

APPLICANT—Jules Kabat, for Nicholas Bachert, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—139 Evergreen avenue, east side, 25 ft. north of Troutman street (1st and 2nd floors); (Block 3172, Lot 2), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

230-44-A

APPLICANT—Henry George Greene, for Sheraton Hotel Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar (previously withdrawn—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—297-303 Lexington avenue and 133-139 East 37th street, northeast corner (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

653-44-A

APPLICANT—Samuel Rosenblum, for Adon Realty Corporation, owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—80-84 Nassau street, east side, 99 ft. 9 in. North of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to April 10, 1945 at 2 P.M., pending an inspection by a committee of the Board.

144-45-A

APPLICANT—Abraham Landow, for Fannie Edelman, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abraham Landow.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 17, 1945 at 2 P.M., pending an inspection by a committee of the Board.

149-45-A

APPLICANT—Harry P. Jaenike, for Guaranty Trust Co., (trustee u/w of Theodore Roosevelt), owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—186 William street, east side, 48.4½ ft. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry P. Jaenike.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 17, 1945 at 2 P.M., pending an inspection by a committee of the Board.

ZONING CASES

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.
SUBJECT—Application (decision of the borough superintendent) under Section 21-C of the zoning resolution, to permit in a C and F area district, a one-family residential development not conforming to the area requirements.
PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.
APPEARANCES—
For Applicant: Albert E. Wheeler and Robert C. Weinberg.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application placed on the Reserve Calendar.

191-34-BZ

APPLICANT—Herman Kron, for 180th street and Boston Road, Inc., owner.
SUBJECT—Application for consideration—reopening on a new proposal—(decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection of a gasoline service station and also, the parking and storage of more than five motor vehicles; previously denied.
PREMISES AFFECTED—2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

(Remaining minutes of the meeting of March 27, 1945 will be printed in the Bulletin of April 10, 1945.)

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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This issue of the Bulletin contains in the order given—

Court Decision.

Docket.

Rules Directory.

The Hearing Calendar.

Continuation of Minutes of Regular Meeting, March 27, 1945, at 2 P. M., Affecting Calendar Numbers 607-40-BZ, 330-22-BZ, 93-37-BZ, 609-37-BZ, 162-40-BZ, 284-42-BZ and 570-43-SA.

COURT DECISION.

Matter of Anne Cosden vs. Board of Standards and Appeals:—On January 22, 1935, the Board denied an application under section 21 for erection and maintenance of a gasoline station on this plot, including in its decision a report by the Board, referring in part to a temporary grant.

On June 25, 1935, the Board reopened application for consideration of a temporary permit for 5 years, but on July 16, 1935, it denied said application, deeming the applicant had failed to substantiate his basis of appeal under section 21, for a five-year period, on the ground of practical difficulty and unnecessary hardship. Subsequently, a writ of certiorari was served on the Board. The Supreme Court, at Special Term, sustained the action of the Board and dismissed certiorari on January 29, 1936.

On January 6, 1942, the application was reopened, under section 7f, by a vote of the Board.

On December 14, 1943, the Board, after a public hearing, affirmed the decision of the borough superintendent on Alt. Applic. 5066-41 and denied application under section 7f, deeming that there was no justification for the exercise of its discretion.

Writ of certiorari was served on the Board on January 21, 1944.

Supreme Court, at Special Term, Mr. Justice Walsh, in dismissing writ of certiorari and affirming the determination of the Board, stated in part: ". . . the transcript of the record has been carefully examined. It does not disclose any evidence to indicate that the board abused its discretion in denying the petitioner's application . . ." (N.Y.L.J., April 9, 1945, page 1342).

Cal. No. 297-34-BZ; premises 2705-2715 Nostrand Avenue, east side, 360 ft. north of Avenue N, Borough of Brooklyn.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to April 3, 1945.

Cal. No. Dept. Premises Affected.

179-45-BZ—H.B.R.—15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond, N. B. 25-45.

180-45-A—H.B.B.—1283-1285 Coney Island avenue, east side, 260 ft. south of Avenue I (Block 6704, Lot 74), Borough of Brooklyn, Alt. 481-45.

181-45-A—F.D.—429 5th avenue, east side, 60 ft. 11 in. north of East 38th street (cellar); (Block 868, Lot 4), Borough of Manhattan, 18388-LF and Decision.

182-45-A—F.D.—1100-1108 Grand street, south side, 561 ft. 1½ in. west of Morgan avenue (Block 2942, Lot 49), Borough of Brooklyn, Decision re 96295-LC.

183-45-A—H.B.Q.—1037-1041 Beach 20th street, west side, 204 ft. 8 in. south of Mott avenue (1st and 2nd floors); (Block 212, Lot 60), Far Rockaway, Borough of Queens, Alt. 287-45.

184-45-A—H.B.Q.—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens, Alt. 331-45.

185-45-A—F.D.—1527-1531 Charlotte street, west side, 110 ft. south of Boston road (Block 2966, Lot 31), Borough of The Bronx, 40356-LC and Decision.

186-45-BZ—H.B.Bx.—1219 Mace avenue, northwest corner of Pearsall avenue (Block 4462, Lot 5), Borough of The Bronx, Amendment to Alt. 213-44.

187-45-A—H.B.M.—137-143 West 108th street, north side, 300 ft. east of Amsterdam avenue (Block 1863, Lot 13), Borough of Manhattan, Alt. 258-44.

188-45-BZ—H.B.B.—170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn, Alt. 769-45.

189-45-A—H.B.Q.—53-86 65th place and 64-23 53rd drive, northwest corner (1st floor); (Block 2374, Lots 101 to 105, inclusive, 200 and 201), Maspeth, Borough of Queens, Alt. 1326-44.

190-45-SA—Pan-Tex Dry Cleaning System, Models CB1, CB2, CB3, CB4, CB5, CB6, CB7, CB8, M1, M2, M3, M4, M5, M6, M7 and M8, Appliance.

191-45-BZ—H.B.M.—346-352 and 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan, Alt. 224-45 and Alt. 101-45.

192-45-A—F.D.—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan, Decision re 40051-C.

193-45-A—H.B.Bx.—1074 Franklin avenue, south side, 249.70 ft. east of 3rd avenue (1st and 2nd floors); (Block 2607, Lot 37), Borough of The Bronx, Alt. 134-45.

194-45-A—H.B.Q.—92-32 Union Hall street and 160-37 Archer avenue, northwest corner (1st floor); (Block 10101, Lot 27), Jamaica, Borough of Queens, Misc. 4011-42.

195-45-A—F.D.—26-32 West 17th street, south side, 403 ft. west of 5th avenue (12th floor); (Block 818, Lot 66), Borough of Manhattan, 40670-C and Decision.

196-45-A—F.D.—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx, 32775-LF and Decision.

197-45-A—H.B.B.—5106 Avenue I, south side, 22 ft. 4 in. east of East 51st street (1st floor); (Block 7777, Lot 41), Borough of Brooklyn, Alt. 3258-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
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Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
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Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
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Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23

CALENDAR

	Last Publication in Bulletin
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

APRIL 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 business use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

56-45-BZ—Application, February 6, 1945, under section 7A of the zoning resolution, of George W. Swiller, applicant, on behalf of R. and A. Building Corporation, owner, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets; premises 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

589-38-BZ—Application of The Franklin Savings Bank in the City of New York, applicant and owner, reopened March 13, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and parts of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

639-44-BZ—Application, November 13, 1944, under sections 7e and 21 of the zoning resolution, of Halford Realty Corporation, applicant and owner, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises; premises 440 West 240th street, southeast corner of Greystone avenue to Dash place (Block 3414-E, Lot 20), Borough of The Bronx.

40-45-BZ—Application, January 29, 1945, under sections 7c and 21 of the zoning resolution, of Daniel Santoro, applicant, on behalf of Gus Stanzione and Rose Stanzione, owners, to permit in a residence use E area district, the erection of a three-car garage (for light delivery trucks) as an accessory to a bakery-grocery business on the front of plot in a local retail D area district; premises 705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond.

52-45-BZ—Application, February 5, 1945, under section 7c of the zoning resolution, of Joseph H. Cornell, applicant, on behalf of Frances Greenrose, owner, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building; premises 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

533-42-BZ—Application of Paul Friedman and Arnold W. Lederer, applicants on behalf of Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42), reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application, previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of used cars; premises 2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of 18 East 71st Corp., owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

Appeals from Administrative Decisions.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

165-45-A—33-67 35th street and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (2nd floor, West Section A, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

95-42-A—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn (reopened January 23, 1945).

28-45-A—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (3rd floor); (Block 2616, Lot 12), Borough of Brooklyn.

731-44-A—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.

751-44-A—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.

199-45-A—2072-2074 3rd avenue, west side, 82 ft. 8 in. south of East 114th street (Block 1641, Lot 37), Borough of Manhattan.

Appliance for Approval.

2-45-SA—Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment.

HARRIS H. MURDOCK, *Chairman.*

APRIL 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Appeals from Administrative Decisions.

632-44-A—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

164-45-A—783-787 11th avenue, west side, between West 54th and West 55th streets, 617 West 54th street and 606-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan.

627-44-A—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.

117-45-A—47-09 to 47-51 Austel place (Anable avenue), northwest corner of 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens.

51-45-A—30-30 Thomson avenue, south side and 47th avenue, north side, from 30th place (Manley street) to 31st (Mount) street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1), Long Island City, Borough of Queens.

77-45-A—340 East 43rd street, south side, 90 ft. west of Prospect place (Block 1335, Lot 37), Borough of Manhattan.

177-45-A—321-325 East 3rd street, north side, 120 ft. west of Avenue D (Block 373, Lot 44), Borough of Manhattan.

80-45-A—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.

501-44-A—114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens (previously denied; reopened January 9, 1945 re consideration of new proposal).

678-44-A—1600-1606 Atlantic avenue, south side, 95 ft. east of Albany avenue (2nd floor); (Block 1334, Lot 5), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

167-45-A—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (under section 35, General City Law—re bed of mapped street—127th street).

577-44-A—13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan (reopened and restored to calendar, March 20, 1945; previously withdrawn).

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

723-44-A—70-15 to 70-17 51st avenue, north side, 125 ft. east of 70th street (2nd floor); (Block 2440, Lots 48 and 49), Woodside, Borough of Queens.

734-44-A—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

230-44-A—297-303 Lexington avenue and 133-139 East 37th street (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan (reopened and restored to calendar, March 27, 1945; previously withdrawn).

634-44-A—227-229 East 56th street, north side, 260 ft. east of 3rd avenue (Block 1330, Lot 11), Borough of Manhattan (reopened February 20, 1945).

138-45-A—213 East 37th street, north side, 180 ft. east of 3rd avenue (Block 918, Lot 10), Borough of Manhattan.

68-45-A—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.

70-45-A—151-165 35th street, north side, 100 ft. west of 4th avenue (1st floor); (Block 688, Lot 48), Borough of Brooklyn.

105-45-A—351-361 Grand Concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx.

141-45-A—232 East 198th street, south side, 30.48 ft. east of Valentine avenue (1st floor); (Block 3301, Lot 51), Borough of The Bronx.

170-45-A—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

171-45-A—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

184-45-A—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.

131-45-A—1573-1575 McDonald (Gravesend) avenue, east side, 140 ft. north of Avenue M (Block 6565, Lot 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning,* April 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

660-44-BZ—Application, November 21, 1944, under sections 7a and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Doris Gordon, owner, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores; premises 200 East

CALENDAR

Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

671-44-BZ—Application, November 27, 1944, under section 7c of the zoning resolution, of Charles H. Richter, applicant, on behalf of Terry and McMichael, Inc., owner, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for an existing smaller frame garage building; premises 424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant, on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard; premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Bulova Watch Co., owner (Bulova School of Watchmaking, lessee), to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

Appeals from Administrative Decisions.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 17, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

144-45-A—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.

149-45-A—186 William street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

25-45-BZ—Application, January 17, 1945, under sections 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

607-40-BZ—Application of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), reopened March 27, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

23-45-BZ—Application, January 17, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Santa Fazzini, owner, to permit in a residence use D area district, the extension of a garage for more than five motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution; premises 107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens.

796-23-BZ—Application, of Lama and Proskauer, applicants, on behalf of 1507-1535 Coney Island Avenue Corporation, owner, reopened October 10, 1944, under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station (previously granted by the Board) to include a room for display and sale of new and used cars; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

123-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Benjamin H. Whinston, applicant, on behalf of Young Israel Synagogue of Claremont Parkway, Inc., owner, to permit in a B area district, the conversion and extension in area of a building now occupied as a two family dwelling into a synagogue without complying with the area requirements for a B area district; premises 1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

Appeal from Administrative Decision.

124-45-A—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

Material for Approval.

53-45-SM—Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Appeals from Administrative Decisions.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 1, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

418-44-BZ—Application, July 5, 1944, under section 7c of the zoning resolution, of Bernard Shatkin, applicant, on behalf of Tilyou Realty Corp., owner, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of March 27, 1945.)

607-40-BZ

APPLICANT—John H. W. Krogmann, for Wells-Smith Corporation, owner (John F. Dubar, lessee).

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jonathan Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar and set for hearing on April 24, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Commissioners Savage and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

330-22-BZ

APPLICANT—Allen A. Blaustein, for 1663 East 17th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under sections 7a and 7c of the zoning resolution, permitting partly in a business and partly in a residence use district, the alteration and conversion of occupancy of a three story, theatre and stores building, to a one story stores building.

PREMISES AFFECTED—1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings highway (Block 6780, Lot 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein and Samuel Freedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (330-22-BZ)

WHEREAS, this application, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a building, partly used for business purposes, affecting premises 1665 East 17th street, Borough of Brooklyn, was granted by the Board on May 2, 1922, on certain conditions, resolution amended on June 27, 1922 and April 5, 1938; and

WHEREAS, an application was made, to permit the change of occupancy to stores and motion picture theatre, affecting premises 1663-1669 East 17th street, east side, 57 ft. 2½ in. south of Kings Highway (Block 6780, Lot 55), Borough of Brooklyn, and such application was granted by the Board on January 28, 1941, on certain conditions; and

WHEREAS, the present applicant requested a reopening on a new proposal—to permit the alteration and conversion of occupancy of a three story theatre and stores building to a one story stores building; and

WHEREAS, this application was granted by the Board on March 30, 1943, on certain conditions and the resolution amended and plans approved on April 27, 1943; and

WHEREAS, time to complete the work was extended on March 14, 1944; and

WHEREAS, the Building Department records indicate that an inspection of the premises show that a substantial amount of work has been done under existing permits; and

WHEREAS, the applicant now requests a further extension of time to complete the aforesaid work under the existing permits.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 28, 1941, as amended through March 14, 1944, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of the statement by the applicant and the Inspector's report of the Building Department, that a substantial amount of the work has been done, all work shall be completed within one year from the date of this *amended* resolution."

93-37-BZ

APPLICANT—David F. Cohen for Elmore Kelsch, lessee (67 Pike Street Realty Corporation, owner).

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—261-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street and 60 ft. west of Marcy avenue and 266-270 South 4th street (Block 2447, Lots 27 and 35, inclusive and 15 to 17, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: David F. Cohen and Elmore Kelsch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Commissioners Savage and Deputy Chief Gunn 3

Negative: 0

Absent: Chairman Murdock 1

THE RESOLUTION (93-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles for a term of two years, affecting premises 261-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street and 60 ft. west of Marcy avenue and 266-270 South 4th street (Block 2447, Lots 27 to 35, inclusive and 15 to 17, inclusive), Borough of Brooklyn, was granted by the Board on April 29, 1941, on certain conditions; and

WHEREAS, the permit was extended on March 23, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 29, 1941, as amended through March 23, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises as indicated on plans marked 'Received March 5, 1941,' as revised to exclude Lots 21, 22 and 41, to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 29, 1941, as *amended* through March 23, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained."

609-37-BZ

APPLICANT—Grand Street Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block 867, Lots 83, 85 and 86), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Herman Tille.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Commissioners Savage and Deputy Chief Gunn 3

Negative: 0

Absent: Chairman Murdock 1

THE RESOLUTION (609-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block 867, Lots 83, 85 and 86), Jamaica, Borough of Queens, was granted by the Board October 4, 1938, on certain conditions, the resolution amended January 4, 1939, February 15, 1939 and permit extended on March 18, 1941, March 30, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend,* the resolution of October 4, 1938, as amended through March 30, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of October 4, 1938, as amended through March 30, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained, after inspection of the premises by the Building Department for compliance with the resolution adopted October 4, 1938 (M2548-41)."

162-40-BZ

APPLICANT—William R. McVay, for Biagio Becce, lessee (Josephine Wild and Robert T. Wild, owners).

SUBJECT—Application for consideration—reopening and restoration to calendar (request to reopen previously dismissed for lack of prosecution) re Application—(decision of the borough superintendent)—extention of permit—previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—31-06 31st avenue, southeast corner of 31st street (Block 613, Lots 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: William R. McVay and Biagio Becce.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to calendar and permit extended.

MINUTES

THE VOTE TO REOPEN—
Affirmative: Commissioners Savage and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE VOTE TO EXTEND PERMIT—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (162-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 31-06 31st avenue, southeast corner of 31st street (Block 613, Lots 37 and 38), Astoria, Borough of Queens, was granted by the Board on February 18, 1941, on certain conditions, resolution amended on May 27, 1941 and on June 17, 1941 and the permit was extended on February 24, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of February 18, 1941, as amended through February 24, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 18, 1941, as amended through February 24, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained (Misc. Applic. 10125-39)."

284-42-BZ

APPLICANT—Lama and Proskauer for North American Oil Corporation, owner (Matt David, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, for a term of ten (10) years, the erection and maintenance of a garage for more than five motor vehicles, lubritorium, dressing rooms and offices, upon a plot occupied as a gasoline service station with individual garages.

PREMISES AFFECTED—1672-1680 86th street, southeast corner of Bay 14th street (Block 6365, part of Lot 33), Borough of Brooklyn.

APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Commissioners Savage and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (284-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of ten years, the erection and maintenance of a garage for more than five motor vehicles, lubritorium, dressing rooms and offices, upon a plot occupied as a gasoline service station with individual garages, affecting premises 1672-1680 86th street, southeast corner of Bay 14th street (Block 6365, part of Lot 33), Borough of Brooklyn, was granted by the Board on April 6, 1943, on certain conditions; and

WHEREAS, on March 28, 1944, time was extended to complete the work and the applicant requested a further extension of time for such purpose.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of April 6, 1943, as amended March 28, 1944, only in so far as it has reference to completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of applicant's statement that all plans have been approved by the Department of Housing and Buildings and permits obtained, all work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of April 6, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

APPLIANCE FOR APPROVAL

570-43-SA

APPLICANT—Thomas G. Keefer, for Thomas G. Keefer and Ben Striziver, owners (Keefer Products Co., agent).

SUBJECT—Keefer Products Co., Chemical Feeders, approval of.

APPEARANCES—
For Applicant: Benjamin Striziver.

ACTION OF BOARD—Application withdrawn on request of owner.

THE VOTE TO WITHDRAW—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

NOTICE

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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SUPPLEMENT TO THE BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Address all communications to the Chairman.

CONTENTS

This issue of the Supplement to the Bulletin contains a complete list of—

Approved Materials, Appliances and Methods of Construction through March 20, 1945.

Note: Under each approval, reference to V —, No. —, P —, means the volume, the number of the Bulletin and the page in which the resolution incorporating description, terms of approval and limitations of use are published.

Caution—Resolution should be consulted in every case for pertinent details.

FOREWORD

For the convenience of the public and the Administrative Departments, the Board is publishing in this Supplemental Bulletin a list of Materials, Appliances, and Methods of Construction that have been approved by the Board since its creation under Chapter 503 of the Laws of 1916, through March 20, 1945 and supersedes the list published in the Supplement dated June 8, 1943. By the terms of that amendment to the Greater New York Charter, the Board was empowered to test materials and the present New York City Charter continues this power under Section 666 Paragraph 1 reading, "The Board shall have power to test and approve materials and appliances to be used pursuant to law." The requirement that all Materials, Appliances and Methods of Construction shall be approved is also provided in Section C26-178.0.b of the Administrative Building Code, effective December 30, 1937. The definition of "approved" is in Section C26-14.0. Section C26-191.0.a provides that "the sole authority to test and approve materials and appliances is vested in the Board."

This list does not include such materials and appliances as may have been approved prior to 1916 by the Board of Standards of the Fire Department or the several Superintendents of the Departments of Buildings even though such approvals were certified by the Corporation Counsel as automatically becoming approvals of the Board. The reason for their non-inclusion is that due to subsequent changes in the law, practically none of the approvals given prior to 1916 have any present application.

Any such materials, appliances or methods of construction, which have been accepted for general use prior to or since 1916 should be submitted to the Board for test and approval under the present requirements of law, so that they may be included in the published list, when next issued. Due to improvements in construction methods and design of materials and appliances as well as amendments to the law, some materials and appliances herein listed may no longer meet the terms of their approval or the present law. In these instances, such materials and appliances should be resubmitted so as to keep the approvals abreast of the latest designs and methods.

It has been the intention of the Board in publishing this list to make it complete, and if any approvals are omitted it has been by inadvertence. At most, this list is merely a synopsis and index. ***Reference in each case should be made to the resolution of approval itself.*** For convenience, the index includes under each item the Calendar Number of the application and the issue of the Bulletin in which the resolution of approval appeared. In such resolutions, the record of tests, the description of the material, appliance or method of construction is set forth as well as the basis of the approval and the extent of the permitted use.

HARRIS H. MURDOCK, *Chairman.*

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1945—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

ACOUSTICAL MATERIAL (See also Fibre Board, Plaster and Gypsum Wallboard)

ARMSTRONG CORK COMPANY.
1367-39-SM V. 27 No. 39 P. 990

Corkoustic—An all cork product. Approved as incombustible material for use as sound and heat insulation. Approved under Section C26-191.0a.

56-42-SM V. 27 No. 44 P. 1095

Armstrong's Cusiontone—Wood chips pulped and formed into a fibrous board—½, ⅝, ⅞ in. thicknesses. Approved as acoustical material—may not be used where combustible materials are prohibited. Approved under Section C26-191.0a.

F. E. BERRY, JR. & CO., INC.
1178-39-SM V. 24 No. 41 P. 1429

Berry-Cel Mineral Acoustical Tile made from powdered limestone talcum and silicate of soda, incombustible. Approved under Sections C26-88.0, C26-178.0b and C26-191.0.

CELOTEX CORPORATION.
257-40-SM V. 25 No. 21 P. 732

Acousteel—perforated and unperforated galvanized steel panels of 24 U. S. gauge—backed with compressed rock wool fibres. Approved under Section C26-178.0b.

258-40-SM V. 25 No. 20 P. 689

Acousti-Celotex—mineral tile of rock wool with a binder of asbestos and starch—incombustible.

Acousti-Celotex—cane tile of bagasse felted together—combustible.

Absorbex type A, C and F—long wood fibres with a binder of high temperature cement—heavier fibres in C and F—incombustible.

Calicel—expanded slag with a mineral binding agent—incombustible.

Calistone—expanded slag with Portland cement as a binder—incombustible.

Muffletone—an expanded mineral product made of gypsum—incombustible. Approved under Section C26-178.0b.

INDUSTRIALS INCORPORATED.
269-41-SM V. 26 No. 26 P. 955

Softone Acoustical Tile or Atoz Insulation—Composed of Magnesium Oxide, Magnesium Chloride combined with animal glue and quartz particles—ferrous oxide and air bubbles added. Approved as incombustible under sec. C26-88.0 and as acoustical and insulation material under Sections C26-178.0b and C26-191.0.

JOHNS-MANVILLE SALES CORP.
1221-40-SM V. 26 No. 12 P. 449

J-M Aircoustic Sheets—J-M Duct Lining—inorganic material with a binder ½ in. and 1½ in. thicknesses—incombustible. Approved under Sections C26-88.0 and C26-178.0b.

82-41-SM V. 26 No. 9 P. 353

J-M Permacoustic—made of clay and Rock Wool—may be used cemented or suspended.

J-M Sonacoustic—Compressed water-proofed rock wool fibres in perforated metal pans—suspended.

J-M Spongecoustic—made of asbestos fibre, Portland cement and finely ground sponge—cemented.

J-M Transite Acoustical Units—perforated Transit plus 1 in. rock wool block plus asbestos paper—nailed.

Above materials approved as incombustible—under Section C26-88.0 (1.80).

J-M Fibrecoustic—made of combustible pure wood fibres felted into a porous board.

All materials approved under Section C26-178.0b.

33-44-SM V. 29 No. 5 P. 83

Johns-Manville Fibretex and Johns-Manville Fibretone—composed of pine fibres with fibre board and cut in 12″ x 12″ squares. Fibretex is slotted while Fibretone is perforated. Approved under C26-178.0b, C27-191.0a, in class 1 and 2 construction and Rules of the Board, when installed in accordance with C26-667.0, par. 3 and 8 and C26-632.0g. Note installation precautions.

KEASBEY AND MATTISON COMPANY
32-41-SM V. 28 No. 4 P. 83

Sprayed "Limpet" Asbestos (Acoustical Treatment). Approved as an acoustical and thermal material. Approved under Section C26-191.0a.

DAVID E. KENNEDY, INCORPORATED.
293-40-SM V. 25 No. 26 P. 945

Koustex—manufactured of wood fibre water-proofed by a magnesium binder supplemented with magnesium salts—incombustible. Approved under Section C-26-88.0 and C26-178.0b.

295-41-SM V. 27 No. 42 P. 1055

Kencoustic—Manufactured of ground cork held together by its natural gum. Approved as an acoustical material—may not be used where combustible materials are prohibited. Approved under Section C26-191.0a.

538-44-SM V. 29 No. 46 P. 980

Acoustifibre—wood fibres felted into a porous fibre board—perforated or slotted—⅝ in. thickness in sizes from 12 in. by 12 in. to 12 in. by 24 in.—Approved under C26-667.0, par. 3 and 8 and C26-632.0g and the rules of the Board, for use with Class 1 and 2 construction.

Refer to the resolution for details of approval and limitations of use.

NATIONAL GYPSUM CO.

985-40-SM V. 25 No. 44 P. 1474
corrected in V. 25 No. 50 P. 1667

Acoustex—pure wood fibres with a binder of magnesium oxysulphate.

Travacoustic—pure white gypsum with induced multiple air cells—density 24 pounds p.c.f.

Acoustimetal—perforated and unperforated 26 U. S. Gauge Terre plate panels with upturned edges—backed with compressed rock wool fibre pads.

Above approved as incombustible under Section C26-88.0 (1.80).

Econocoustic (Fibre Acoustical Tile)—pure wood fibres felted into a porous board.

All materials approved under Section C26-178.0b.

OWENS-CORNING FIBREGLAS CORPORATION

620-40-SM V. 27 No. 30 P. 884

"Fibreglas" Thermal and Sound Insulation. Approved under Sections C26-178.0b and C26-191.0a. (See Resolution of Approval).

U. S. GYPSUM COMPANY.

1144-40-SM V. 26 No. 45 P. 1491

Acoustone—made from mineral wool fibres and a binder.
V. 29 No. 42 P. 886

Auditone—wood fibres. Approved under C26-178.0b and C26-191.0a and under the Insulating Fibre Board Rules when meeting requirements of C26-667.0, par. 3 and 8 and C26-632.0g.

Perfatone—terne plate pans holding pads of compressed rock wool fibres.

Perforated Asbestos Board Units—perforated asbestos boards backed by rock wool pads.
Approved as incombustible and acoustical under Sections C26-88.0 and C26-178.0b.

Quietone—combustible pure wood fibres, felted together. Approved under Section C26-178.0b and under the Insulating Fibre Board Rules.

WESTERN SILICAIR PRODUCTS, INC.

877-40-SM V. 25 No. 50 P. 1665

Silicair Acoustical Tile Units—diatomaceous earth with a binder of cementitious adhesive material—incombustible. Approved under Sections C26-88.0 and C26-178.0b.

ADHESIVES

PETER COOPER CORP.

369-41-SM V. 28 No. 19 P. 400

Peter Cooper Standard No. 1 Extra Special Hide Glue and Peter Cooper Standard 1⅜ Hide Glue (Animal). Animal glue used to secure wood, which comprises building fixtures. Approved under Section C26-191.0.

MINNESOTA MINING & MANUFACTURING CO.

800-40-SM V. 26 No. 30 P. 1141

EC-269 3-M Acoustical Cement—a resin type adhesive containing inorganic filler, resin plasticizer and a volatile solvent. Approved under Section C26-178.0b.

TEMPLAR OIL PRODUCTS CO.

1151-40-SM V. 26 No. 8 P. 321

Acousti-Gum Adhesive—coal tar and natural naval store resin with asbestine filler mixed with a solvent consisting of petroleum naphtha and a plasticizing oil. Approved under Section C26-178.0b.

AIR CONDITIONING EQUIPMENT

(Refrigerating)

CARRIER CORPORATION.

200-39-SA V. 24 No. 18 P. 662

Carrier Self-Contained Air Conditioning Units, Model 50L, Types 50G, 50H and 50M. Approved.

New Models Added. Models 41B, 41Q, 51B1, 51B2, 51C2, 51D2. Self contained Air Conditioning Units. Approved.

183-41-SA V. 27 No. 21 P. 589

Carrier Humidifier, Type 49D2—for humidifying indoor air. Approved under Section C26-178.0b.

661-39-SA V. 25 No. 31 P. 1132

Carrier Industrial Humidifier, Type 29R. Industrial Humidifying in ducts. Approved under Section C26-191.0.

834-39-SA V. 25 No. 31 P. 1133

Carrier Room Air Conditioner (Weather Master-Unit), Types 48F, 36E, 36F, 36G, 36H, 39D, 39J, 39Q, 39R, 39G, 43Q and 43T. For cooling, heating, humidifying and circulation of air. Approved under Section C26-191.0.

835-39-SA V. 26 No. 12 P. 447

Carrier Home Weathermaker, Model 59H. A suspended humidifying, heating and cooling unit for residences. Approved under Sections C26-1312.0, C19-96.0, C19-97.0 and C19-98.0.

RESEARCH PRODUCTS CORP.

341-44-SM V. 29 No. 46 P. 979

Research Air Filter, Series No. 230, Dry Type. Approved under C26-178.0b for installation in Air Conditioning, Warm Air Heating, Air Cooling and Ventilation Systems.

ANTI-SIPHON DEVICES

(See also Plumbing Fixtures)

AMERICAN RADIATOR AND STANDARD SANITARY CORPORATION.

208-39-SA V. 24 No. 31 P. 1201

Standard Sanitary Tank Vacuum Breaker (anti-vacuum ballcock). Approved under Section C26-1277.0.

1036-41-SM V. 27 No. 12 P. 305

American Radiator and Standard Sanitary Corporation, HF12302 or F-575 Vitreous China Flushing Rim Dental Lavatory with Integral Vacuum Breaker. Approved under Sec. C26-1277.0.h.

798-41-SM V. 27 No. 9 P. 227

American Radiator and Standard Sanitary Corp. HK15755 Vacuum Breaker. Approved under Sec. C26-1277.0.h.

AMERICAN STERILIZER COMPANY

439-41-SM V. 26 No. 28 P. 1039

Aeroflush Bedpan Washer—equipped with vacuum breaker. Approved under Sec. C26-1277.0.h.

892-42-SA V. 28 No. 10 P. 210

American Precision Water Sterilizer—Equipped with vacuum breaker. Approved under Sec. C26-1277.0.h.

BEATON-CALDWELL MANUFACTURING COMPANY.

370-39-SA V. 24 No. 22 P. 823

Caldwell Syphon Breaker and Agitator, No. 115 (for use with submerged inlets). Approved under Section C26-1277.0.

165-39-SA V. 24 No. 21 P. 769

Caldwell Syphon Breaker, No. 125 (for flush valves). Approved under Section C26-1277.0.

Refer to the resolution for details of approval and limitations of use.

BRIDGEPORT BRASS COMPANY
611-40-SM V. 25 No. 28 P. 1029
V. 26 No. 42 P. 1402

Bridgeport Brass Company Vacuum Breaker (for flushometer units). Approved under Section C26-1277.0.

B-T COMPANY (The)
156-44-SM V. 29 No. 16 P. 316

Ormax Vacuum Breaker, Types 1 and 2. Approved under Section C26-1277.0, and Rules Relative to Submerged Inlets of the Board of Standards and Appeals.

MODESTO CALLEJO.
270-38-SA V. 23 No. 29 P. 941

Bidoro Vacuum Breaker, Type D (for flushometers or other submerged inlets). Approved under Section C26-1277.0.

COLDWATER BRASS COMPANY.
439-39-SA V. 24 No. 22 P. 824

Anti-Back-Syphonage Ballcock, C.B.C. No. 136. Approved under Section C26-1277.0.

COYNE & DELANY CO.
908-40-SM V. 26 No. 1 P. 21
V. 27 No. 8 P. 194

Coyne & Delany Vacuum Breaker, No. 50 (for flushometer valves). Approved under Section C26-1277.0.
116-40-SM V. 25 No. 24 P. 857

Coyne & Delany Vacuum Breaker, No. 95 (for flushometer valves). Approved.
379-39-SA V. 24 No. 22 P. 824

Delany Vacuum Breaker, DV No. 90, (for flush valves). Approved under Section C26-1277.0.
842-38-SA V. 23 No. 51 P. 1625

Delany Vacuum Breaker, DV No. 88 (for flush valves). Approved under Section C26-1277.0.

CRANE COMPANY.
174-38-SA V. 23 No. 29 P. 940

Novac Flush Valve-Vacuum Breaker. Approved under Section C26-1277.0.
750-38-SA V. 24 No. 5 P. 168

Crane C-7830 Vacuum Breakers for Supply Fixtures. Approved under Section C26-1277.0.
345-38-SA V. 23 No. 29 P. 942

Crane Company Vigilant Vacuum Breaker (for flushometer valves). Approved under Section C26-1277.0.

A. F. CURTIN VALVE CO.
94-41-SM V. 26 No. 23 P. 840

Curtin Rotary Ballcock. Approved under Section C26-1277.0.

THE DIERKER COMPANY.
1059-41-SM V. 27 No. 19 P. 539

Vacuum Breaker Unit. Approved when used with Dierker Therapeutic apparatus, under Sec. C26-1277.0.h.

HEDGES & BROTHER.
186-39-SA V. 24 No. 14 P. 510

Hedges & Brother Pilot Vacuum Breaker. Approved under Section C26-1277.0.

THE HOSPITAL SUPPLY CO.
860-42-SA V. 28 No. 19 P. 401

Climax Water Sterilizer. Hospital type water sterilizer with vacuum breaker and connected directly to house water supply. Approved under Rule 5, of the Board's Rules, Relative to Submerged Inlets and Protective Methods to Prevent Contamination of Water Supply.

IMPERIAL BRASS MFG. CO.
1439-39-SM V. 25 No. 28 P. 1025

Imperial Vacuum Breaker, Model M-1139. Approved under Section C26-1277.0.
351-38-SA V. 23 No. 50 P. 1582

Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel. Approved under Section C26-1277.0.

INDIANA BRASS CO.
837-40-SM V. 25 No. 49 P. 1637

Indiana Brass Company Anti-Syphon Float Valve, No. 88. Approved under Section C26-1277.0.
2-43-SM V. 28 No. 5 P. 108

Indiana Brass Anti-Siphon Float Valve, No. 89. Approved for use under Sec. C26-1277.0,h.

KOHLER COMPANY.
492-39-SM V. 24 No. 31 P. 1208

Kohler K-9251 Float Valve and Vacuum Breaker. Approved under Section C26-1277.0.

BERNARD MARSAK.
685-39-SM V. 24 No. 27 P. 1029

Beal Vacuum Breaker for Flush Valve Equipped Fixtures. Approved under Section C26-1277.0.

MACDONALD HARDWARE MFG. CO.
1539-39-SM V. 25 No. 50 P. 1665

Kramer Vacuum Breaker. Approved under Section C26-1277.0.

MULTIPLEX MANUFACTURING COMPANY.
883-41-SM V. 27 No. 7 P. 166

Crispin Air & Vacuum Valves. Approved under Sec. C26-1277.0.h.

MURRAY AND SORENSON, INC.
494-39-SM V. 24 No. 29 P. 1106

Murray and Sorenson, Inc. Vacuum Breaker Types 1 and 2. Approved.

NORMAN BOOSEY MANUFACTURING COMPANY.
888-41-SM V. 26 No. 52 P. 1732

Boosey No. 2010 Vacuum Breaker. Approved in sizes ¾" to 4" under Sec. C26-1277.0,h.

NORTHERN INDIANA BRASS CO.
416-39-SA V. 24 No. 24 P. 913

Nibco Ace Type Back-Siphon Ballcock. Approved under Section C26-1277.0.
V. 25 No. 28 P. 1029

Nibco King Anti-Siphon Ballcock, No. 09A. Approved as above.

Refer to the resolution for details of approval and limitations of use.

PELTON AND CRANE COMPANY.
1105-39-SM V. 26 No. 3 P. 99

Pelton and Crane Company Vacuum Breaker. Approved under Section C26-1277.0.
139-42-SM V. 27 No. 19 P. 540

Vacuum Breaker Unit used with Pelton Surgical Cuspidor. Approved under Sec. C26-1277.0,h.

PENBERTHY INJECTOR COMPANY.
1200-38-SA V. 24 No. 11 P. 400

Penberthy Vacuum Breaker. Approved under Section C26-1277.0.

RITTER DENTAL MFG. COMPANY.
190-40-SM V. 25 No. 15 P. 529

Ritter Model C Dental Cuspidor. Approved under Section C26-1277.0.

SCOVILL MANUFACTURING COMPANY.
515-39-SM V. 24 No. 27 P. 1029

Scovill Vacuum Breaker Ballcock, No. 18. Approved under Section C26-1277.0.
942-38-SA V. 24 No. 7 P. 242

Scovill M.V.B. No. 21 and No. 22 Ballcocks. Approved under Section C26-1277.0.
283-40-SM V. 25 No. 21 P. 733

Scovil Vacuum Breaker Ballcock, No. 24-VB. Approved under Section C26-1277.0.
109-39-SA V. 24 No. 11 P. 401

Scovill "S" Vacuum Breaker Ballcocks. Approved under Section C26-1277.0.

SLOAN VALVE COMPANY.
167-38-SA V. 23 No. 29 P. 940

Sloan Vacuum Breaker Model V-60-A. Approved under Section C26-1277.0.
1224-39-SM V. 24 No. 46 P. 1655

Sloan V-100-A Vacuum Breaker. Approved under Section C26-1277.0.
V. 25 No. 49 P. 1635

Sloan V-100-A Vacuum Breaker—improved model. Approved under Section C26-1277.0.
139-40-SM V. 25 No. 25 P. 905

Sloan V-100-B Vacuum Breaker. Approved under Section C26-1277.0.
57-41-SM V. 26 No. 24 P. 879

Sloan "Lo-Flo" Flush Valve Water Closet Combination. Approved under Section C26-1277.0c.
548-44-SM V. 30 No. 3 P. 46

Sloan V-200 ⅜" and ½" IPS Vacuum Breaker. Approved under C26-1277-0,h.

SPEAKMAN COMPANY.
563-41-SM V. 26 No. 44 P. 1465

Speakman Company I. P. S. Back Syphon Preventor, sizes ½ in., ¾ in., and 1 in. Approved under the provisions of Section C26-1277.0h.

VAC-O-VENT COMPANY.
477-39-SM V. 24 No. 24 P. 914

Vac-O-Vent for Plumbing Fixtures, Model B. Approved under Section C26-1277.0.

WATTS REGULATOR COMPANY.
346-39-SA V. 24 No. 21 P. 771
V. 24 No. 46 P. 1651

Watts Vacuum Breaker, No. 88. Approved under Section C26-1277.0.

WEBER DENTAL MFG. COMPANY.
413-40-SM V. 25 No. 28 P. 1028

Weber Vacuum Breaker for Dental Cuspidors. Approved under Section C26-1277.0.
413-40-SM V. 26 No. 30 P. 1140

Weber Vacuum Breaker for Dental Cuspidors—improved model. Approved.

S. S. WHITE DENTAL MFG. CO.
1354-39-SA V. 25 No. 9 P. 308

S. S. White Master Dental Unit. Approved under Section C26-1277.0h (14.8.2.8) as an anti-siphon device.
366-40-SM V. 25 No. 21 P. 733

S. S. White Non-Siphoning Cuspidor No. 7. Approved under Section C26-1277.0.

ANTI-SIPHON VALVES—OIL BURNER

222-33-SA V. 19 No. 1 P. 12
Dowie Combination Anti-Siphon Valve.

313-34-SA V. 19 No. 49 P. 1050
General Electric Oil Screen Valve, Model CR 7860-E1A (Anti-Syphon Type).

182-34-SA V. 19 No. 29 P. 697
Genuine Detroit Anti-Syphon Valve, Model CRC-100, Types V and S.

213-34-SA V. 19 No. 38 P. 809
Grant Syphon Breaker.

192-34-SA V. 19 No. 30 P. 728
Preferred Type "B" Anti-Siphon Valve.

ANTI-SLIP MATERIAL

SAFE TREAD COMPANY, INC.
1500-39-SM V. 25 No. 2 P. 50

Safe-Tread Anti-Slip Material—made of cast metals with corundum abrasive particles in the wearing surface. Approved under Sections C26-292.0gl and C26-527.0.

SAFE-T-METAL COMPANY.
863-40-SM V. 26 No. 2 P. 60

Safe-T-Metal Co. Abrasive—surfaced metal castings—grey iron, bronze or aluminum alloy castings containing abrasive grains in the wearing surface. Approved under Sections C26-292.0gl and C26-527.0.

AREA WALLS (METAL)

ST. PAUL CORRIGATING COMPANY.
376-41-SM V. 27 No. 43 P. 1076

Lux-Right Metal Areawalls, for basement under wells—14 and 16 gauge sheet steel, galvanized. Approved for use in one and two-family residence structures.

ASH AND CIGARETTE RECEPTACLE

WM. F. CONRAN. 1148-40-SM V. 26 No. 4 P. 156
Narnoc Metal Ash and Cigarette Receptacle—made of metal with a sliding top section which, when dropped, cuts off the supply of oxygen to the bottom section in which is set a removable cup. Approved for use under the provisions of Section C19-165.1b.

Refer to the resolution for details of approval and limitations of use.

BEVERAGE DISPENSERS

(Refrigerated)

AUTOMATIC CANTEEN COMPANY OF AMERICA.
392-42-SA V. 28 No. 15 P. 303

"Selective Drink" Canteen (Carbonated Beverage Dispenser)—Electrically operated, coin type, refrigerated beverage dispenser. Approved under Section C19-96.

AUTOMATIC COLEDRINX COMPANY.
856-41-SA V. 27 No. 18 P. 516

Coledrinx Automatic Carbonated Beverage Dispenser. Approved.

BALLY MANUFACTURING COMPANY.
329-41-SA V. 26 No. 44 P. 1464

Bally Beverage Vender—
Bally Automatic Beverage Vender—
approved.

BEVERAGE DISPENSERS, INC.
346-41-SA V. 26 No. 30 P. 1135

Thirst Quencher—an automatic carbonated beverage dispenser. Approved under Section C19-96F.

FRIGIDRINK CORPORATION.
614-41-SA V. 26 No. 30 P. 1137

Frigidrink Beverage Dispensing Machine—a compression type refrigerating system using Freon (F12), a carbonating system and a water system. Approved under Section C19-96.0F.

MILLS NOVELTY COMPANY.
555-42-SA V.27 No. 49 P. 216

Mills Coin Controlled Bottle Vendor, Models 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A—Automatic Beverage dispensing machines. Approved.

SPACARB, INCORPORATED.
313-41-SA V. 26 No. 28 P. 1034
V. 28 No. 29 P. 631

Spacarb Automatic Carbonated Beverage Dispenser—a small Frigidaire containing Freon 12 cooling a bath of water. Approved for use under Section C19-96F.

Additional Models
UACGP-42, UACGP-42T, UACGP-42W, UACGP-42SD and UACGP-42TSD.

VEND-O-MATIC COMPANY.
1091-41-SA V. 27 No. 7 P. 162

Vendrink Beverage Dispensing Machine. Approved for use under Section C19-96F.

BOLTS, NUTS AND RIVETS

AUTOMATIC NUT CO.
188-38-SM V. 23 No. 18 P. 572

Anco Structural Rib Bolts and Anco Lock Nuts—bolt made of carbon manganese steel, nut of hot rolled, open hearth steel with a locking pin. Approved for use under Sections C26-521.0 and C26-368.06, 4a and 5a.
659-40-SM V. 25 No. 47 P. 1569
V. 26 No. 8 P. 320

Anco Lock Nut. Approved for use with all classes of machined and turned bolts under Section C26-521.0.

DARDELET THREADLOCK CORP.
871-38-SM V. 23 No. 52 P. 1658

Dardelet Self-Locking "Rivet-Bolt"—bolt made of carbon manganese steel, nut of cold rolled bar stock, both with self-locking seven threads. Approved for use under Section C26-521.0.

RICHMOND SCREW ANCHOR CO., INC.
452-44-SM V. 29 No. 42 P. 887

Richmond Screw Anchor and Bolt. Approved for use in concrete walls and floors under Section C26-191.0a.

CARBIDE LIGHTS

LINDE AIR PRODUCTS COMPANY.
269-40-SM V. 25 No. 14 P. 497

Carbic Flood Lights, Types C F L 2 and C F L 3—operates on the water recession principle and consists of three main parts, water tank, cake holder and gas bell. Approved.

NATIONAL CARBIDE CORPORATION.
250-40-SM V. 25 No. 18 P. 625

National Carbide V-G Light—consists of a calcium carbide hopper, a water compartment and a pipe leading from the gas chamber to a burner where the acetylene gas is burned. Approved.
250-40-SM V. 27 No. 30 P. 883

National Carbide Floodlight, Models NC-100 and NC-200, Handy Light Model NC-199 and Police Emergency Model NC-299. Approved under Sec. C19-92.0.

CARBON DIOXIDE CONVERTER

CARBONIC GAS EQUIPMENT CO.
241-35-SA V. 20 No. 46 P. 1098

Dry Ice Converter. Approved.

TAYLOR ENGINEERING COMPANY.
1060-38-SA V. 25 No. 8 P. 281

Taylor's C O^2 150 pound Converter. Approved for use under the rules of Carbon Dioxide Liquefiers.

CEILING SYSTEMS

S. H. POMEROY COMPANY, INC.
424-42-SM V. 27 No. 31 P. 903

"Jackson System" (fastening for acoustical and insulating materials for walls and ceilings). Approved under Sections C26-178.0b and C26-191.0.

CAULKING, COMPOUND

L. SONNEBORN SONS, INC.
715-41-SM V. 28 No. 14 P. 283

Stormtight Caulking Compound. Caulking Compound, wood and metal frames, glazing, painting and sealing, when applied by gun, knife or cartridge form. Approved under Section C26-191.0.

CEMENTS

Masonry Cements

CENTURY CEMENT MFG. CO., INC.
849-38-SM V. 24 No. 31 P. 1204

Century Masonry Cement. Approved under Section C26-312.0, C2, for use under Sec. C26-314.0.

Refer to the resolution for details of approval and limitations of use.

COPLAY CEMENT MFG. CO., INC.
433-38-SM V. 23 No. 28 P. 903
V. 24 No. 10 P. 360
V. 26 No. 47 P. 1559

Saylor's Velvet Mortar Cement. Approved under Sec. C26-312.0, C2 for use under Sec. C26-314.0.

GLENS FALLS PORTLAND CEMENT CO.
489-40-SM V. 25 No. 46 P. 1538

Iron Clad Brick Cement. Approved as a masonry cement under Section C26-312.0c2, and for use in other mortars under Section C26-314.0.

GREEN BAG CEMENT COMPANY OF WEST VIRGINIA. 79-40-SM V. 27 No. 28 P. 770

Green Bag Non Staining Waterproofed Masonry Cement. Approved as a cement of another type under Section C26-312.0,C,2 and for use in other mortars under Section C26-314.0.

HY-TEST CEMENT CO.
578-38-SM V. 23 No. 30 P. 1003
V. 26 No. 14 P. 1377
V. 26 No. 47 P. 1559

Hy-Test Cement—a masonry mortar. Approved under Section C-26-312.0,C2 for use under Sec. C26-314.0.

LEHIGH PORTLAND CEMENT CO.
432-38-SM V. 23 No. 30 P. 999
V. 24 No. 49 P. 1766
V. 26 No. 47 P. 1558

Lehigh Mortar Cement. Approved as a masonry mortar under Section C26-312.0C2 for use under Section C26-314.0.

LOUISVILLE CEMENT CO.
1176-38-SM V. 24 No. 14 P. 513
V. 26 No. 9 P. 355
V. 26 No. 47 P. 1560

Brixment (Masonry Cement). Approved under Sec. C26-312.0,C2 for use under Sec. C26-314.0.
4-39-SM V. 24 No. 22 P. 828

Stonemason's Brixment. Approved as a cement lime mortar for use in painting and setting of natural stonemasonry only under Section C26-360.0.

MEDUSA PORTLAND CEMENT CO.
988-39-SM V. 25 No. 6 P. 197
V. 26 No. 47 P. 1561

Medusa Stonset Cement—Medusa Brickset Cement. Approved under Section C26-312.0,C2 for use under Sec. C26-314.0.

NORTH AMERICAN CEMENT CO.
124-38-SM V. 25 No. 7 P. 246

Blue Bond Mortar Cement. Approved under Section C26-312.0,c,2 for use under Sec. C26-314.0.

SOUTHERN CEMENT COMPANY.
311-39-SM V. 24 No. 26 P. 991

Magnolia Stainless Cement. Approved under Section C26-314.0 when mixed with lime as a masonry mortar and limited to the setting, parging, pointing and the backing up of ashlar stonework.

Other Cements

ATLAS LUMNITE CEMENT COMPANY.
1132-38-SM V. 26 No. 50 P. 1656

Atlas Lumnite Cement. Approved as an "other cement" under Sections C26-312.0,C,2. Approved for use in refractory concretes.

Portland Cements

ALLENTOWN PORTLAND CEMENT CO.
986-39-SM V. 25 No. 3 P. 79

Allentown Light Portland Cement—Allentown Dark Portland Cement. Approved under Section C26-312.0,C.

ALPHA PORTLAND CEMENT.
496-39-SM V. 24 No. 31 P. 1208

Alpha Portland Cement (Martins Creek Mill and Cementon, N. Y., Mill). Approved under Section C-26-312.0,C1.

COPLAY CEMENT MFG. CO. INC.
433-38-SM V. 23 No. 28 P. 903
V. 24 No. 10 P. 360

Saylors Portland Cement. Approved under Section C26-312.0,C1.

EDISON CEMENT CORPORATION.
860-39-SM V. 24 No. 48 P. 1726

Edison Portland Cement. Approved under Section C26-312.0,C.
861-39-SM V. 25 No. 51 P. 1691

Edison Portland Plus Cement. Approved under Section C26-312.0,C.
863-39-SM V. 24 No. 48 P. 1765

Edison Dark Portland Cement. Approved under Section C26-312.0,C.

GIANT PORTLAND CEMENT CO.
802-39-SM V. 24 No. 40 P. 1406

Giant Portland Cement. Approved under Section C26-312.0,C.

GLENS FALLS PORTLAND CEMENT CO.
774-39-SM V. 24 No. 31 P. 1218

Iron Clad Portland Cement—Dark Iron Clad Portland Cement. Approved under Section C26-312.0,C1.

HERCULES PORTLAND CEMENT CO.
937-39-SM V. 25 No. 20 P. 687

Hercules Dark Portland Cement—Hercules Gray Portland Cement—Hercules Moderate Heat of Hardening Portland Cement—may also be marketed under the name "Vulcanite." Approved under Section C26-312.0,C.

KEYSTONE PORTLAND CEMENT CO., INC.
113-39-SM V. 24 No. 31 P. 1206

Keystone Portland Cement. Approved under Section C26-312.0,C1.

LAWRENCE PORTLAND CEMENT CO.
719-39-SM V. 24 No. 42 P. 1498

Dragon Portland Cement. Approved under Section C26-312.0,C1.

Refer to the resolution for details of approval and limitations of use.

LEHIGH PORTLAND CEMENT CO.
795-38-SM V. 23 No. 51 P. 1626
V. 23 No. 52 P. 1661

Lehigh Portland Cement. Approved under Section C26-312.0,C1.

LONE STAR CEMENT CO.
347-39-SM V. 24 No. 29 P. 1104

Lone Star Portland Cement. Approved under Section C26-312.0,C1.

MEDUSA PORTLAND CEMENT CO.
940-39-SM V. 24 No. 41 P. 1427

Medusa White Portland Cement; Medusa White Waterproofed Portland Cement; Medusa Gray Portland Cement; Medusa Gray Waterproofed Portland Cement. Approved under Section C26-312.0,C1.

NATIONAL—PORTLAND CEMENT CO.
667-40-SM V. 25 No. 31 P. 1159

Pioneer Light Portland Cement; Pioneer Dark Portland Cement. Approved under Section C26-312.0,C1.

NAZARETH CEMENT CO.
695-39-SM V. 24 No. 31 P. 1216

Nazareth Portland Cement. Approved under Section C26-312.0,C1. 695-39-SM V. 27 No. 31 P. 879

Nazareth Dark Portland Cement. Approved under Sec. C26-312.0,C,1.

NORTH AMERICAN CEMENT CORP.
124-38-SM V. 23 No. 28 P. 908

North American Portland Cement. Approved under Section C26-312.0,C1.
1190-39-SM V. 25 No. 28 P. 1023

North American Dark Portland Cement. Approved under Section C26-312.0,C1.

PENNSYLVANIA-DIXIE CEMENT CORPORATION.
1324-39-SM V. 25 No. 31 P. 1148

Portland Point Mill; Penn-Dixie Regular Portland Cement; Penn-Dixie Dark Portland Cement. Approved Under Section C26-312.0,C1.
676-39-SM V. 24 No. 31 P. 1214

Penn-Dixie Portland Cement (Bath Mill); Penn-Dixie Portland Cement (Nazareth Mill). Approved under Section C26-312.0,C1.
677-39-SM V. 25 No. 31 P. 1147
(Nazareth Mill) V. 29 No. 8 P. 143

Penn-Dixie Dark Portland Cement (Bath Mill). Approved under Section C26-312.0,C1.

UNIVERSAL ATLAS CEMENT CO.
1020-38-SM V. 24 No. 6 P. 210

Hudson Atlas Portland Cement; Northampton Atlas Portland Cement; Atlas White Portland Cement; Atlas Waterproofed White Portland Cement. Approved under Section C26-312.0,C1.
V. 29 No. 11 P. 201

Atlas Portland Cement and Atlas High Early Portland Cement as manufactured at the New Northampton Mill and Atlas Duraplastic Air Entraining Portland Cement as manufactured at the old Northampton Mill. Approved under Section C26-312.0C1.

WHITEHALL CEMENT MANUFACTURING COMPANY. 1503-39-SM V. 25 No. 6 P. 200

Whitehall Dark Portland Cement. Approved under Section C26-312.0,C1. 1504-39-SM V. 25 No. 6 P. 201

Whitehall Portland Cement (Regular). Approved under Section C26-312.0,C1.

High Early Portland Cements

COPLAY CEMENT MANUFACTURING COMPANY.
63-39-SM V. 24 No. 10 P. 367

Saylor's Hyper Portland Cement (a high early strength Portland Cement). Approved under Section C26-312.0,C.

EDISON CEMENT CO.
862-39-SM V. 24 No. 48 P. 1727

Edison High Early Portland Cement. Approved under Section C26-312.0,C1.

GLENS FALLS PORTLAND CEMENT CO.
774-39-SM V. 24 No. 31 P. 1218

Velo High Early Strength Portland Cement. Approved under Section C26-312.0,C1.

KEYSTONE PORTLAND CEMENT CO. INC.
113-39-SM V. 24 No. 31 P. 1206

Velroca High Early Strength Portland Cement. Approved under Section C26-312.0,C1.

LAWRENCE PORTLAND CEMENT CO. INC.
849-39-SM V. 24 No. 42 P. 1498

Dragon Superior High Early Portland Cement—known also as Vulcanite All-Purpose Cement. Approved under Section C26-312.0,C1.

LEHIGH PORTLAND CEMENT CO.
795-38-SM V. 23 No. 51 P. 1626
V. 23 No. 52 P. 1661

Lehigh Early Strength Portland Cement. Approved under Section C26-312.0,C1.

LONE STAR CEMENT CO.
347-39-SM V. 24 No. 29 P. 1104

Incor High Early Strength Portland Cement. Approved under Section C26-312.0,C1.

NAZARETH CEMENT CO.
695-39-SM V. 24 No. 31 P. 1216

Nazco High Early Strength Portland Cement. Approved under Section C26-312.0,C1.

NORTH AMERICAN CEMENT CO.
546-38-SM V. 23 No. 30 P. 1002

Blue Streak High Early Portland Cement. Approved under Section C26-312.0,C1.

PENNSYLVANIA-DIXIE CEMENT CORP.
678-39-SM V. 24 No. 31 P. 1214

Penn Dixie Quality High Early Portland Cement. Approved under Section C26-312.0,C1.

Refer to the resolution for details of approval and limitations of use.

UNIVERSAL ATLAS CEMENT CO.
1176-39-SM V. 25 No. 6 P. 198

Atlas High Early Portland Cement. Approved under Section C26-312.0,C1.

WHITEHALL CEMENT MFG. CO.
1505-39-SM V. 25 No. 6 P. 202

Whitehall High Early Portland Cement. Approved under Section C26-312.0,C1.

Foreign Portland Cement

M. L. KHAU
431-38-SM V. 23 No. 29 P. 943
735-38-SM V. 23 No. 40 P. 1213
649-39-SM V. 24 No. 24 P. 917
1030-39-SM V. 24 No. 38 P. 1336

Seven Castles Brand Portland Cement.
Temple Brand Portland Cement.
Approval of specific shipments from Yugoslavia under Section C26-312.0,C1.

CHECK VALVES—PUMP, FIRE AND DOMESTIC

WILLIAM GAUGE COMPANY.
1-34-SA V. 19 No. 27 P. 1611

Hager Silent Check Valve. Approved.

CINDERS

COLONIAL SAND AND STONE COMPANY.
671-40-SM V. 26 No. 18 P. 654

Colonial Sand and Stone Company Crushed Bituminous Cinders. Approved for permissive use as an aggregate in concrete, subject to limitations contained in the resolution.

CLAY PRODUCTS

INSULATED INTERLOCKING BRICK AND TILE CORP. 989-38-SM V. 23 No. 52 P. 1659

Munlock Interlocking Brick—a hollow clay product designed with interlocking ridge and lateral voids. Approved for use in non-load bearing walls and partitions.

NATIONAL FIREPROOFING CORP.
196-40-SM V. 25 No. 31 P. 1152

Natco Structural Hollow Clay Partition Tile—2″ to 12″—in non-load bearing partitions.
Furring tile—1½″ and 2″.
Vertical Cell Backing Tile—for exterior load bearing wall construction. Approved under Section C26-308.0,b (7.1.1.3). 198-39-SM V. 24 No. 12 P. 404

Natco Vertical Cell Backing Tile (for exterior wall construction—made from surface clay). Approved under Section C26-308.0.

NEW JERSEY HOLLOW TILE CORP.
263-39-SM V. 24 No. 12 P. 434

Nu-Raritile (vertical two cell backing tile)—made of surface clay. For exterior load bearing wall construction. Approved under Section C26-308.0.
379-38-SM V. 23 No. 23 P. 736

Kwicklay Backer Block (Hollow Tile)—manufactured from surface clay burned at 2100°F. Approved for use as back-up tile under Section C26-308.0.

JOSEPH ROSE. 1187-38-SM V. 24 No. 7 P. 245

Rose Self Furring Unit (tile for furring)—an extruded clay tile laid in exterior masonry walls with 2″ of the width of the perforated tile projecting inwardly towards the interior of the building. Approved under Sections C26-308.0a, C26-535.0b, C26-685.0.

F. L. SMIDTH & CO.
110-39-SM V. 24 No. 31 P. 1205

Moler Insulating Brick, Partition Blocks, Floor Blocks, Slabs—made from diatomic earth with an added mixture of plastic clay. Approval of a specific shipment from Denmark under Section C26-309.0.

UNITED BRICK WORKS COMPANY.
620-38-SM V. 23 No. 42 P. 1295

Belgian Brick (common clay). Approval of a specific lot of 5,000—shipped on S. S. Westernland. Approved under Section C26-307.0.

COLUMNS (ADJUSTABLE)

ADJUSTA-POST COMPANY.
250-42-SM V. 27 No. 28 P. 773

Adjusta-Post (jack column) an adjustable post for permanently shoving up floors in buildings. Approved for use in Class 4 construction.

COLUMNS, LALLY TYPE

ATLAS COLUMN COMPANY.
421-39-SM V. 24 No. 27 P. 1028

Atlas column (Concrete filled) approved for maximum loads of 12,000 pounds—max. length 7 ft. 11 in.—approved under Sec. C26-191.0.

CONTRACTORS PRODUCTS COMPANY.
264-40-SM V. 25 No. 25 P. 906

Standard Concrete Filled Steel Column—max. length 15 ft.—approved under Sec. C26-191.0.

CONVISER AND COMPANY.
203-40-SM V. 25 No. 31 P. 1153

Conviser and Company Steel Shell Concrete Filled Columns—max. length, 9 ft.,—approved under Sec. C26-191.0. 25-42-SM V. 27 No. 15 P. 415

Conviser Concrete Filled Steel Columns, Heavy Weight—O.D.—4″ (max. length 13′ 3″), 4½″ (15′); 5½″ (16′ 1½″). Approved.

CONCRETE, ADMIXTURES

CHEMICAL MARKETING COMPANY.
712-40-SM V.25 No. 52 P. 1735

Tricasal Normal—an admixture to concrete and cement mortars. Approved under Section C26-178.0b, for permissive use.

MASTER BUILDERS COMPANY.
1274-39-SM V. 28 No. 24 P. 315

Embeco (Metallic Powder)—an admixture for concrete. Approved under Sec. C26-191.0.
1275-39-SM V. 25 No. 52 P. 1733

Pozzolith—hardener and water-proofer for concrete flooring—a ferric alumino silicate and a cement plasticing agent. Approved under Section C26-178.0b.

Refer to the resolution for details of approval and limitations of use.

SIKA CHEMICAL CORPORATION.
824-39-SM V. 26 No. 18 P. 645

Plastiment—an admixture in concrete. Approved under Sections C26-178.0b and C26-191.0.

TOCH BROTHERS INCORPORATED.
156-39-SM V. 24 No. 15 P. 552

Toch Brothers "R.I.W." Toxement Integral Waterproofing Compound. Approved for use with cement mortar, stucco and concrete.

CONCRETE AGGREGATES

NEW YORK TRAP ROCK CORPORATION.
486-42-SM V. 27 No. 30 P. 888

Clinton Paint Dolomite Crushed Stone. Approved for use as concrete aggregate.
448-42-SM V. 27 No. 52 P. 1285

Verplanck Limestone. Approved for use under the pertinent provisions of the Administrative Building Code.
489-42-SM V. 27 No. 48 P. 1194

Tomkins Cove Crushed Limestone. Approved for use as fine and coarse aggregate in concrete.
487-42-SM V.27 No. 50 P. 1239

Haverstraw Trap Rock as produced by the New York Trap Rock Corporation. Approved for use as coarse and fine aggregates in concrete.

CONCRETE BUILDING UNITS

H. W. BELL COMPANY.
89-40-SM V. 27 No. 16 P. 441

Bell Concrete Building Units (Hollow and Solid Cinder Concrete). Load bearing and non-load bearing. Approved for use under Sections C26-305.0 and C26-309.0.

CONCRETE UNITS INCORPORATED.
1345-39-SM V. 26 No. 18 P. 648

Cinder Concrete Masonry Units—8" x 2" x 18" Solid Cinder Concrete Fireproofing Unit. Approved under Section C26-309.0d.
8" x 3" x 24", 8" x 4" x 24", 8" x 6" x 24" Hollow Cinder Concrete Partition Units. Approved under Section C26-309.0 a and d.
8" x 6" x 18", 8" x 8" x 18", 8" x 12" x 16" Hollow Cinder Concrete Load-bearing Units. Approved under Section C26-309.0a.
8" x 6" x 18", 8" x 8" x 18", 8" x 12" x 16" Solid Cinder Concrete Load-bearing units. Approved under Section C26-309.0b.
8" x 6" x 18", 8" x 8" x 18" Cinder Concrete Hollow Header Backer Units. Approved under Section C26-309.0a. 1346-39-SM V. 26 No. 18 P. 651

Sand and gravel Concrete Masonry Units—8" x 6" x 18". 8" x 8" x 18", 12" x 8" x 16" Hollow Concrete Load-bearing Units. Approved under Section C26-309.0a.
8" x 6" x 18", 8" x 8" x 18" Solid Concrete Load-bearing Units. Approved under Section C26-309.0b.

DE YORGI BROS. INC.
333-39-SM V. 27 No. 30 P. 824

DeYorgi Bros. Concrete Blocks Hollow and Solid Load Bearing Concrete Masonry Units. Approved under Rules of the Board.

FOREST HILLS CONCRETE BLOCK COMPANY, INC. 10-40-SM V. 27 No. 39 P. 990

Concrete and Cinder Blocks—Load bearing and Non-load bearing, hollow and solid. Approved.

F. H. HEDINGER. 138-38-SM V. 23 No. 18 P. 572

Multi-Vent Hollow Building Block in Concrete—1 part cement, 3 parts sand, 1 part grit, 4 gallons of water per bag of cement. Approved for use in bearing walls.

HUDSON CONCRETE BLOCK CO. INC.
777-39-SM V. 24 No. 52 P. 1851

Hollow Cinder Concrete Block—8" x 8" x 16" in non-load bearing partitions. Approved under Section C26-309.0.

CHARLES S. LUISI. 292-39-SM V. 24 No. 22 P. 829
L.A. Cement Blocks 8" x 8" x 16" Hollow Block.
V. 24 No. 38 P. 1334
8" x 8" x 16" Solid Block.
8" x 12" x 16" Solid Foundation Block. Approved under Section C26-309.0.

PETER MARTINEN. 1376-39-SM V. 25 No. 6 P. 199

Martinen Concrete Blocks.
8" x 8" x 16" Solid Load Bearing.
8" x 12" x 16" Solid Load Bearing.
8" x 8" x 16" Hollow Load Bearing—40% voids.
8" x 12" x 16" Hollow Load Bearing—33% voids.
Mix—6 cu. ft. sand, 1 bag Portland, 5 gallons of water. Approved under Section C26-309.0.

PERFORIT PAVING BLOCK CORPORATION.
1161-38-SM V. 24 No. 13 P. 474

Perforit Concrete Building Brick—made of Portland Cement, sand, graded bluestone and limestone screenings. Approved under Section C26-309.0b.
Perforit Concrete Paving Brick—sizes 3¾ x 7¾ x 2½ in. and 8 x 8 x ¾ in. Approved.

PICONE BROTHERS.
1268-39-SM V. 29 No. 3 P. 34

Picone Brothers Concrete and Cinder Block. Concrete and Cinder, Hollow and Solid, Load-bearing and Non-load bearing Concrete Masonry Units. Approved under C26-309.0 and Rules of the Board.

REPUBLIC FIREPROOFING CO.
189-44-SM V. 29 No. 28 P. 605

Republic Fireproofing Co. Hollow Wall Slagblok Concrete Units (as manufactured at Bound Brook, N. J. plant). Approved for use in load-bearing and non-load-bearing masonry, under C26-309.0 and the rules of the Board.

CONCRETE CONTROL METHODS

SCIENTIFIC CONCRETE SERVICE CORPORATION.
874-41-SA V. 27 No. 4 P. 83

$(SC)^2$, Method of Precision Control in Concrete Manufacture. Approved under Sec. C26-499.0,d.

CONCRETE CURING METHODS

THE JOHNSON MARCH CORPORATION.
969-38-SM V. 24 No. 20 P. 743

Curcrete (Concrete Curing Method). Approved as an acceptable method of curing concrete under Section C26-502.0,c. V. 24 No. 18 P. 664
970-38-SM V. 24 No. 22 P. 837 Corr.

Refer to the resolution for details of approval and limitations of use.

Hunt Process (for curing concrete). Approved as an acceptable method of curing concrete under Section C26-502.0,c. 880-38-SM V. 23 No. 46 P. 1431

Ritecure (impervious membrane curing compound for concrete). Approved as an acceptable method of curing concrete under Section C26-502.0,c.

CONCRETE REINFORCEMENT

PITTSBURGH STEEL CO.
616-44-SM V. 30 No. 4 P. 62

Pittsburgh Welded Wire Reinforcement. Approved for use as a concrete reinforcing material under requirements of C26-318.0 and C26-319.0; as a metal reinforcement in concrete under C26-366.0; as a shrinkage and temperature reinforcement under C26-478.0 and as a reinforcing mesh under C26-620.0b.

CONSTRUCTION METHODS

(See also Floor and Roof Construction)

ATLAS SUPPLY COMPANY.
1134-40-SM V.26 No. 14 P. 507

"Nailock" Steel Channels and "Screwlock" Backing (Suspended Ceiling System)—cold rolled channels into which ¼ in. rods are welded with welds 5½ in. o.c. to which channels the backing is attached by nails forced around the rods; the backing consists of two sheets of gypsum board with a No. 14 black wire cloth between. Approved under Sections C26-178.0,b and C26-461.0.

DRILLED-IN CAISSON CORPORATION.
94-39-SM V. 28 No. 1 P. 6

Drilled-In Caisson—A method of construction. The extension of a superstructure to bed rock through the underlying soil and into a socket drilled in the bedrock by means of a drilled pipe caisson with or without steel core. Approved.

NATIONAL ACOUSTICS, INCORPORATED.
851-40-SM V. 25 No. 46 P. 1540

Simplex Ceilings—a system of suspended ceilings for use with Acoustimetal—galvanized iron strap hangers suspend supporting "Snap Bar" runners from the ceiling. Approved under Sections C26-191.0 and C26-178.0,b.

NATIONAL GYPSUM COMPANY.
49-40-SM V. 25 No. 47 P. 1568

Gold Bond Floating Wall (Nail System)—attachment consisting of a double layer of small mesh expanded metal lath flanged over a double piece of cardboard, with the head of a lathing nail being secured between the metal lath and the cardboard layers. Approved under Section C26-191.0 and for use in a one hour fire resistive partition under Section C26-636.0,C.

W. I. LUCIUS. 46-41-SM V. 20 No. 10 P. 382

Simplex Spline Frame (Suspended ceiling system)—preformed angles of 24 U. S. Gauge galvanized steel—used to support acoustical materials. Approved under Section C26-178.0,b.

SIMPLON PRODUCTS CORPORATION.
12-40-SM V. 26 No. 29 P. 1077

Simp-L-On and Modified Simp-L-On (adjustable Metal wall Covering)—made of a galvanized metal shield built into the brickwork of a wall with an adjustable bracket. Approved for use under Section C26-460.0.

CONTAINERS (SAFETY FOR GASOLINE AND BENZINE)

MILLER PEERLESS MFG. CO.
516-38-SA V. 24 No. 19 P. 694

Peerless Safety Can for gasoline—sizes 1, 2, 3 and 5 gallons—approved.

ALFRED DUNHILL OF LONDON, INCORPORATED.
202-41-SM V. 26 No. 27 P. 992

Dunhill's Benzique Lighter Fluid Tubules—made of gelatin, each tubule holding 4 c.c. of lighterfluid. Approved under provisions of Sec. C19-59.0,c.

DOORS

A. B. C. KALAMEIN DOOR COMPANY.
503-40-SM V. 25 No. 40 P. 1347

A. B. C. One and One-half Hour Kalamein Door—stiles and rails 24 U. S. gauge metal on exposed and 26 U. S. gauge on unexposed side with wood core. The panel, ⅜ in. thick asbestos millboard between two sheets of 24 U. S. gauge metal, extends into 30 U. S. gauge channels inserted in groove side of the stiles. Opening 3′ x 6′ 10″. Frame 16 U. S. gauge. Approved under Sections C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

ACME KALAMEIN DOOR & SASH COMPANY, INC. 854-39-SM V. 25 No. 2 P. 45

Acme Kalamein Door—1½ hour fire door; stiles and rails of 24 gauge metal with solid white pine core; panel ⅜ in. thick millboard asbestos glued between 2 sheets 24 gauge metal. For openings 3 ft. by 6 ft. 9 in. Frame 16 gauge steel. Approved under Sections C26-610.0, C26-661.0, C26-662.0, and under the Multiple Dwelling Law, Art. 1, Sec. 4, subd. 10.

AETNA STEEL PRODUCTS CORPORATION.
339-40-SM V. 26 No. 19 P. 699

Aetna Three Hour Hollow Steel Fire Door—semi-flush, stiles and rails 18 U. S. gauge steel, flush side 18 U. S. gauge steel, panel side 20 U. S. gauge steel, reinforcing channels of 14 U. S. gauge steel, insulation one sheet ⅜ in. asbestos and four ⅛ in. asbestos shims to build out to flush side of the door; size 3 ft. by 7 ft. 1¼ in. thick. Frame 14 U. S. gauge. Approved under Sections C26-610.0, C26-660.0, C26-661.0, C26-662.0, and under the Multiple Dwelling Law.

Modified flush type door and panel type also approved.
83-41-SM V. 26 No. 22 P. 817

Aetna Hollow Steel One Hour Fire Door—stiles and rails of 18 U. S. gauge steel with cellular asbestos insulation; panel of 20 U. S. gauge steel with ⅜ in. millboard asbestos insulation. Opening 3 ft. by 7 ft.; steel buck of 16 U. S. gauge metal. Approved under Section C26-662.0 and under the Multiple Dwelling Law.

ART METAL CONSTRUCTION COMPANY
197-40-SM V. 26 No. 52 P. 1726

Art Metal ¾, 1, 1½ and 3 hour Hollow Metal Fire Doors panel type and semi-flush type. Approved for above fire resistive ratings—opening for par. 5 ft. 8 in. wide by 7 ft. high.

ATLANTIC METAL PRODUCTS, INC.
1319-39-SM V. 24 No. 50 P. 1790

Atlantic Hollow Metal Fire Door—flush type—3 hour fire door—stiles 18 U. S. gauge with interlocking chan-

Refer to the resolution for details of approval and limitations of use.

nel of 20 U. S. gauge—flush panel of 18 U. S. gauge steel with 18 U. S. gauge reinforcing channels; cellular asbestos insulation 1⅝ in. thick—opening 3 ft. 4 in. by 7 ft. Frame combination buck and trim of 16 U. S. gauge steel. Approved for use under Sections C26-660.0, C26-661.0, C26-662.0, C26-665.0 and under the Multiple Dwelling Law. 304-39-SM V. 24 No. 15 P. 553

Atlantic Hollow Metal Fire Door—1½ hour fire resistive rating—stiles and rails of 18 U. S. gauge steel with interlocking channel of 20 U. S. gauge steel—16 U. S. gauge reinforcing channels at top and bottom, panel of two sheets of 20 U. S. gauge metal with ⅜ in. asbestos millboard insulation, stile and rail insulation of cellular asbestos 1⅝ in. thick. Frame 16 U. S. gauge steel—for openings 3 ft. by 7 ft. Approved under Section C26-661.0. 192-41-SM V. 26 No. 23 P. 833

Atlantic Three Hour Fire Door—semi-flush type—stiles and rails of 18 U. S. gauge steel, interlocking channels 20 U. S. gauge steel, reinforcing channels 16 U. S. gauge. flush side of panel 18 U. S. gauge steel, panel side 20 U. S. gauge steel, insulation ⅜ in. asbestos millboard. Opening 3 ft. by 7 ft. Frame of 16 U. S. Steel. Approved under Section C26-610.0, C26-660.0, C26-661.0, C26-662.0, and under the Multiple Dwelling Law. 583-44-SM V. 30 No. 6 P. 109

Atlantic One and One-Half Hour-Hollow Metal Door, No. 11 Flush Type and No. 12 Panel Type.

No. 11 Flush Type—stiles, 18 USG steel, 1 piece 4½" by 1¾" reinforced with 20 USG steel channels, spot welded every 8 in. Hollow spaces filled with laminated cellular asbestos, 1⅝ in. top and bottom reinforced with 16 USG steel channel, spot-welded every 4 in.—joints between panel and stiles electric welded and filled 10 in. on center, 2 in. long.

No. 12 Panel Type—stiles—one piece 18 USG steel, 1¾" by 4½", reinforced by 20 USG steel channel, insulated with laminated cellular asbestos block. Top and intermediate rails 18 USG steel reinforced by two 20 gauge channels.

Approved under C26-661.0 for use in fire partitions of 1½ hr. fire-resistive rating, C26-662.0 for ¾ hr. rating, C26-663.0 for protection of openings in interior shafts, requiring fire-resistive rating of 1½ hr. and C26-610.0 for use of panel or flush type doors in single or in pairs with astragal and for the increase in permissible sizes and Art. 1, sec. 4, Item 10 of the Multiple Dwelling Law for fireproof partitions with fire-resistive rating of 1 hr. 584-44-SM V. 30 No. 7 P. 135

Atlantic Three Hour Hollow Metal Door, No. 9, Flush Type and No. 10, Panel Type.

No. 9 Flush Type—stiles—18 USG steel, 1 piece, reinforced with 20 USG steel channels, spot welded every 8 in.—panels, 16 gauge, reinforced with "Z" bar clip stiffeners, spaced 7 in. on centers. Hollow spaces filled with laminated cellular asbestos 1⅝". Top and bottom reinforced with 16 USG steel channels, spot-welded every 4 in. Joints electric-welded 10 in. centers, 2 in. long and filled. Lock stiles for 3 and 2 point locks only, insulated with 1/16 in. sheet asbestos and lined with 30 gauge galvanized iron.

No. 10 Panel Type—stiles—18 USG steel, 1¾" by 5¾", reinforced wtih 20 gauge channel—insulation cellular asbestos laminated sheets. Top rail similar to stiles. Intermediate and bottom rails—2 pieces 18 USG steel, reinforced by 2-20 gauge channels. 18 gauge stiffener channel in center. Bottom channel 16 gauge spot-welded every 4 in. Molding—20 USG steel reinforced with 20 USG steel channel, fastened to stiles and rails, welded every 8 in.

Approved under C26-661.0 for use in fire partitions of 1½ hr. fire-resistive rating; C26-662.0 for ¾ hr. fire-resistive rating; under C-26-663.0 for protection of openings in interior shafts requiring fire-resistive rating of 1½ hr. and C26-610.0 for use of panel or flush type in single or in pairs with astragal and for the increase in permissible sizes and under Art. 1, sec. 4, Item 10 Multiple Dwelling Law when used in fireproof partitions with a fire-resistive rating of 1 hr.

CITY STEEL DOOR COMPANY (new owner)
CITY FIREPROOF DOOR COMPANY, INC.
274-40-SM V. 25 No. 17 P. 594
V. 29 No. 22 P. 454

City 3 Hour Hollow Metal Door—18 U. S. gauge steel sheet forming one face and two edges; 18 U. S. gauge stiles and rails and panels—two faces separated by ⅜ in. asbestos millboard, 1/32 in. air space and ⅛ in. asbestos millboard for an over-all panel thickness of ⅝ in. panel moulding of 20 U. S. gauge steel—frames of 14 U. S. gauge steel for 3 hour rating, 16 U. S. gauge for 1 and 1½ hour ratings, size 3 ft. by 6 ft. 10⅛ in. Approved under Sections C26-660.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

CORNELL IRON WORKS, INCORPORATED.
1428-39-SM V. 25 No. 40 P. 1336

Cornell Rolling Steel Door, Llenroc Type—door may not be used in required means of egress—curtain of 20 U. S. gauge steel interlocking slats with steel wall guides—limit stops—counterbalance mechanism—shaft, helical springs and brackets, etc. Hood 22 U. S. gauge galvanized sheet steel; operating mechanism, two handles secured to bottom bar—self-closing by means of fusible link. Opening 9′ x 10′. Approved under Section C26-660.0.

DAHLSTROM METALLIC DOOR COMPANY.
98-40-SM V. 25 No. 27 P. 985
V. 26 No. 6 P. 258

Dahlstrom Three Hour Hollow Metal Fire Door—rails, stiles and panels of 18 U. S. gauge steel, insulated with asbestos millboard shimmed away from unexposed side—rails and stiles reinforced with channels and Z bars. Opening 3′4″ x 7′. Frame of 16 U. S. gauge metal. Approved under Sections C26-660.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

ELLISON BRONZE CO. INC.
172-44-SM V. 29 No. 20 P. 398

Ellison Balanced Door Assemblies. Approved for use as an opening assembly under Sec. C26-191—where a fire-resistive rating is not required for use under the requirements of C26-283.0 through 286.0 and C26-1446.0. In other than Class 1 and 2 construction, wood may be substituted for the doors only, but not for the operating mechanism or hardware.

WILLIAM E. GAMBRILL AND COMPANY.
1309-39-SM V. 25 No. 51 P. 1695

Gambrill Counterbalanced B-Parting Fire Door—for openings in vertical shafts—1½ hour fire resistive rating—two equal sized metal clad panels of 24 U. S. gauge over two ply T. & G. wood 25/32 in. thick each—for openings up to 10 ft. by 8 ft. Approved under Sections C26-610.0 and C26-663.0.

GENERAL FIREPROOF DOOR COMPANY.
344-41-SM V. 26 No. 23 P. 836

General 1½ Hour Kalamein Door—stiles and rails 1¾ in. thick—lumber covered with 14 U. S. gauge steel plate; interlocking channel of 20 U. S. gauge steel, panel insulated with ⅜ in. asbestos millboard and formed of 2 sheets of 24 U. S. gauge cold-rolled patent levelled steel—opening 3 ft. by 6 ft. 10 3/16 in. Frame of 16 U. S. gauge steel. Tentatively approved under Sections C26-610.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

General 1½ Hour Hollow Metal Door—stiles and rails of 18 U. S. gauge steel with ¼ in. cellular asbestos insulation, interlocking channel of 20 U. S. gauge steel—other details as above.

Refer to the resolution for details of approval and limitations of use.

HARDWOOD PRODUCTS CORP.
997-40-SM V. 25 No. 52 P. 1736

Kim-Wood Fire (Proof) Door—¾ hour rating—constructed of fireproofed wood except for face veneers—flush type—7 ft. by 3 ft. by 1¾ in. thick—hung in a pressed steel combination buck and frame. Approved for use under Section C26-662.0.

HUB DOR METAL PRODUCTS CORP.
317-44-SM V. 29 No. 43 P. 922

Hub-Dor One and One-Half Hour Kalamein Door—stiles and rails 1¾ in. thick and panel approx. 7/16 in. Core, stiles and rails of white pine and covered with 24 gauge metal, a 20 gauge metal molding was provided at edge of panel. Approved under C26-661.0(10.8.2) as a protective opening in fireproof partitions and C26-662.0 (10.8.3) and for use under the Multiple Dwelling Law, which provides for one hour ratings in fireproof partitions.

JAMESTOWN METAL CORPORATION.
964-40-SM V. 25 No. 45 P. 1507

Jamestown Three Hour Hollow Metal Fire Door—stiles and rails of 18 U. S. gauge steel, rails reinforced with closure channels of 14 U. S. gauge steel with an additional transverse bracing channel of 20 U. S. gauge—panels of 18 U. S. gauge steel—for less than three hour rating 20 U. S. gauge permitted—insulated with 4 sheets 3/32 in. asbestos shimmed out with asbestos stripping to 13/16 in. thickness—insulation of stiles and rails—mineral wool of 6 pounds p.c.f. density—frames of 14 U. S. gauge steel—opening 3 ft. 6 in. by 7 ft.—semi-flush and flush types. V. 26 No. 11 P. 414

Panel type of above door. Above approved under Sections C26-610.0, C26-660.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

JOHN W. KIESLING AND SON, INC.
1380-39-SM V. 29 No. 1 P. 19

Kiesling Hinged Door—¾ hour fire resistive rating—sheet metal over asbestos millboard insulation—for openings up to 50 in. by 35½ in.

Kiesling Bi-Parting Counterbalance Door—¾ hour fire resistive rate—sheet metal panels with asbestos millboard insulation—for openings up to 50 in. by 51 in. Approved under Section C26-663.0 subject to the limitation of Section C26-610.0e.

KINNEAR MFG. CO., INC.
792-38-SM V. 23 No. 52 P. 1657

Kinnear Steel Rolling Door, Akbar Type—3 hour fire door (not to be used in required means of egress)—spring counterbalanced curtain of 20 U. S. gauge steel, interlocking type slats—for openings 9 ft. wide by 10 ft. high. Approved under Sections C26-610.0 and C26-660.0.

LA PORTE CORPORATION (formerly Metal Door and Trim Co.) 846-40-SM V. 26 No. 11 P. 414
V. 29 No. 23 P. 475

Metal Door and Trim Company One and One-Half Hour Hollow Metal Fire Door, Panel Type—stiles of 18 U. S. gauge hollow insulated steel members, panel moulding of 20 U. S. gauge steel, panel of two sheets of 20 U. S. gauge steel separated by asbestos insulation, rails of 18 U. S. gauge steel, rails and stiles insulated with solid asbestos, frame of 14 U. S. gauge steel, size of door 7 ft. 3 in. by 3 ft. 6 in. Approved under Sections C26-661.0 and C26-662.0 and Art. 1, Sec. 4, subd. 10 of the Multiple Dwelling Law.

McKEE DOOR COMPANY.
735-41-SM V. 26 No. 52 P. 1730

McKee Overdoors for garages, service stations, factories, warehouses, etc. Models T, DT, HT, DHT, and UT. Approved.

METAL DOOR CREDIT ASSOCIATION.
830-39-SM V. 26 No. 4 P. 151
V. 26 No. 30 P. 1152
V. 26 No. 39 P. 1334
V. 28 No. 45 P. 947
V. 29 No. 6 P. 97
V. 29 No. 20 P. 397
V. 29 No. 23 P. 475

N. Y. K-A Fire Door—one hour rating—stiles and rails 1¾ in. thick white pine cores covered with 24 U. S. gauge steel; panel of ⅜ in. thick asbestos millboard covered both sides with 24 U. S. gauge steel—frame of 16 U. S. gauge combination steel buck and trim—size 3 ft. by 6 ft. 10 in.

N. Y. K-B Fire Door—one hour rating—stiles and rails of 24 U. S. gauge hollow steel construction, with wood core—panel of ⅜ in. asbestos millboard covered both sides with 24 U. S. gauge steel—hollow steel moulding of 20 U. S. gauge with asbestos strip insulation ¾ in. wide by ¾ in. thick; frame of 16 U. S. gauge combination buck and trim—size 3 ft. by 6 ft. 10 in. Approved under Sections C26-662.0, C26-663.0a, and under Art. 1, Sec. 4, subd. 10 of Multiple Dwelling Law.

The list of manufacturers is given below. They are divided into two groups, each making a specific type of door as follows:

N. Y. Kalamein—Type "A" Shops

A.B.C. Kalamein Door Co., 1435 Boone Avenue, Bronx, N. Y.
Hub Door Metal Products, 461 E. 147th Street, Bronx, N. Y.
Pioneer Fireproof Door Co., 807 Zerega Avenue, Bronx, N. Y.
Supreme Kalamein Door Co., 721 E. 133rd Street, Bronx, N. Y.
Ace Metal Door Corp., 226 E. 144th Street, Bronx, N. Y.
Grand Kalamein Sash and Door Co., 340 Stanton Street, N. Y. City.
Lion Fireproof Door and Sash Co., 167 Chrystie Street, N. Y. City.
International Fireproof Door Co., 157 Walworth Avenue, Brooklyn, N. Y.
National Kalamein Co., 418 Johnson Avenue, Brooklyn, N. Y.
Reliable Fireproof Door & Sash Co., 112 Dobbins Street, Brooklyn, N. Y.
Universal Bronze & Steel Door Co., 222-6 Siegel Street, Brooklyn, N. Y.
Firedoor Manufacturing Corp., 204 E. 27th Street, N. Y. City.
Greenpoint Metal Covered Door Co., 133 Green Street, Brooklyn, N. Y.
Long Island Kalamein Door Co., 120-10 15th Avenue, College Point, N. Y.

N. Y. Kalamein—Type "B" Shops

General Fireproof Door Corp., 900 Whittier Street, Bronx, N. Y.
World Steel Products Corp., 448 Tiffany Street, Bronx, N. Y.
Independent Fireproof Door Co., 1706 Atlantic Avenue, Brooklyn, N. Y.
Royal Kalamein Door Co., 161 Jamaica Avenue, Brooklyn, N. Y.
Triangle Steel Products, 246 Russel Street, Brooklyn, N. Y.
Williamsburg Fireproof Products Co., 86 Quay Street, Brooklyn, N. Y.

Temporary approval expired on November 23, 1941.

Refer to the resolution for details of approval and limitations of use.

METAL COVERED DOOR ASSOCIATES.
518-43-SM V. 29 No. 43 P. 919

Metal Covered Door Associates One and One-Half Hour Test Fire Door Assembly—Single, swing type, full panel Kalamein covered door assembly of 1½ hour fire resistive rating, hung on USG No. 16 steel frame. Approved under C26-661.0 and C26-663.0,b,d and Section 4, par. 10 of the Multiple Dwelling Law, and for a rating of ¾ hour under C26-662.0, C26-663.0 and C26-664.0. Manufacturers listed below have agreed to discontinue manufacture of NYKA and NYKB types of Opening Protective Assemblies previously temporarily approved under Cal. No. 830-39-SM, upon approval of this protective assembly. No other companies are included other than those listed herein:

Metal Covered Door Associates, comprising:
National Kalamein Company, Inc., 418 Johnson Avenue, Brooklyn, N. Y.
Greenpoint Metal Covered Door Company, 153 Green Street, Brooklyn, N. Y.
Royal Kalamein Door Company, 161 Jamaica Avenue, Brooklyn, N. Y.
City Steel Door Corporation, 820 Whittier Street, Bronx, N. Y.
Ajax Metal Door Corporation, 226 East 144th Street, Bronx, N. Y.
Independent Fireproof Door Company, Inc., 1706 Atlantic Avenue, Brooklyn, N. Y.
Universal Bronze & Steel Door Company, Inc., 222 Seigel Street, Brooklyn, N. Y.
Pioneer Fireproof Door Corp., 807 Zerega Avenue, Bronx, N. Y.
Supreme Fireproof Door Company, 442 East 166th Street, Bronx, N. Y.
Reliable Fireproof Sash & Door Corp., 650 Sackett Street, Brooklyn, N. Y.
International Fireproof Door Co., Inc., 157 Walworth Street, Brooklyn, N. Y.
Hub Dor Metal Products Corporation, 461 E. 147th Street, New York, N. Y.
Willaimsburg Fireproof Products Corp., 86 Quay Street, Brooklyn, N. Y.
Lion Fireproof Sash & Door Company, Inc., 167 Chrystie Street, New York City.

METAL DOOR AND TRIM COMPANY (now the LA PORTE CORP.) 846-40-SM V. 26 No. 11 P. 414
V. 29 No. 23 P. 475

Metal Door and Trim Company One and One-Half Hour Hollow Metal Fire Door, Panel Type—stiles of 18 U. S. gauge hollow insulated steel members, panel moulding of 20 U. S. gauge steel, panel of two sheets of 20 U. S. gauge steel separated by asbestos insulation, rails of 18 U. S. gauge steel, rails and stiles insulated with cellular and solid asbestos, frame of 14 U. S. gauge steel, size of door 7 ft. 3 in. by 3 ft. 6 in. Approved under Sections C26-661.0, C26-662.0 and under Art. 1, Sec. 4, subd. 10 of Multiple Dwelling Law.

NEW CASTLE PRODUCTS CO.
162-43-SM V. 29 No. 44 P. 934

Modernfold Doors (Partition). Approved for use as a folding partition under Sec. C26-239.0, C26-240.0, C26-241.0, C26-242.0, C26-243.0, C26-244.0 in class 1, 2, 3, 4, 5 and 6 construction and under C26-726.0 and C19-161.0 when fabrics are of approved incombustible materials or flameproofed as required under the Board's rules. The use of these doors may be permitted in Multiple Dwellings in such places where specific fire-resistive rating is not required.

NORTH AMERICAN IRON AND STEEL COMPANY, INC. 982-41-SM V. 27 No. 17 P. 489

Narisco Three Hour Rolling Steel Door—20 U. S. gauge slats, 2⅞ in. wide—opening 9 ft. by 10 ft. Approved for 3 hour rating.

OTIS ELEVATOR COMPANY.
972-40-SM V. 26 No. 14 P. 503

The Otis Bi-Parting Counterbalanced Vertical Sliding Elevator Hoistway Door (Regular and By-Pass Type)—consists of two panels of 14 U. S. gauge steel set in 2 x 2 x 3/16 in. angle iron frames with vertical stiffener bars ⅛ in. by 1¾ in. spaced 20 in. O. C., the guides in which they operate, counterbalancing and locking mechanism and movable lintel for pass type doors; shaft face of lower panel of 18 U. S. gauge backed by 1¾ in. of mineral wool insulation—opening 8 ft. by 10 ft. Approved for use with insulation under Sections C26-663.0,b and C26-610.0,c and without insulation under Section C26-663.0,b.

THE PEELLE COMPANY.
490-40-SM V. 25 No. 41 P. 1367

Peelle Flush Counterbalanced Door—one and one-half hour rating—panels of two-ply cross laminated white pine 25/32 in. thick covered with 26 U. S. gauge galvanized steel, in 2″ x 2″ x ⅛″ angle frames—counterbalancing halves slide vertically in guides built up of angles, connected by chains, rods and pulleys—openings 6′ x 8′. Approved for use under Section C26-663.0.

RICHARDS-WILCOX MANUFACTURING COMPANY. 673-41-SM V. 27 No. 12 P. 305

Richards-Wilcox Fye-R Ward Fire Door and Sliding Fire Door Hardware—Corrugated sheet metal 24 U. S. gauge steel on both sides of 1/16 in. asbestos sheet. Rating—¾ and 1 hour fire resistant.

RICHMOND FIREPROOF DOOR COMPANY.
491-40-SM V. 25 No. 43 P. 1445

Fyrgard B. N.Y.C. ¾ to 1½ Hour Flush Kalamein Door—two ply wood door separated by 1/16 in. thick sheet of asbestos, covered with 24 U. S. gauge galvanized steel—frame of 8 in. steel channels for jambs and head welded together—sill of 8 in. steel channel—opening limited to 3 ft. by 7 ft. Approved under Sections C26-661.0, C26-662.0 and under Multiple Dwelling Law.
492-40-SM V. 25 No. 43 P. 1447
V. 27 No. 6 P. 131
V. 27 No. 52 P. 1286

Fyrgard C. N.Y.C. Three Hour Metal-Clad Three-Ply Door—white pine core, three thicknesses, 25/32 in. each, covered wtih 24 U. S. gauge galvanized steel, same seam reinforcing—opening 10′ x 10′—bar track 3⅛ in. x 3½ in. Approved under Sections C26-660.0, C26-661.0, C26-662.0 and under Art. 1, Sec. 4, subd. 10 of Multiple Dwelling Law.
56-41-SM V. 26 No. 14 P. 514
V. 27 No. 52 P. 1286

Richmond One and One-Half Hour Flush Kalamein Fire Door—two ply wood core with a 1/16 in. asbestos lining on the stop face, covered with 24 U. S. gauge galvanized stretcher leveled steel, hung in a 14 U. S. gauge steel frame—size 3 ft. 8 in. by 7 ft. Approved under Sections C26-661.0, C26-662.0 and under the Multiple Dwelling Law.
324-43-SM V. 28 No. 44 P. 920

Richmond One and One-Half Hour Flush Metal Clad Kalamein Fire Doors (in pairs). One and One-Half Hour rating—frame—Standard Label Type No. 14 U. S. gauge pressed steel. Doors—wood core flush type metal clad, reinforced, mortised drilled and tapped for mortise hardware. Approved under C26-661.0(10.8.2) and C26-662.0(10.8.3), Multiple Dwelling Law.

RODDIS LUMBER & VENEER COMPANY.
527-40-SM V. 26 No. 4 P. 154

Roddiscraft Protext Door—1 hour rating—flush type construction, having a wood core, with edge strips of fire-

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Refer to the resolution for details of approval and limitations of use.

proofed wood covered on each side with a sheet of woven asbestos cloth and crossbanding and face veneer —hung in a 14 U. S. gauge pressed steel combined buck and frame—size limited to 2′ 8″ x 6′ 8″. Approved under Section C26-662.0 and under Multiple Dwelling Law. 158-41-SM (V. III) V. 27 No. 29 P. 803

Roddis Protext 45 Door—White pine wood core, covered each side 1/16″ thick asbestos cloth glued to core, then 1/20″ veneer of cross banding glued to asbestos cloth—size 2′ 8″ x 6′ 8″. Approved for ¾ hour fire resistive rating.

SECURITY FIRE DOOR COMPANY.
808-41-SM V. 27 No. 12 P. 302

Seco One and One-Half Counterbalanced (Bi-parting) Elevator Door—wood core, asbestos insulation, 24 gauge steel covering for upper half, additional 16 gauge steel covering for shaft side of bottom half. Approved.

ST. LOUIS FIRE DOOR COMPANY.
232-42-SM V. 27 No. 25 P. 696

"Ti-Co-Dor" Metal Clad Counterbalanced Freight Elevator Door—Top panel 24 gauge steel sheet over 2 ply wood core separated by 1/16 in. thick asbestos sheet; lower panel—16 gauge steel sheets over same type core with additional sheet of asbestos between core and steel on unexposed face. Approved—1½ hour fire resistive rating.

SUPERIOR FIREPROOF DOOR AND SASH CO., INC. 420-39-SM V. 24 No. 28 P. 1067

Superior Panel Type Door—3 hour fire door—stiles, rails and panel of 18 U. S. gauge steel—insulation ⅞ in. sheet asbestos—sizes up to 8 ft. by 4 ft.—frame 14 gauge steel.

Superior Flush Type Door—3 hour fire door—made of two 16 U. S. gauge steel sheets, each sheet forming one face and vertical edge; 14 U. S. gauge channel at top and at bottom insulation loose asbestos packed solid—sizes up to 8 ft. by 4 ft.—frame 14 gauge steel. Approved under Sections C26-660.0, C26-661.0, C26-662.0, C26-664.0 and under the Multiple Dwelling Law.
453-41-SM V. 27 No. 17 P. 487

Superior One Hour Kalamein Fire Door—Panels 26 U. S. gauge metal over ⅜″ thick asbestos core, rails and stiles 24 U. S. gauge metal over wood core 1⅝″ thick, 5″ wide. Approved for 1 hr. and ¾ hr. fire resistive ratings.
454-41-SM V. 27 No. 29 P. 800

Superior One Hour Hollow Steel Fire Door—Stiles and rails 18 gauge steel filled with cellular asbestos to 1⅝″ thickness; panels of 18 gauge steel over ⅜″ asbestos board; 14 gauge steel channeling reinforces stiles and rails. Approved for 1 hour fire resistive rating—opening 6′ 8″ by 4′.

SUPERIOR STEEL DOOR AND TRIM CO., INC.
1520-39-SM V. 25 No. 5 P. 155

Connell Three Hour Hollow Metal Fire Door—rails, stiles and panels (two sheets) of 18 U. S. gauge steel—insulation of panel—two sheets ¼″ and ⅛″ asbestos—millboard—insulation of rails and stiles—¼″ asbestos sheet —opening 3′ 2″ x 7′—frame of 16 U. S. gauge steel. Approved under Sections C26-660.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

TRIANGLE STEEL PRODUCTS CORPORATION.
657-40-SM V. 25 No. 31 P. 1156

Triangle Three Hour Hollow Metal Fire Door—rails and stiles 18 U. S. gauge metal, with 16 U. S. gauge closure channels in rails, panel is of two sheets 20 U. S. gauge insulated with two sheets of asbestos ⅜ in. and ⅛ in. thick separated by thin strips of asbestos—rails and stiles insulated with air cell asbestos—opening 3′ x 7′—frame 14 U. S. gauge for three hour rating; 16 U. S. gauge for one and one-half hour rating. Approved under Sections C26-610.0, C26-660.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

W. S. TYLER COMPANY.
707-40-SM V. 25 No. 38 P. 1273

Tyler One and One-Half Hour Hollow Metal Fire Door —flush type made of 2 sheets 18 gauge steel, side edges lapping and top and bottom closed with 14 gauge steel channels insulated with 1⅛ in. mineral wool—opening 2′ 9″ x 7′—frame of 16 gauge steel. Approved under Sections C26-610.0, C26-661.0, C26-662.0, C26-663.0, under the Multiple Dwelling Law and under the Labor Law.

UNITED METAL PRODUCTS DIVISION OF DIEBOLD LOCK AND SAFE COMPANY.
659-39-SM V. 24 No. 31 P. 1212

United Metal Products Division of Diebold Lock and Safe Company One Hour Hollow Metal Door—1 hour fire resistive rating; stiles and rails of 19 U. S. gauge steel, rails reniforced with 18 U. S. gauge channels, panels of two sheets of 24 U. S. gauge steel insulated with ½ in. thick asbestos millboard; rails and stiles insulated with cellular asbestos 1⅝ in. thick. For openings 3 ft. by 7 ft.—Frame of 16 U. S. gauge steel. Approved under Sections C26-610.0, C26-662.0, C26-668.0 and under the Multiple Dwelling Law.
941-39-SM V. 24 No. 31 P. 1220

Diebold Safe and Lock Company Hollow Metal Door—1½ hour fire resistive rating. Stiles and rails of 19 U. S. gauge steel, rails reinforced vertically with 16 U. S. gauge channels, horizontally wtih 18 U. S. gauge channels; panel made of two sheets of 24 U. S. gauge steel insulated with asbestos millboard ½ in. thick; rails and stiles insulated with cellular asbestos 1⅝ in. thick. For openings 3 ft. by 7 ft. Frame of 16 U. S. gauge steel. Approved under Sections C26-610.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law.

WILLIAMSBURG FIREPROOF PRODUCTS CORPORATION. 1455-39-SM V. 25 No. 2 P. 47

Williamsburg One and One-Half Hour Fire Door—Swinging Kalamein Door—rails and stiles 24 U. S. gauge steel with wood core 1¾″ thick. Panel of asbestos millboard ⅜″ thick, covered both sides with 24 U. S. gauge metal. Opening 6′ 9½″ x 3′. Frame 16 U. S. gauge steel. Approved under Sections C26-610.0, C26-661.0, C26-662.0 and under the Multiple Dwelling Law. 1455-39-SM V. 26 No. 30 P. 1152

Williamsburg One and One-Half Hour Fire Door—1¾ in. flush type door—18 gauge panels (replacing 20 gauge sheets of previously approved panel door) spot welded on 10 in. centers to channels having ¼ in. vent holes, 6 in. o.c.—⅜ in. asbestos millboard insulation. All other details as previously approved.
338-43-SM V. 29 No. 30 P. 670

Williamsburg Three Hour Fire Wall Door, Model "Sentinel" lap hinged type and frame hinged type (single and in pairs), single sliding type door, level and inclined tracks. Metal-covered, three ply wood core—dressed two sides to 25/32″ thickness—imbedded between core and strips with 24 gauge by 2″ galvanized steel with similar pieces of 3″ wide steel imbedded between each wood ply at seam intervals. Metal covering of 24 gauge galvanized sheet steel—opening 9 ft. by 10 ft. Approved under Sec. C26-660.0, C26-661.0 and Sec. C26-662.0 and Article 1, Sec. 4, subdivision 10 of the Multiple Dwelling Law.

Refer to the resolution for details of approval and limitations of use.

J. G. WILSON CORPORATION.
374-39-SM V. 24 No. 52 P. 1848

Wilson Steel Rolling Fire Shutter, Type No. 23. Three hour rating (not to be used in required means of egress). Rolling and sliding in grooves built up of steel plates and angles, manually operated curtain, spring counterbalanced 16 U. S. gauge galvanized steel interlocking slats, automatic self-closing by fusible links. Opening 9′ x 10′. Approved under Sections C26-610.0 and C26-660.0.

DOOR CHECK AND CLOSER

JOHN H. DERBY. 1185-38-SA V. 24 No. 6 P. 209
Derby Heat Actuated Automatic Door Check and Closer. Approved.

DRY CLEANING UNITS

U. S. HOFFMAN MACHINERY CORPORATION.
1047-41-SA V. 27 No. 7 P. 158

Hoffman 104F Safety Dry Cleaning Units. Models A1, A2, B1, B2, M1, M2, M1-U and M2-U. Approved for installation in Class 1, 2 or 3 construction.

DUST EXTRACTOR

GEORGE E. TEASDALE.
175-38-SA V. 23 No. 16 P. 509

Teasdale & Edwards Incinerator Dust Extractor. Approved under Sec. C26-698.0.

ELEVATOR ACCESSORIES

ECONOMY ELEVATOR EQUALIZER COMPANY.
1095-41-SA V. 27 No. 13 P. 338

Economy Elevator Equalizer. Automatic equalizer for elevator hoist cables. Approved under Sec. C26-1091.0,c.

ELEVATOR SUPPLIES COMPANY, INC.
193-42-SA V. 27 No. 42 P. 1055

E. S. Emergency Release Switch. Approved as meeting the requirements of Sec. C26-924.0.

ELEVATOR SAFETY CORPORATION.
121-41-SA V. 27 No. 19 P. 539

Elsco Elevator Roller Guide. Approved for use under Sec. C26-952.0.

LOUIS A. FREEDMAN.
368-43-SA V. 28 No. 52 P. 1124

Grafibre Gib for Elevator Guide-Rail Shoe. Approved under C26-191.0a.

INTERBORO ELEVATOR COMPANY.
811-41-SA V. 27 No. 11 P. 277

Hydromatic Leveling Device. Approved.

ELEVATOR DOOR HANGERS

OTIS ELEVATOR COMPANY.
723-40-SA V. 26 No. 44 P. 1463

Otis Type A and AU Hoistway Door Hangers. Approved for use under the provisions of Article 14.
724-40-SA V. 26 No. 44 P. 1463

Otis Type B Two-Point Suspension Hanger. Approved for use under the provisions of Article 14.

WESTINGHOUSE ELECTRIC ELEVATOR COMPANY. 767-40-SA V. 27 No. 30 P. 836

Westinghouse A-3 and A-3R Elevator Door Hangers.
768-40-SA V. 27 No. 30 P. 837

Westinghouse B-3 and B-3R Elevator Door Hangers.

ELEVATOR DOOR INTERLOCKS

DUMBWAITER SHUR-LOCK CO.
1068-39-SA V. 24 No. 46 P. 1652

Dumbwaiter Shur-Lock. Approved.

ELEVATOR APPLIANCE COMPANY, INC.
53-42-SA V. 27 No. 45 P. 1120

Electro-Mechanical Interlocks. Types CD, CS, DS, and ED. Approved under Article 14 of Administrative Code.

ELEVATOR SUPPLIES COMPANY, INCORPORATED. 191-42-SA V. 27 No. 48 P. 1190

E. S. Type "S" Elevator Inetrlocking Device, Hatchway Unit System. Approved under Article 14 of Administrative Code. 192-42-SA V. 27 No. 48 P. 1192
E. S. Positive Bar Lock (Type B) Elevator Interlocking Device, Hoistway Unit System.

G. A. L. ELECTRO MECHANICAL SERVICE OF NEW YORK CITY.
1050-39-SM V. 24 No. 47 P. 1691

G. A. L. Type "G" Elevator Door and Gate Contact, or switch. Approved under Sections C26-914.0 through C26-920.0, C26-982.0 through C26-985.0 and C26-191.0.
24-41-SA V. 26 No. 6 P. 254

G. A. L. Types "L" and "M" Elevator Door Interlocks for Automatically Controlled Elevators. Approved for use under Sections C26-914.0 through C26-920.0.
134-38-SA V. 23 No. 27 P. 876

G. A. L. Bar Interlock, Types E, K, K1, K2, K3, K4 and K5. Approved for use under Sections C26-903.0, C26-914.0, C26-907.0 and C26-913.0.

KAYLOR COMPANY (THE)
229-44-SA V. 29 No. 22 P. 454

MCK Type B, Regular All Mechanical Interlocks, MCK Type C, All Mechanical Interlocks, MCK Elcon Type All Mechanical Interlocks, MCK Master Switch Type Electro-Mechanical Interlocks and MCK Car Gate Interlocks. Approved under C26-1179.0 and C26-191.0.

JOHN W. KIESLING AND SON, INC.
1235-40-SA V. 26 No. 6 P. 251

Kiesling Door Contact and Lock, Type KMA (Interlock). Approved for use under the requirements of Sections C26-907.0 through C26-920.0 and C26-928.0.

OTIS ELEVATOR COMPANY
714-40-SA V. 26 No. 43 P. 1430

Otis Type 4B Door Closer and Interlock.
718-40-SA V. 26 No. 43 P. 1431

Otis Type N-2 Interlock.
719-40-SA V. 26 No. 43 P. 1432

Otis Type 4PB Door Closer and Interlock.
721-40-SA V. 26 No. 43 P. 1433

Otis Type 40A Door Closer and Interlock.
722-40-SA V. 26 No. 43 P. 1434

Refer to the resolution for details of approval and limitations of use.

Otis Type 42A Door Closer and Interlock.
All the above approved under the provisions of Subarticle 9, Group 1, of Article 14.
715-40-SA V. 26 No. 50 P. 1653

Otis Type "K" Bar Interlock.
716-40-SA V. 26 No. 50 P. 1653

Otis Type "L" Bar Interlock.
717-40-SA V. 26 No. 50 P. 1654

Otis Type "N" Bar Interlock.
720-40-SA V. 26 No. 50 P. 1655

Otis Type "P" Bar Interlock.
724-42-SA V. 28 No. 16 P. 319

Otis Interlock 6690A, for Bi-Parting Vertical Hoistway Doors. Approved under Section C26-191.0.
725-42-SA V. 28 No. 16 P. 321

Otis Interlock 6690B, for Bi-Parting Vertical Hoistway Doors. Approved under Section C26-191.0.

RICHARDS-WILCOX MFG. CO.
250-44-SA V. 29 No. 29 P. 641

R. W. No. 748-W Elevator Door Interlock. Approved under C26-191.0a and C26-1179.0, for use under Article 14 Administrative Building Code.
102-43-SA V. 28 No. 22 P. 473

R. W. No. 1403 Elevator Interlocking Device. Approved under Section C26-191.0, for use under Sub. Article 9, Group 1 of Article 14 of the Administrative Code.
136-44-SA V. 29 No. 14 P. 278

R. W. No. 725 and R. W. No. 755 Elevator Door Interlocks. Approved under C26-191.0, for use under Article 14 of the Administrative Building Code.

SEABERG ELEVATOR COMPANY
210-42-SA V. 27 No. 23 P. 646
Seaberg Type BL Bar Interlock. Approved.

SECURITY FIRE-DOOR COMPANY.
569-42-SA V. 28 No. 46 P. 967

Security Fire Door Company's Type D Interlock. Approved under Sections C26-191.0 and C26-1179.0.
566-42-SA V. 28 No. 46 P. 963

Security Fire Door Company's Type DL Interlock. Approved under Sections C26-191.0 and C26-1179.0.
386-43-SA V. 28 No. 43 P. 889

Security Fire Door Company's Type DLS Interlock. Approved under Sections C26-191.0 and C26-1179.0.
130-38-SA V. 23 No. 19 P. 612

Electro-Mechanical Interlock, Type PA. Approved for use with elevators under Sections C26-897.0 and C26-907.3.

SEDGWICK MACHINE WORKS, INC.
443-39-SA V. 24 No. 31 P. 1193

Sedgwick Type SW Door Interlock. Approved under Sec. C26-907.0.

STALEY ELEVATOR COMPANY, INC.
147-42-SA V. 27 No. 44 P. 1096

Staley Elevator Hoistway Door Interlock, Type RL-2. Approved under Article 14 of Administrative Code.

WESTINGHOUSE ELECTRIC ELEVATOR CO.
719-38-SA V. 24 No. 3 P. 84

Westinghouse Interlock for Automatic Elevators, Types SW-1 and SW-2. Approved under Sec. C26-914.0,2 and Sub Article 9, Group 1.
681-40-SA V. 27 No. 30 P. 825

Westinghouse Type B2 Interlock.
682-40-SA V. 27 No. 30 P. 826

Westinghouse Type BC Interlock.
701-40-SA V. 27 No. 30 P. 829

Westinghouse Type 126B Interlock.
727-40-SA V. 27 No. 30 P. 831

Westinghouse Type F Interlock.
728-40-SA V. 27 No. 30 P. 832

Westinghouse Type P Interlock.

ELEVATOR ELECTRIC CONTACTS

OTIS ELEVATOR COMPANY.
725-40-SA V. 26 No. 45 P. 1490

Otis Type 6098-C and Type 6098-E Car Gate or Door Contact. Approved under the requirements of Sec. C26-985.0.

SEABERG ELEVATOR COMPANY, INC.
203-42-SA V. 27 No. 23 P. 645

Seaberg Type G. S. Elevator Car Door or Gate Switch.

SECURITY FIRE DOOR COMPANY.
567-42-SA V. 28 No. 46 P. 965
V. 29 No. 4 P. 63

Security Fire Door Company's Type C Contact. Approved under Sections C26-191.0 and C26-1179.0.

WATSON ELEVATOR COMPANY, INC.
47-44-SA V. 29 No. 39 P. 825

Watson Type "A" Interlock and Watson Type "A1" Gate Contact. Approved under Sec. C26-1179.0a and Subarticle 9, Group 1 of Article 14.

WESTINGHOUSE ELECTRIC ELEVATOR COMPANY. 683-40-SA V. 27 No. 30 P. 827

Westinghouse Type C Electric Contact.
743-40-SA V. 27 No. 30 P. 834

Westinghouse Type SC Contact.
744-40-SA V. 27 No. 30 P. 835

Westinghouse Type CH Contact.
1150-40-SA V. 27 No. 30 P. 837

Westinghouse Type FC Gate Contact.

ELEVATOR OIL BUFFERS

WESTINGHOUSE ELECTRIC ELEVATOR COMPANY. 699-40-SA V. 27 No. 30 P. 828

Westinghouse Type OC Oil Buffer.
700-40-SA V. 27 No. 46 P. 1149

Westinghouse Type OM Oil Buffer.

FIBRE BOARD (See also Lath, Gypsum Wallboard and Sheathing)

BIRD AND SON, INC.
243-43-SM V. 28 No. 49 P. 1061

Bird Insulating Fibre Board. Approved under Insulating Fibre Board Rules of The Board of Standards and Appeals.

Refer to the resolution for details of approval and limitations of use.

CELOTEX CORPORATION.
13-39-SM V. 24 No. 28 P. 1065
V. 26 No. 5 P. 215
V. 26 No. 46 P. 1518

Thermax—shredded wood shavings cemented together with an air emulsion solution of magnesium oxy-sulphate—incombustible, sound insulation, heat insulation, sheathing, plaster base, substitute for combustible lath, roofing material. Approved under Sections C26-88.0, C26-462.0, C26-458.0, C26-538.0, C26-636.0, C26-626.0 and under the Insulating Fibre Board Rules.

THE CELOTEX CORP.
199-39-SM V. 24 No. 39 P. 1370

Celotex—manufactured from long Bagasse fibre, approved under the Insulating Fibre Board Rules.

FIR-TEX INSULATING BOARD CO.
411-38-SM V. 24 No. 42 P. 1496

Fir-Tex Insulating Board—made from wood fibres—approved under the Insulating Fibre Board Rules.

FLINTKOTE COMPANY
314-40-SM V. 25 No. 31 P. 1154

Flintkote Insulation Products—approved for use as building board, insulating lath, insulating tile, insulating plank, roof insulation and sheathing—under the Insulating Fibre Board Rules.
355-41-SM V. 27 No. 22 P. 617

Flintkote Insulation Board Products—manufactured from southern pine pulp. Approved for use in accordance with the requirements of Rule 2 of Insulating Fibre Board Rules.

INSULITE COMPANY.
1107-39-SM V. 25 No. 4 P. 111

Insulite Insulating Fibre Board—felted wood fibres—marketed as "Ins-Lite" and "Graylite"—approved under Insulating Fibre Board Rules.
V. 25 No. 12 P. 425

Satincote Interior Board, Tile Board and Plank,
Graylite and Sealed Lok-Joint Plaster Base, approved as above.
Fiberlite and Acoustilite—felted wood fibres of low porous density—approved as acoustical materials.

JOHNS-MANVILLE SALES CORPORATION.
1207-40-SM V. 26 No. 16 P. 576

Johns-Manville Insulating Board (Insulating Fibre Board)—Approved under the Insulating Fibre Board Rules.
33-44-SM V. 29 No. 5 P. 83

Johns-Manville Fibretex and
Johns-Manville Fibretone—composed of pine fibres with fibre board and cut in 12 in. by 12 in. squares. Fibretex is slotted while Fibretone is perforated. Approved under C26-178.0b, C26-191.0a in Class 1 and 2 constructions and rules of the Board, when installed in accordance with C26-667.0 pars. 3 and 8 and C26-632.0g. Note installation precautions.

A. JOHNSON AND COMPANY, INC.
431-39-SM V. 24 No. 31 P. 1207

L. W. Insulating Board (Specific Shipment)—Approval limited to specific shipment of ½" thick building board and plaster base. Approved under the Insulating Fibre Board Rules.

MASONITE CORPORATION.
404-40-SM V. 25 No. 24 P. 842

Masonite Fibre Insulation Board—approved as structural insulation, insulation tile and plank, insulating lath and roof insulation under the Insulating Fibre Board Rules.

McANDREWS & FORBES COMPANY.
938-39-SM V. 24 No. 40 P. 1407

Lockaire Insulation Fibre Board—made from licorice root plus ground wood fibres and rosin—full approval for use under the Insulating Fibre Board Rules.
V. 25 No. 15 P. 527

Asphaltic Lockaire Insulation Fibre Board—same as above plus 20% asphalt—approved under the Insulating Fibre Board Rules but may not be used as a plaster base.

NATIONAL GYPSUM COMPANY.
1016-39-SM V. 25 No. 5 P. 154

Gold Bond Fibre Insulation Board, Plank & Tile, Insulation Lath, Sheathing, made from a mixture of fibres of sound pine, bay poplar and cotton wood—approved under the Insulating Fibre Board Rules.

TREETEX CORPORATION.
811-39-SM V. 25 No. 12 P. 425

Evenaire Insulating Wallboard Lath—approval of specific shipments under the Insulating Fibre Board Rules.

UNITED STATES GYPSUM COMPANY.
1550 39 SM V. 25 No. 15 P. 528

Weatherwood and Samson Insulation Fibre Board—Building board, sheathing board, plaster base, roof insulation—approved under the Insulating Fibre Board Rules.

WOOD CONVERSION COMPANY.
996-38-SM V. 27 No. 7 P. 164

Nu-Wood Insulating Fibre Board—Manufactured from wood fibre produced by chemically cooking chipped wood under pressure and subsequently defibering the chips in attrition mills. Approved for use in accordance with Rule 2 of Fibre Board Rules.

FIBRE BOARD (HARD)

MASONITE CORP.
403-40-SM V. 25 No. 24 P. 840

Masonite De Luxe Quartrboard, Quartrboard, Presdwood, Tempered Presdwood, Presdwood Temprtile, Century of Progress Flooring—approved for use as combustible trim, combustible partitions and floor covering under Sections C26-191.0, C26-241.0, C26-243.0, C26-667.0.

UNITED STATES GYPSUM COMPANY.
68-42-SM V. 27 No. 25 P. 693

U. S. Gypsum and Sampson Densboard, Structboard, Hardboard, Treated Hardboard, Hardboard Tile and Treated Hardboard Tile—Manufactured from pressed wood fibres. Approved.

FILL PIPE TERMINALS

ALRO PLUMBING SPECIALTY COMPANY.
720-38-SA V. 23 No. 51 P. 1624

Alro Fill Pipe Terminal for Fuel Oil—approved for use in fuel oil installations.

Refer to the resolution for details of approval and limitations of use.

FEE AND MASON MFG. CO., INC.
10-36-SA V. 21 No. 44 P. 1249

Fee & Mason Fill Pipe Terminal for Fuel Oil—approved for use in fuel oil installations.

STANLEY G. FLAGG & CO., INC.
345-35-SA V. 20 No. 53 P. 1305

Flagg Fill Pipe Terminal—approved for fuel oil installations.

JAY H. NEWBURY & SONS, INC.
292-35-SA V. 20 No. 46 P. 1096

J. H. N. Fill Pipe Terminal—approved for use in fuel oil installations.

MALLORY FITTINGS COMPANY.
990-39-SM V. 24 No. 50 P. 1789

Mallory Fill Pipe Terminal for Fuel Oil—approved under Sec. C19-57.0 and the Oil Burner Rules.

MOORE & KLING, INC.
184-38-SA V. 23 No. 41 P. 1256

Moore and Kling 6 inch, Type D, Fill Pipe Terminal for Fuel Oil, approved under Oil Burner Rules.

NEWBURY MFG. CO.
223-35-SA V. 20 No. 39 P. 882

Newbury Fill Pipe Terminal for Fuel Oil—approved under the Oil Burner Rules.

PREFERRED UTILITIES COMPANY, INC.
213-35-SA V. 20 No. 39 P. 882

Preferred Fill Pipe Terminal for Fuel Oil—approved for use under the Oil Burner Rules.

RHODE ISLAND FITTINGS CO.
204-35-SA V. 20 No. 38 P. 852

Rhode Island Fill Pipe Terminal for Fuel Oil—approved for use under the Oil Burner Rules.

SEAL-O-STRAIN CORPORATION.
48-35-SA V. 20 No. 11 P. 220

Seal-O-Strain Curb Fill Box—approved for use in gasoline and in fuel oil installations under the Oil Burner Rules.

A. JAY KATES.
231-35-SA V. 20 No. 46 P. 1099

Sealtite Fill Pipe Terminal for Fuel Oil—approved under the Oil Burner Rules.

SIMPLEX BOILER STAND CO., INC.
214-35-SA V. 20 No. 39 P. 882

Simplex Fill Pipe Terminal for Fuel Oil—approved for use under the Oil Burner Rules.

WHITEHALL EQUIPMENT CO., INC.
78-38-SA V. 23 No. 16 P. 511

Weco Flush Fill Pipe Terminal for Fuel Oil—approved for use under the Oil Burner Rules.

OHIO PATTERN WORKS & FOUNDRY CO.
221-34-SA V. 20 No. 20 P. 429

Metropolitan Curb Fill Box No. 138—2 in. and 3 in. sizes, approved for use in gasoline installations.

FILM MACHINE

BLOOMFIELD TOOL CORP.
(formerly owned by Automatic Film Machine Corp.)
65-31-SA V. 16 No. 11 P. 417
V. 16 No. 29 P. 820
V. 22 No. 28 P. 870
V. 29 No. 40 P. 853

Auto Patch Machine—Approved.

FIRE ALARM SYSTEMS and ACCESSORIES

ACME FIRE ALARM CO., INC.
214-40-SA V. 25 No. 17 P. 593

Acme Type 11 VA, Non-Code Closed Circuit Interior Fire Alarm System—approved.
697-28-SA V. 21 No. 24 P. 728

Acme Fire Alarm Gongs—approved.
96-31-SA V. 16 No. 21 P. 513

Acme High, Low and Water Flow Alarm Control Board—approved.
249-35-SA V. 21 No. 29 P. 923

Acme High and Low Water Alarm Tank Switch—approved.
248-35-SA V. 21 No. 29 P. 922

Acme Polarized Vibrating Bells Type 205—approved.
178-33-SA V. 18 No. 41 P. 794

Acme Interior Fire Alarm Station, Types 1200A, 1201A, 1202A and 1203A—approved.

AIRELEASE CORPORATION.
872-41-SA V. 26 No. 49 P. 1624

Lowe Thermoskope Fire Detector—A Fire Alarm System.

AMERICAN FIRE PREVENTION BUREAU, INC.
242-25-SA V. 10 No. 44
V. 28 No. 11 P. 227

Derby Automatic Sprinkler and Standpipe Supervisory Alarm Panel—approved.
2-26-SA V. 11 No. 49
V. 28 No. 11 P. 227

Derby Closed Circuit A. C. Standpipe and Sprinkler Supervisory Alarm Panel—approved.

AUTOCALL COMPANY.
694-21-S V. 6 No. 40

Autocall Type "H" Single Stroke D. C. Gong—
Autocall Type "DD" Fire Alarm Control Board—
Autocall Type "AD" Fire Alarm Control Board—
Autocall Type "A.H.T.B." Trouble Bell—
Autocall Type "A.H." Single Stroke A. C. Gong—approved.
996-21-S V. 6 No. 51

Model A.D.P. Alternating and Model D.D.P. Direct Current Pre-signal Control Board—approved.

AUTOMATIC FIRE ALARM CO.
1062-27-SA V. 13 No. 31

Mohawk Closed Circuit Sprinkler Alarm System and Mohawk Closed Circuit Standpipe Alarm System, A. C. and D. C.—approved.
742-24-SA V. 9 No. 46

Refer to the resolution for details of approval and limitations of use.

Watkins Interior Fire Alarm Station—for use with approved closed circuit interior fire alarm systems—approved.

BENJAMIN ELECTRIC MANUFACTURING CO.
473-19-S V. 5 No. 12

Benjamin Horn—a fire alarm signal system consisting of a horn operated by magnets controlled by an electric circuit—approved.

J. H. BUNNELL & CO.
1512 24 SA V. 10 No. 17

Jane Break Glass Pull Lever Interior Fire Alarm Box—approved.

CENTRAL STATION SIGNALS, INCORPORATED.
969-41-SA V. 27 No. 21 P. 590

Automatic Thermostatic Central Office Connected Fire Alarm System.
40-42-SA V. 28 No. 8 P. 178

Central Station Signals, Inc. Method for Central Station Fire Alarm and Air Pressure Supervision of Non-automatic Sprinkler Systems.

CONRAN STANDPIPE COMPANY.
360-21-S V. 7 No. 12

Conran Electric Trip—for the operation of type B valves —approved.
308-21-S V. 6 No. 31

Ideal Thermostat—approved.

CROKER ELECTRIC COMPANY.
351-20-S V. 5 No. 6

Croker Type M-D Interior Fire Alarm System—
Croker Type M-E M.G. Control Boards—approved.

CROKER NATIONAL FIRE PREVENTION CO.
25-21-S V. 6 No. 40

Pneumatic Fire Alarm System—an automatic fire alarm system operating on the principle of the expansion of air—approved.

JOHN H. DERBY.
1509-24-SA V. 19 No. 51 P. 1093
V. 28 No. 11 P. 227

USEM Closed circuit standpipe tank and supervision system. Approved. Name changed to John H. Derby, etc.

EDWARDS & COMPANY, INC.
141-24-SA V. 9 No. 18

Edwards A. C. Control Panel for Interior Alarm Systems—approved.
224-31-SA V. 17 No. 6

Edwards & Co. Catalog No. 551, Vibrating Bell for A. C. operation for use with interior signalling equipment—approved.
1290-27-SA V. 13 No. 23

Edwards Tank Sentinel—a standpipe and Sprinkler Closed Circuit Alarm System—approved.
394-21-S V. 6 No. 31

Type 21 F. P. single stroke D. C. gong—approved for interior fire alarm installations.

EDWARDS & COMPANY.
28-23-SA V. 8 No. 30

Edwards New Type Single Stroke A. C. Gong—approved.
385-37-SA V. 24 No. 25

Edwards V A C C, Non Code, Closed Circuit Interior Fire Alarm System—approved under Sec. 279 Labor Law and Rule 5.1 of the Interior Fire Alarm Rules of the Board.
154-25-SA V. 10 No. 29

Edwards Solenoid Type Interior Fire Alarm Gong—approved.

ELECTRO MECHANICAL MACHINE CO., INC.
87-27-SA V. 12 No. 28

Emco Vibrating A. C. and D. C. Gongs—approved.

ELECTRO PROTECTIVE CORPORATION.
1118-40-SA V. 26 No. 28 P. 1032

Central Stations Signals Inc. Automatic Fire Alarm System—a metallic bulb provided with a vent opening sealed with fusible solder—approved when installed in accordance with the Interior Fire Alarm Rules of the Board.

FIRE DETECTING WIRE CORPORATION.
377-23-SA V. 8 No. 26

F. D. W. Automatic Thermostatic Fire Alarm Control Panel—approved.

FIRE DEVICES INC.
(formerly known as Lowe Laboratories, Inc.)
1014-41-SA V. 28 No. 24 P. 520

Spot Fire Lowecator, Models 101 & 102.
(formerly known as Spot-Fire Detector (Lowe).
Thermostat—Spot type rate of rise principle of operation. Approved under C26, Art. 16 & Sprinkler Rules of Board of Standards and Appeals. (may be marketed under name Temp-O-Rise.)

JEWELL ELECTRIC INSTRUMENT CO.
680-22-S V. 7 No. 39

Jewell Electric Instrument Co's. devices Pattern Nos. 33 and 54 Milliameter D. C. and Pattern No. 74 Milliameter A. C. for use with interior closed circuit fire alarm signal system—approved.

LOWE LABORATORIES, INC.
1014-41-SA V. 27 No. 15 P. 409

"Lowe Spot Fire Detector" Thermostat—Spot type rate of rise principle of operation. Approved for use with system so operated.
V. 27 No. 20 P. 571

May be marketed under name "Temp-O-Rise."

JOHNS-MANVILLE.
1615-21-SM V. 7 No. 8 P. 179

Ebony Asbestos Wood for Fire Alarm Control Panels.

MOHAWK ELECTRIC MANUFACTURING CO.
79-29-SA V. 15 No. 11

Mohawk A. C. & D. C. Electric Bell Single Stroke Type—approved.
307-21-S V. 6 No. 26

Mohawk A. C. Control Panel No. 700—
Mohawk Trouble Bell No. 704—approved.
1055-40-SA V. 26 No. 2 P. 59

Mohawk Non-Coded Closed Circuit Interior Fire Alarm Control Panel—approved.

Refer to the resolution for details of approval and limitations of use.

NATIONAL DISTRICT TELEGRAPH CO.

958-28-SA V. 17 No. 18

N. D. T. Fire Gong Control Panels, Gen. Types No. 100A and 236 for use with interior fire alarm signalling equipment—approved.

957-28-SA V. 14 No. 46

N. D. T. Fire Alarm Boxes, Types 30-M, 1030-JM, 1040-D, 1040-DJ, 1040-B, 1040-BJ, 1040-BN, 1040-BJN—approved.

597-31-SA V. 17 No. 18

N. D. T. Single Stroke Gongs, Types No. 134 AS and No. 134 DS—for use with interior signalling equipment—approved.

598-31-SA V. 17 No. 19

N. D. T. Fire Alarm Boxes, Types Nos. 1046, 1046A, and 1046AN—spring operated boxes—approved.

W. R. OSTRANDER & CO.

872-24-SA V. 10 No. 9

Ostrander A. C. - D. C. Control Panel — Code ringing, supervised, closed circuit—approved.

PROTECTOWIRE COMPANY (THE)

179-43-SM V. 28 No. 30 P. 665

Protectowire (Heat Sensitive Cable) for use in Fire Alarm Systems—Approved under Section C26-178.0b.

SAMSON ELECTRIC COMPANY.

818-21-S V. 7 No. 8

Single Stroke Revised Alarm Bell—A. C. and D. C.—approved.

943-21-S V. 6 No. 47

Electric Relay Device for control panels—approved.

16-22-S V. 7 No. 12

A. C. and D. C. Current Control Boards—for use with interior fire alarm signal systems—approved.

252-22-S V. 7 No. 17

Samson Vibrating Bell—to be used for multiple operation on open circuit systems or as trouble bells on closed circuit systems—A. C. and D. C.—approved.

673-24-SA V. 10 No. 9

Samson No. 76 Break Glass Interior Fire Alarm Signal Station—approved.

SIGNAL ENGINEERING & MFG. CO.

91-26-SA V. 12 No. 43

Signal Engineering and Manufacturing Co's. 110-220 Volt AC and DC Closed Circuit Alarm Panel—approved.

1705-21-S V. 8 No. 2

Signal Engineering Company Single Stroke Bell and Horn for use with interior fire alarm signal systems—approved.

1469-22-S V. 8 No. 6

Type F. A. Single Stroke A. C. Gong—approved for use in accordance with the Rules of the Board.

617-23-SA V. 8 No. 32

D. C. and A. C. Current Control Boards—
D. C. and A. C. Vibrating Bells—approved.

231-33-SA V. 19 No.13

Signal Engineering and Manufacturing Co's. Interior Fire Alarm Box, Types S.P., F.P., S.G.P., F.G.P., S.P.D., F.P.D., S.G.P.D., and F.G.P.D.—the gongs of the system automatically sound a code signal after the manual starting of the station's mechanism—approved.

SIMPSON ELECTRIC COMPANY.

1117-40-SA V. 26 No. 20 P. 734

Simpson Ammeters Model 55
Simpson Voltmeters Model 55
Simpson Milliameters Models 25 and 155 (for use on either AC or DC Current) approved for interior fire alarm service.

THOMAS SMITH CO.

1064-22-S V. 8 No. 6

Thomas Smith D. C. Single Stroke Gong
Thomas Smith D. C. Vibrating Gong—approved for use in accordance with the Rules of the Board.

STANLEY & PATTERSON DIVISION OF SCHWARZE ELECTRIC COMPANY.

187-28-SA V. 23 No. 28

Faraday Model 6120 and 6130 Single Stroke Solenoid Gongs—approved.

188-28-SA V. 23 No. 28

Faraday Waterflo Alarm Panel for use on standpipe and sprinkler installations—approved.

799-26-SA V. 23 No. 28

Faraday Break Glass Door Locking Device for interior fire alarm boxes—approved.

1012-40-SA V. 26 No. 24 P. 876

Faraday Non-Coded Closed Circuit Interior Fire System—approved for installation under the Interior Fire Alarm Rules.

SUNDH ELECTRIC COMPANY, INC.

187-26-SA V. 12 No. 39

Sundh Closed A. C. and D. C. Standpipe Signalling System—approved.

1314-24-SA V. 10 No. 21

U. S. E. M. COMPANY.

U. S. E. M., A. C. and D. C. Control Panels—approved.

WESTINGHOUSE ELECTRIC AND MANUFACTURING COMPANY.

1310-25-SA V. 11 No. 44

Westinghouse Type BA and CA Voltmeters and Milliameters for use on fire alarm control panels—approved.

FIRE ESCAPES

C. F. DAVY.

804-19-S V. 4 No. 48 P. 926

Davy Fire Escape (Portable, Auxiliary)—approved.

EXIT SAFETY DEVICE CORPORATION.

1441-39-SM V. 25 No. 27 P. 984

Safety Type Drop Ladder for Fire Escapes—approved under the Fire Escape Rules of the Multiple Dwelling Law.

FIRE EXTINGUISHERS—PORTABLE

The following General Resolution of the Board adopted on July 16, 1940 under Cal. No. 809-40 GR (V. 25 No. 31 P. 1161):

"A fire extinguisher listed as approved by the National Board of Fire Underwriters after test by the Underwriters' Laboratories, Incorporated, may be accepted by the administrative officials under the Oil Burner Rules and the Administrative Code for the

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Refer to the resolution for details of approval and limitations of use.

class or classes of fires as set forth in such approval. All such fire extinguishers for use in New York City shall bear the label of the Underwriters' Laboratories, Incorporated, stating the class or classes of fire for which such fire extinguisher was so approved."

CARDOX CORPORATION.
288-43-SA V. 28 No. 45 P. 942

Cardox Low Pressure Carbon Dioxide Storage Unit and Cardox Fire Extinguishing Systems, Type A (Automatic) and Type M (Manual) Approved under C19-161.0.

DUGAS ENGINEERING CORP.
604-39-SA V. 25 No. 31 P. 1131

Dugas Dry Chemical Fire Extinguisher—Models No. 15, No. 30, No. 150 and No. 350—approved.

EMPYRE FIRE EQUIPMENT MANUFACTURING COMPANY, INC.
484-37-SA V. 24 No. 9 P. 327

Stop-fire Fire Extinguishers—Types MC and C—approved. Type C may also be marketed as Type X.
484-37-SA V. 26 No. 29 P. 1075

Stop-Fire Extinguisher—Model 2X—two quart size. See previous approval under this Calendar No.

FIRETOX SYSTEM, INC.
205-34-SA V. 20 No. 51

Automatic Firetox Extinguisher—approved.

NU EX FIRE APPLIANCE CO.
303-19-S V. 4 No. 26 P. 485

Nu Ex Fire Extinguisher—approved.

PYRENE MFG. CO.
113-40-SA V. 25 No. 19 P. 659

Pyrene and Vangarde One Quart Fire Extinguishers (Vaporizing Liquid Types)—approved under Rule 39 of the Fire Department and the Oil Burner Rules.

ROGERS PRODUCTS COMPANY, INCORPORATED.
382-41-SA V. 26 No. 30 P. 1137

Firemaster—one pint fire extinguisher—pump type using carbon tetrachloride—approved.

SAFAND SHUR CHEMICAL CO., INC.
372-32-SA V. 22 No. 38 P. 1101

Safand Shur Extinguisher—approved.

UNION STOP-FIRE CORPORATION, (New owner).
(Empyre Fire Equipment Mfg. Co., previous owner).
484-37-SA V. 28 No. 46 P. 970
V. 26 No. 29 P. 1075
V. 24 No. 9 P. 327

Stop-Fire Extinguisher, Types MC, C, X and 2X.

WALTER KIDDE & CO., INC.
282-37-SA V. 23 No. 50 P. 1581

Lux Model 2, Carbon Dioxide Fire Extinguisher—approved.

FIRE EXTINGUISHING EQUIPMENT

EMPYRE FIRE EXTINGUISHER CORP.
346-42-SM V. 27 No. 28 P. 774

"Empyre" and "Stop-Fire" Stirrup Type Water Spray Pump (Fire Extinguisher). Approved.

GIOVANNI FIORE.
395-42-SM V. 27 No. 30 P. 887

Antiflame (Bomb extinguishing compound). A chemical compound dissolved one part in three parts of water, to be sprayed on incendiary bombs. Approved.

HANDY FOLDING PAIL COMPANY, INC.
373-42-SA V. 27 No. 29 P. 802

Handy Folding Water Bucket, 10 and 12 Qt. Capacities. Approved for War Emergency Use.

E. B. KELLEY CO., INC.
435-42-SA V. 27 No. 26 P. 925

British Type ARP-33 Stirrup Pump. Approved for use (during existence of emergency) as provided in Local Law No. 25 of 1942.

NATIONAL POWDER EXTINGUISHER CORP.
141-42-SA V. 29 No. 45 P. 958

"All Out" Fire Extinguisher, Model A-16. A dry chemical fire extinguisher—approved for use in New York City in Class B and C (Underwriters classifications) fires of inflammable liquids and fires of electric origin, under the provisions of C26-178.0b, Adm. Code & Oil Burner Rules of Board of Standards and Appeals, when labeled in conformity with Cal. No. 809-40-GR.

SIPH-O-PRODUCTS CORPORATION.
665-42-SA V. 27 No. 40 P. 1017

Siph-O-Universal Smooth Faucet Adapter. Approved for use during the period of existing emergency.

FIRE HOSE RACKS

FIRE HOSE REELS—SPECIAL SERVICE

CRAIG EXPANSIBLE FIRE HOSE REEL.
35-37-SA V. 22 No. 46 P. 1269

Approved.

JAMES M. SINCLAIR.
567-37-SA V. 24 No. 25 P. 946

Sinclair Instantaneous Hose Reel—approved.

FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems.

Name	*Calendar No.*
M. H. Aterite Co.	720-19-SA
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA

Refer to the resolution for details of approval and limitations of use.

Name	*Calendar No.*
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems.

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

W. D. ALLEN MANUFACTURING COMPANY.
473-42-SA V. 27 No. 46 P. 1147

Allen Iron Body 2½ in. Fireline Angle Valve, Type "A", 175 lb. W.W.P. Approved for use in standpipe installations.

FIRE RESISTING MATERIALS

THORTEL FIREPROOF FABRICS, DIVISION OF H. THORP AND CO., INC.
477-44-SM V. 30 No. 8 P. 150

Thortel "100" Fireproof Fabrics—A fabric woven of 100% glass yarns—Approved for use in New York City as a drapery material under C26-191.0a, Subdiv. 6 of Article 13, C26-720.0, Subdiv. 4, C26-726.0, C19-161.1 (Local Law No. 29) and Rules of the Board for Testing Fire Resistive and Flameproofing of Fabrics.

UNITED STATES GYPSUM COMPANY.
1083-40-SM V. 26 No. 5 P. 1705

Pyrobar Gypsum Fireproofing, Pyrobar Shoe Tile, Soffit Tile, Angle Tile, Pryobar Strap Type, Channel Tile, Partition Tile. Approved as fire-resistive material for use under Sec. 26-575.0.

FLAME ARRESTOR

VAPOR RECOVERY SYSTEMS CO.
555-38-SA V. 25 No. 17 P. 590

Varec Flame Arrestors and Vent Valves—approved.

FLAMEPROOFING COMPOUNDS

ALBI CHEMICAL CORPORATION.
547-43-SM V. 28 No. 51 P. 1102
V. 29 No. 14 P. 276

Albi Flameproof Compound K and Albi Flameproof Compound X. Approved for use under the Rules for Tests of Fire-Resistive, Flameproofed Materials, etc.

ALL WEATHER PROCESSORS, INC.
279-40-SM V. 26 No. 27 P. 987

Flameproofing Substance—Ammonium sulphate, ammonium phosphate, ammonium chloride, borax and boric acid—approved under the Rules of the Board.

ANTIPYROS COMPANY.
684-41-SM V. 26 No. 46 P. 1521

Antipyros Flameproofing Compound—approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

BOTANICAL INDUSTRIES OF AMERICA, INC.
265-41-SM V. 28 No. 10 P. 211

Botanical Industries of America, Inc. Flameproofing Compound—solution of ammonium sulphate, ammonium phosphate, borax, glycol and tergitol. Approved under the Rules of the Board.

CLARION CHEMICAL CORPORATION.
477-43-SM V. 28 No. 51 P. 1101

Flameproof M Flameproofing Compound. Approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

CROTON CHEMICAL CORPORATION.
330-41-SM V. 27 No. 49 P. 1215

Croton Flameproofing Compound (CFC)—Ammonium sulphate, boric acid. Approved under the Rules of the Board.

DE-OXO-LIN CHEMICAL PRODUCTS, INC.
552-43-SM V. 29 No. 5 P. 82
V. 29 No. 14 P. 277

De-Oxo-Lin 200 FF Flameproofing Compound. A chemical compound. Approved for use under Rules of the Board.

JOHN H. DIRKES AND ASSOCIATES.
1144-38-SM V. 24 No. 13 P. 473

Salenite—approved for use in special occupancy structures—V. 25 No. 45 P. 1506—may be marketed under name "Flamex". Continuing approval conditioned on resubmission of this material for retest.

E. I. DU PONT DE NEMOURS & CO., INC.
822-40-SM V. 26 No. 3 P. 100

Dupont Fire Retardants "CM" and Ammonium Sulfamate—approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

GENERAL DYESTUFF CORPORATION.
267-41-SM V. 26 No. 27 P. 992

Akaustan—Flameproofing compound for textile fibres and fabrics—a complex inorganic salt—approved under the Rules of the Board.

GLYCO PRODUCTS COMPANY, INCORPORATED.
505-41-SM V. 26 No. 46 P. 1520

Abopon and Flameproofing Agent 313—approved under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc. V. 28 No. 20 P. 427

Amendment of approval, permitting the additional name of Permasol. V. 29 No. 10 P. 174

Amendment of approval, permitting additional name of Pyroseal.

HERZBERG'S FINE ART DYEING INC.
1069-40-SM V. 26 No. 3 P. 101

Neva-burn Flameproofing Compound—approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

Refer to the resolution for details of approval and limitations of use.

McNAMARA PRODUCTS COMPANY.
(See John H. Dirkes & Associates)
1144-38-SM V. 28 No. 40 P. 829

Flamex (Salenite Flameproofing). Approved on basis of retest for use in special occupancy structures under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

MONSANTO CHEMICAL COMPANY.
438-41-SM V. 27 No. 22 P. 622

Mono Ammonium Phosphate. Approved for use as a flameproofing compound.

NEVA-BURN PRODUCTS CORPORATION.
1069-40-SM V. 27 No. 49 P. 1218

Above name substituted for Herzberg's Fine Art Dyeing, Inc.

NEVA-MOTH CORPORATION OF AMERICA.
777-40-SM V. 28 No. 5 P. 107

Neva-Flame (Flameproofing Compound)—A compound of ammonium sulphate, ammonium phosphate, borax and boric acid. Approved.

ONYX OIL & CHEMICAL CO.
901-42-SM Vol. 28 No. 24 P. 518

Onyx Flameproof S. P. Compound—approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

PRICE FIRE AND WATERPROOFING CO.
277-40-SM V. 26 No. 13 P. 477

Price Fireproofing Compound "C"—approved for use under the Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

PROOFENE MANUFACTURING COMPANY.
93-42-SM V. 27 No. 11 P. 279

Proofene (Flameproofing Compound). Approved under the Rules of the Board.

QUAKER CHEMICAL PRODUCTS COMPANY.
501-41-SM V. 27 No. 4 P. 85

Quaker Pyr-E-Pel—A flameproofing compound. Approved for use under the Rules of the Board.

STANDARD BLEACHING AND PRINTING COMPANY.
855-41-SM V. 27 No. 46 P. 1144

Swanproof, (fire resistive flameproofed material)—Treated with a mixture of ammonium sulphate, diammonium phosphate and borax. Approved under Board's Rules for Tests of Fire Resistive, Flameproofed Materials, etc.

FLOOR COVERING

ARMSTRONG CORK CO., INC.
477-40-SM V. 26 No. 10 P. 380

Armstrong's Linoleum—made of oxidized linseed oils, resins, cork or wood flour, color pigments and fillers on a carrier of burlap—approved under Sec. C26-178.0,b and Sec. C26-667.0, subd. 4.
479-40-SM V. 26 No. 13 P. 478

Armstrong's Cork Tile Flooring—made from cork, which is ground, cleaned, pressed and backed into molds—approved under Sec. C26-667.0, subd. 4.
480-40-SM V. 26 No. 9 P. 352

Armstrong-Stedman Reinforced Rubber Tile—made by mixing reinforcing mineral and cotton filament fillers into crude rubber—approved under Sec. C26-667.0. subd. 4. 478-40-SM V. 26 No. 8 P. 318

Armstrong's Asphalt Tile—Armstrong's Alkali and Greaseproof Asphalt Tile—composed of asphalt, resin, asbestos, color-pigments and fillers—approved under Section C26-178.0,b and C26-667.0, Subd. 4.
482-40-SM V. 26 No. 29 P. 1079

Armstrong's Linotile (Oil Bonded) composed of oxidized linseed oil, resins, cork or wood flour, color pigments and fillers—approved under Sections C26-178.0,b and C26-667.0, sub. 4.

BIRD & SON, INC. 119-38-SM V. 25 No. 16 P. 564
Chromalin Floor Covering—Chromatile Floor Covering—Permatred Floor Covering—a mastic made of wood flour and special synthetic binders, cemented to a base of asphalt saturated rag felt—approved under Sec. C26-667.0,4.

BUFFALO WEAVING AND BELTING COMPANY.
1076-41-SM V. 27 No. 13 P. 340

Buffalo Non-Static Rubber Flooring. For use as a wearing surface in hospital operating rooms only—under Sec. C26-667.0,4a.

DAVID E. KENNEDY, INC.
547-38-SM V. 25 No. 42 P. 1412

Kentile—an asphalt tile composed of asbestos, asphalt, color pigments, fillers and resin—approved under Sections C26-178.0,b and C26-667.0,4.

HOOD RUBBER CO., INC.
669-40-SM V. 26 No. 4 P. 155

Hood (and Goodrich) Rubber Tile Covering—a compound of crude rubber, mineral fillers, metallic oxides, sulphur, accelerators and other chemicals—approved under Sec. C26-178-0,b and Sec. C26-667.0, subd. 4.

PAUL COSTE, INC. 123-40-SM V. 25 No. 28 P. 1025
Royalite—Rubber Tile Covering—composed of new crude rubber, sulphur filler, metallic oxide pigment, sunproof ingredients and anti-oxidants—approved under Sec. C26-178.0,b and Sec. C26-668.0, subd. 4.

PARRAFINE CO. (THE)
637-41-SM V. 29 No. 4 P. 61

Pabco Mastipave (Asphalt Mastic Floor Surfacing)—an Asphalt, impregnated felt, with bituminous backing, faced with color pigments and bituminous binder secured to subfloor by an approved cement—under C26-191.0 and C26-667.04a.

TILE-TEX COMPANY.
290-39-SM V 26 No. 48 P. 1588

Tile-Tex Asphalt Tile—Asbestos, Asphalt Color pigment, fillers and resins. Approved as floor covering under C26-178.0,b and C26-667.0,4.

Refer to the resolution for details of approval and limitations of use.

UVALDE ROCK ASPHALT CO.
1329-39-SM V. 25 No. 42 P. 1414

Azrock Carpet Tiles, Types W and C—Asphalt Tiles with limestone rock, asphalt and gilsonite as basic materials—approved under Sections C26-178.0,b and C26-667.0,4.

FLOOR AND ROOF CONSTRUCTION

AEROCRETE CORPORATION OF AMERICA.
33-38-SM V. 25 No. 31 P. 1137

Gritcrete Short Span Floor Construction and Fireproofing—Gritcrete is a porous lightweight concrete approved for use where cinder concrete is permitted under Sections C26-575.0 and C26-620.0.

AMERICAN CYANAMID AND CHEMICAL CORP.
191-38-SM V. 23 No. 26 P. 836

Gypsteel Junior and Senior Planks for floor and roof slabs—made of gypsum with welded wire mesh reinforcing, with tongued and grooved steel binding—approved under Sections C26-618.0, C26-619.0 and C26-620.0. 545-38-SM V. 25 No. 22 P. 772

Gypsteel Precast Short Span Reinforced Gypsum Roof Slabs (Tile)—approved under Sectoins C26-347.0, C26-618.0, C26-619.0, C26-625.0, and C26-626.0.

CERTAIN-TEED PRODUCTS CORPORATION.
779-41-SM V. 27 No. 29 P. 801

Certain-teed Gypsteel Precast Short Span Gypsum Roof Slabs (3″ x 12″ x 30″, solid) for use on sub-purlins on horizontal and sloping roofs. Approved.
780-41-SM V. 27 No. 22 P. 619

Certain-Teed Gypsteel Senior and Junior Plank for Floor and Roof Slabs—Manufactured of gypsum, 3% dry weight of wood planer shavings, reinforced with 16 gauge galvanized welded wire mesh. Approved.

CONCRETE PLANK CO., INC.
28-38-SM V. 24 No. 7 P. 242

Cantilite Concrete Plank—Steel reinforced concrete—approved under Sections C26-618.0, C26-619.0, and C26-620.0.

340-43-SM V. 28 No. 48 P. 1038
Concrete Plank Co., Inc., Precast Concrete Plank, size 1″ x 16″ x 48″. Approved under Sections C26-191.0, C26-618.0,b and C26-626.0.

FEDERAL-AMERICAN CEMENT TILE CO.
465-38-SM V. 23 No. 30 P. 1013

Featherweight Concrete Plank and Joist cinder concrete about 75 pounds p.c.f.—planks 2 in. x 16 in. x 9 ft. reinforced with 2 layers of wire mesh—joists 10 in. x 3½ in. x 16 ft. reinforced with rods and welded wire mesh; approved under Sections C26-625.0 and C26-626.0. 578-39-SM V 24 No. 43 P. 1537

Featherweight Concrete Channel Slabs—for floor and roof construction—approved under Sections C26-618.0, C26-619.0, C26-620.0, C26-626.0 and C26-670.0.
V. 30 No. 9 P. 179
(See Lastik Products Co., Inc.)
1170-39-SM V. 24 No. 43 P. 1542

Featherweight Nailing Concrete Roof Slabs—for use on Floors and Roofs—approved under Sections C26-618.0, C26-619.0, C26-620.0, C26-626.0 and C26-670.0.
V. 30 No. 9 P. 178
(See Lastik Products Co., Inc.)
638-39-SM V. 25 No. 31 P. 1144
V. 25 No. 51 P. 1700

Featherweight Tongue and Groove Concrete Plank—for use on Floors and Roofs, approved under Sections C26-618.0, C26-620.0, C26-626.0 and C26-670.0.
V. 30 No. 9 P. 179
(See Lastik Products Co., Inc.)

LASTIK PRODUCTS CO., INC. (see Federal American Cement Tile Co.)
578-39-SM V. 30 No. 9 P. 178
Featherweight Concrete Channel Slabs.
1170-39-SM V. 30 No. 9 P. 179
Featherweight Nailing Concrete Roof Slabs.
638-39-SM V. 30 No. 9 P. 179
Featherweight Tongue and Groove Concrete Plank.

NATIONAL BRICK CORP.
293-39-SM V. 24 No. 21 P. 771

"Nabcor" Steam-Cured Cinder Concrete Blocks—made of high early strength Portland Cement and clean graded Anthracite Cinders—for use in one and two-way ribbed floor systems, for floors not in excess of 75 pounds p.s.f. live load. Approved under Section C26-476.0.
812-39-SM V.26 No. 51 P. 1700

"Nabcor" High Pressure Steam Cured Cinder Concrete, hollow and solid, load bearing and non-load bearing masonry units. Approved under Rules for use of Concrete Masonry Units.

NATIONAL FIREPROOFING COMPANY.
40-40-SM V. 25 No. 40 P. 1339

Natco 16 in. x 16 in. Tile (for ribber floor construction)—approved for use as filler block in one and two way systems under Sec. C26-476.0 in sizes 16 in. x 16 in. x 10 ft., 9 in., 8 in., 7 in. or 6 in.

PITTSBURGH STEEL CO.
192-44-SM V. 29 No. 21 P. 429

Steeltex Floor Lath—for use in floor and roof construction as a steel wire reinforcement material under C26-318.0 and C26-330.0. As a steel wire reinforcement material for use with steel joists or over approved concrete joists under C26-620.0c,1,(b). For use as a steel reinforcing material over wood, steel or concrete joists under C26-241.0, C26-243.0 and C26-244.0.

PORETE MANUFACTURING COMPANY.
228-39-SM V. 24 No. 14 P. 514

Porete Channel Slabs—reinforced concrete channels 24 in. wide.
Porete Nailing Slabs—flat reinforced concrete slabs 24 in. wide, approved under Sections C26-618.0, C26-619.0, C26-620.0, C26-626.0 and C26-670.0.
357-39-SM V. 24 No. 17 P. 624

Porete Precast Lightweight Concrete Slabs—for floors, flat and sloped roof construction—approved under Sections C26-618.0, C26-619.0, C26-620.0, C26-626.0 and C26-670.0.
742-44-SM V. 30 No. 11 P. 208

Porex Slabs—80 in. x 20 in. x 1¾ in. Approved for use in simple spans as an incombustible material under C26-88.0; under C26-618.0 for use in Class 1 and Class 2 construction, where protective covering is permitted to be omitted; from trusses beams and surplusses and where a clear height of 20 ft. exists between the lower chord of the trusses and the top of the floor, for live loads of 40 lbs. per sq. ft. under C26-344.0 and roof loads as provided in Sec. C26-347.0, where no fire-resistive rating is required for such uses.
1507-39-SM V. 25 No. 31 P. 1150

Refer to the resolution for details of approval and limitations of use.

Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction—nailable aerated concrete made with cinder aggregate—approved under Sections C26-618.0, C26-619.0, C26-620.0, C26-626.0 and C26-670.0.

20-38-SM V. 23 No. 13 P. 408

Alpha System—of steel and concrete floor construction—consists of a structural steel beam, a reinforced concrete slab and a spiral heliz electrically welded to this beam and solidly embedded into the concrete slab—maximum span 30 ft., maximum live load 225 pounds—approved.

REPUBLIC FIREPROOFING COMPANY, INC.
200-40-SM V. 26 No. 21 P. 779

Republic Fireproofing Company Slag-block Filler (for ribbed floor construction)—horizontal dimensions 8" x 16"—depths 4½", 6", 7", 8", 9", 10". Approved under Sections C26-178.0,b and C26-476.0.

H. H. ROBERTSON COMPANY.
448-40-SM V. 25 No. 40 P. 1342

Robertson Cellular Beam Steel Floor and Roof Construction, Types K, FK, RK and UK—14, 16, 18 U. S. gauge steel, Cells 6 in. on centers—three hour fire resistive rating when protected as described in report of Committee on Tests—approved under Sections C26-619.0, C26-239.0, C26-240, C26-241.

UK and FK Units approved also under Sections C26-618.0, C26-243.0 and C26-347.0.

STEELOX CO.
649-38-SM V. 24 No. 7 P. 243

Steelox—a substitute for wood floor construction; formed of steel channel-like plates no lighter than 18 U. S. gauge with interlocking vertical ribs placed with open face of the channel upward to support a wooden floor—approved under Section C26-243.0.

K. R. SCHUSTER.
122-38-SM V. 24 No. 21 P. 776

Schuster Monoplate System of Two Way Reinforced Hollow Tile Floor Construction—nickel steel reinforcement—approved under Sections C26-178.0,b and C26-191.0, for use under Art. 9, Sub. Art. 5.

TRUSCON STEEL CO.
125-38-SM V. 23 No. 24 P. 773

Truscon Ferrobord Steeldeck—18 and 20 U. S. gauge steel strips shaped into a 6 in. channel with vertical flanges 1¼, 1½, and 1¾ inches deep—approved for use as roof decking under Sec. C26-347.0.

UNITED FLOORS, INC.
1407-39-SM V. 27 No. 30 P. 881

United Floor Construction—Long-span reinforced concrete one-way ribbed floor construction with burnt clay tile as fillers. Approved.

UNITED STATES GYPSUM COMPANY.
310-40-SM V. 25 No. 28 P. 1026

U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound, Gypsum Plank—approved under Sections C26-344.0, C26-241.0, C26-618.0, C26-620.0, C26-626.0 and C26-669.0.

233-38-SM V. 23 No. 49 P. 1539

U.S.G. 2½ in. Tongue and Groove Gypsum Tile—approved under Sections C26-620.0 and C26-626.0.

234-38-SM V. 23 No. 49 P. 1540

U.S.G. 3 in. Tongue and Groove Gypsum Tile—approved under Sections C26-618.0.a, C26-619.0,b, and C26-626.0.

230-38-SM V. 23 No. 49 P. 1538

Pyrobar Short Span Gypsum Tile—approved under Sections C26-618.0 and C26-619.0.

231-38-SM V. 24 No. 27 P. 1026

U.S.G. Cell Concrete Roof Tile—approved under Sections C26-618.0, C26-619.0 and C26-626.0.

232-38-SM V. 24 No. 27 P. 1027

U.S.G. Type, B, C and D, Solid Long Span, Gypsum Tile—approved under Sections C26-618.0,a, C26-619.0,b, C26-620.0 and C26-626.0.

745-39-SM V. 25 No. 10 P. 351

U.S.G. Steel Roof Decks—made of 18, 20, 22 U. S gauge steel with reinforcing ribs 6 in. o.c. 1½ in. deep and ½ in. on the base—approved under Sections C26-347.0, C26-349.0 and C26-243.0.

236-38-SM V. 25 No. 10 P. 349

Sheetrock Pyrofill Slab Construction erected with bulb tees on rail sub-purlins spaced 2 ft. 8½ in. o.c. welded to roof purlins or floor beams—poured in place gypsum construction with 12½% ground wood fibre—approved under Sections C26-619.0, C26-620.0,e,1,c.

WALTER H. WHEELER.
841-40-SM V. 26 No. 27 P. 988

"Smooth Ceilings" System (Reinforced Concrete Floor System)—used in two-way flat slab with column capitals consisting of steel grillages. Approved under Art. 9, Sub. Art. 5 (reinforced concrete construction), Administrative Building Code.

FLUE PIPE

CONDENSATION ENGINEERING CORP.
173-43-SM V. 29 No. 2 P. 21

Vitroliner-Porcelain Enameled Outlet Piping for use as an outlet vent piping for gas appliances for temperatures under 600°F.—when installed under requirements of C26-191.0a and C26-696.0.

JUNIPER ELBOW CO., INC.
175-40-SM V. 25 No. 52 P. 1734

"Everbrite" Stainless Steel Flue Pipe—made from a stainless steel alloy known as 18-8 chrome nickel steel—approved for use under Article 12.

JOHNS-MANVILLE SALES CORP.
147-38-SM V. 23 No. 20 P. 654

Transite Flue Pipe—cement and asbestos fibre combined homogeneously under pressure—approved for use where maximum flue temperature is 600°F. when installed under requirements of Sec. C26-696.0.

291-44-SM V. 29 No. 31 P. 711

I.W. Transite Flue Pipe, Fittings and Accessories—Cement Asphalt and Asbestos fibre, combined homogeneously under pressure. Approved for use as an outlet pipe or breeching from gas, coal, oil or wood-fired heating units to legal chimneys, for low, medium or high temperature work, not exceeding 1400°F. in sizes from 2 inches to 12 inches inside diameter, under Sec. C26-696.0c.

Refer to the resolution for details of approval and limitations of use.

FUEL OIL STORAGE TANKS

BRETTLER STEEL TANK WORKS, INC.
789-41-SM V. 27 No. 26 P. 723

Brettler 275 Gal. Basement Fuel Oil Storage Tank. Approved under Oil Burner Rules.

JOHN WOOD MANUFACTURING COMPANY, INC.
980-41-SM V. 27 No. 28 P. 773

John Wood 275 Gal. Basement Obround Fuel Oil Tank. Approved under Oil Burner Rules.

KANSTINE COMPANY, INC.
981-41-SM V. 27 No. 40 P. 1015

Kanstine 275 Gallon Obround Fuel Oil Tank. Approved under Oil Burner Rules.

L. O. KOVEN AND BROTHER, INC.
979-41-SM V. 27 No. 41 P. 1033

Koven 275 Gallon Obround Fuel Oil Tank. Approved under Oil Burner Rules.

TRAGESER COPPER WORKS, INC.
978-41-SM V. 27 No. 22 P. 623

Trageser Obround 275 Gallon Tanks. Approved for use as fuel oil storage tanks, under the Oil Burner Rules.

GAS HEATERS, BURNERS AND GAS-FIRED BOILERS

Name of Burner	*Calendar No.*
Anthony Nebulyte Oil Burner, Model BGH (for use with gas fuel)	1026-22-SA
Arco Ace Conversion Gas Burner	588-39-SA
Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C	292-38-SA
Bryant Vertical Forced Air Heater, Models 6, 8, 10 and 12, Type VB (Gas Fired)	443-38-SA
Carrier Direct Fired Gas Burner Unit, Models 58C3 and 58C4	201-39-SA
Carrier Gas Heater, Models US 55, 75, 75S, 110, 110S, 150 and 150S	449-40-SA
Empire Ideal Gas Fired Boiler, Model O-G	553-39-SA
Empire Ideal Gas Fired Boiler, Model 1GA, for Hot Water Systems	554-39-SA
Empire Ideal Gas Fired Boiler, Model 4-GA, for Hot Water Systems	556-39-SA
Empire Ideal Gas-Fired Boiler, Model 1-G, sizes 4, 5, 6, 7, 8, 9, 10 and 11	596-39-SA
Estate Flue Connected In-A-Floor Gas Heatrolas, Nos. 75, 45, 30 and 20	973-39-SA
Gas-Vac Flexi-Unit No. 6-40, sizes 8, 15, 20 and 21	211-41-SA
Gas-Vac Winter Air Conditioner (Gas Burning Furnace)	1124-40-SA
Humidaire Gas Fired Humidifier	926-39-SA
Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200	679-38-SA
Humphrey Heat Tower (Gas Fired Forced Air Heater)	912-39-SA
Hypressure Jenny, Models JM and JL	661-41-SA
Janitor Gas Boilers	636-39-SA
Janitrol Gas Conversion Burners, Series J, JB, 16, 17, BW, BA and XR	631-39-SA
Janitrol Gas Unit Heater, Models UG45-37, UG60-37, UG85-37, UG100-37, UG125-37, UG160-37, UG-200-37, UG400, CG45-37, CG60-37, CG85-37, CG100-37, CG125-37, CG160-37, CG200-37, CG400, M 2000, M 3000, M 4000, D 4000, UG60-35, UG125-35, UG200-35, CG10-34, CG8-34, UAS-50-14, UAS-65-14, USA-85-14, UAS-100-14, UAS-125-14, UAS-175-14, UAS-200-14, UAS-225-14, UAC-65-14, UAC-85-14, UAC-100-14, UAC-125-14, UAC-175-14, UAC-200-14, UAC-225-14, BAC-75-14, BAC-105-14, BAC-125-14, BAC-225-14 and BAC-450-14	683-38-SA
Janitrol Winter Air Conditioner, Series FAC	214-41-SA
Maxon Premix Gas Burner (Multi-ratio Valve Mixer Type) with Maxon Safety Shutoff Valve, Series 404	203-44-SA
Pittsburgh Gas Unit Heater	775-39-SA
Reznor Gas Heater, Models US 55, 75, 7SS, 110, 110S, 150, 150S and 200	449-40-SA
Richmond Gas Fired Air Conditioner	655-39-SA
Richmond Heatomat Gas Heating Boiler	654-39-SA
Standard Ideal Gas Fired Boiler, Model 1-GA	592-39-SA
Standard Ideal Gas Fired Boiler, Model O-G	593-39-SA
Standard Ideal Gas-Fired Boiler, Model 4-GA, sizes 9, 11 and 13	558-39-SA
Standard Ideal Gas-Fired Boiler, Model 1-G, sizes 4, 5, 6, 7, 8, 9, 10 and 11	594-39-SA
Standard Ideal Gas-Fired Boiler, Model 4-G, sizes 13, 15, 17, 19, 21, 22, 25, 28, 31, 33, 37 and 41	595-44-SA

THATCHER FURNACE COMPANY.
116-42-SA V. 27 No. 15 P. 411

Thatcher "comfortmaster" Gas Fired Burner Unit—for steam, hot water and warm air installations.

VACUUM GAS APPLIANCES DIVISION OF UNION FORK AND HOE COMPANY.
719-41-SA V. 26, No. 49 P. 1621

Gas-Vac Unit Heater, No. 75.
720-41-SA V. 26 No. 49 P. 1623

Gas-Vac Highboy Unit Heater.

GAS MASK

INDUSTRIAL SAFETY CORPORATION.
796-21-S V. 7 No. 4

Ammonia Gas Mask—approved.

GAS SHUT OFF VALVES

EMPIRE VALVE CO.
1278-25-SA V. 11 No. 12

Empire Gas Shut-Off Valve—approved.

J. F. HEALY.
231-20-S V. 10 No. 25 P. 757

Star Gas Shut-Off Valve—approved.

NELSON B. CREIGHTON.
309-22-S V. 7 No. 19 P. 505

Ideal Automatic and Manual Gas Valve—approved.

ARTHUR E. MacLEAN.
1135-21-S V. 6 No. 47

Protecto Gas Shut-Off Valve—approved.

GAS TORCHES

AMERICAN GAS FURNACE COMPANY.
391-43-SA V. 28 No. 46 P. 969

American Gas Furnace Co. Oxygen Gas Fishtail Burners, Needle or Sharp Flame Burners, Blowpipes and Accessories. Approved under Sec. C19-93.0.

Refer to the resolution for details of approval and limitations of use.

WELDIT ACETYLENE COMPANY.
246-43-SA V. 28 No. 48 P. 1038

Weldit Model E, Gasaver. Approved for use with oxy-acetylene torches under Sec. C19-93.0.

WESTERN ELECTRIC CO., INC.
392-43-SA V. 28 No. 48 P. 1041

Western Electric Co., Inc., Type "OF" Burner Tip for Hydrogen-Oxygen Flame. Approved under C19-93.0.

QUEENS GAS CUT-OFF DEVICE CORP.
1280-25-SA V. 11 No. 31

Queens Gas Shut-Off Valve—approved.

FELLINGER & HEBARD.
752-25-SA V. 11 No. 18

Toro Emergency Gas Shut Valve—approved.

GASOLINE STORAGE TANK

ALPHA TANK COMPANY.
417-42-SM V. 27 No. 40 P. 1016
V. 28 No. 1 P. 14

Alpha 550 Gallon Cylindrical Gasoline Storage Tank. Approved.

GAUGE

A. L. RICHOLSON.
320-41-SA V. 26 No. 28 P. 1035

Rich-oil-Son Gauge (for Fuel Oil)—a glass tube with a ⅜" slot through which the oil column is visible—approved for use with storage tanks not exceeding 275 gallons.

GLASS

BLUE RIDGE GLASS CORPORATION.
569-40-SM V. 27 No. 39 P. 993

Figured, Wired, Aklo-Heatabsorbing Glasses. Approved.

MISSISSIPPI GLASS COMPANY.
1084-39-SM V. 27 No. 8 P. 193

Mississippi Glass—various types, including wire glass. Approved.

GLASS BLOCK, STRUCTURAL

OWENS-ILLINOIS GLASS CO.
169-38-SM V. 23 No. 30 P. 994

Insulux Glass Block—Hollow, partially evacuated glass block consisting of two halves, made of water clear pressed glass hermetically sealed—Series No. 100 approved for a ¾ hour fire resistive rating under Sec. C26-610.0.
V. 23 No. 42 P. 1286

Series No. 100 approved for use under the Labor Law.
V. 26 No. 21 P. 776

Additional sizes and series approved.

PITTSBURGH-CORNING CORPORATION.
820-38-SM V. 23 No. 48 P. 1509

P C Glass Blocks—hollow, partially evacuated glass blocks consisting of two halves made of water clear pressed glass sealed when made—The argus pattern, 5¾ in. x 5¾ in. x 3⅞ in. size, approved for ¾ hour fire resistive rating under Sec. C26-610.0.
V. 23 No. 48 P. 1509

Additional requirements when used above the ninth floor.
V. 26 No. 18 P. 644

Additional blocks approved.

GLASS CLOTH

OWENS-CORNING FIBER GLASS CORPORATION.
149-39-SM V. 24 No. 23 P. 475

Owens-Corning Fiberglas Fabrics—a woven material of tempered, blown or drawn glass threads—approved as fire resistive incombustible material under Sections C26-726.0 and C26-720 o.c.

GYPSUM PARTITION TILE

UNITED STATES GYPSUM COMPANY.
638-41-SM V. 26 No. 30 P. 1142

Pyrobar Gypsum Partition Tile—
6 in. Hollow (plastered on unexposed side)
4 in. Hollow (plastered both sides)
3 in. Hollow (plastered both sides with ½" gypsum plaster)
3 in. Solid (unplastered)

Above approved for fire resistive ratings up to and including 3 hrs.—2" Solid—(unplastered)—one hour rating—approved under Sec. C26-312.0.

GYPSUM WALLBOARD

(See also Lath and Sheathing)

NEWARK PLASTER COMPANY.
816-39-SM V. 24 No. 49 P. 1725

Kelly Cork Gypsum Wallboard—calcined gypsum with a cork filler covered on both surfaces with Chip board paper—approved under Sections C26-636.0 and C26-667.0.

UNITED STATES GYPSUM COMPANY.
486-39-SM V. 25 No. 40 P. 1335
V. 27 No. 29 P. 668

Sheetrock (Square Edge)
Sheetrock (Recessed Edge)
Wood Grained Sheetrock
Sheetrock Panelwood
Insulating Sheetrock
Sheetrock Tile Board and Sheetrock Joint Treatment
Samson Wallboard (Square Edge)
Samson Wallboard (Recessed Edge)
Samson Wood Grained Wallboard
Samson Panelboard
Samson Insulating Gypsum Wallboard
Samson Tile Board and Samson Tape and Wallboard Finisher—approved under Sections C26-241.0, C26-242.0, C26-636.0 and C26-667.0.
V. 28 No. 20 P. 425

Amendment of approval, permitting the predecorating of Sheetrock as approved and to be marketed under the names of Predecorated Sheetrock and Predecorated Samson Wallboard.

Refer to the resolution for details of approval and limitations of use.

INSULATION MATERIALS

(See also Fibre Board, Plaster and Acoustical Materials)

BALDWIN-HILL COMPANY.
1075-39-SM V. 24 No. 42 P. 1499

Baldwin-Hill Rock Wool—
Flintkote Rock Wool—
Keasbey and Mattison Rock Wool—approved as fire retarding material min. density 8 lbs. p.c.f. under Sec. C26-191.0 and Sec. C26-535.0.

BARRETT CO.
34-38-SM V. 23 No. 15 P. 483
V. 26 No. 48 P. 1589

Barrett Rock Wool—approved as fire retarding, fire stopping and incombustible material—under Sec. C26-535.0.

PHILIP CAREY COMPANY.
191-36-SM V. 24 No. 5 P. 170

Carey Rocktex Insulating Wool—approved as fire-retarding and fire-stopping material—min. density 6 lbs. p.c.f. —under Sections C26-191.0 and C26-535.0.

F. E. SCHUNDLER COMPANY.
14-41-SM V. 26 No. 7 P. 294

Schundler No. 121 Asbestos Vermiculite Insulation—approved as insulation material under Sections C26-178.0,b, C26-191.0, C26-127.0.

S. A. FABBRICHE FIAMMIFERI ED AFFINI.
1116-38-SM V. 24 No. 15 P. 552

Populit—specific shipment approved for use in non-load bearing partitions under Sections C26-626.0 and C26-462.0—approved as incombustible, acoustical and insulating material.

FLINTKOTE CO.
359-39-SM V. 24 No. 18 P. 665

Flintkote Rock (Mineral) Wool Insulation approved as fire retarding, fire stopping material—min. density 8.5 lbs. p.c.f.—under Sections C26-191.0 and C26-535.0.

JIFFY MANUFACTURING COMPANY.
388-38-SM V. 24 No. 46 P. 1654

Jiffy Blanket House Insulation—two sheets of heavy waterproofed, fireproofed Kraft paper covering a mixture of macerated air-drafted newspaper and 14% powdered asbestos approved for permissive use as an insulating material.

JOHNS-MANVILLE SALES CORP.
227-39-SM V. 24 No. 45 P. 1604

Johns-Manville Rockwool Home Insulation Type A, B & C, approved as fire-retarding, fire stopping material—min. density 7 lbs. p.c.f. under Sec. C26-191.0 and Sec. C26-535.0.

KIMBERLEY-CLARK CORPORATION.
1169-38-SM V. 26 No. 1, P. 19

Kimsul Expanding Building Insulation—a porous homogeneous insulation made from wood fibre waterproofed with asphalt and fireproofed with a mixture of stable salts—approved for permissive use.
V. 26 No. 30 P. 1139

Use in Class 3 construction permitted.

MASONITE CORPORATION.
777-41-SM V. 27 No. 11 P. 277

Masonite Cell-U-Blanket—Standard and Silvershean—manufactured from Southern Pine Sulphate Kraft Cellulose Fibres. Approved as sound thermal insulation in other than Class 1 and 2 construction.

NATIONAL GYPSUM COMPANY.
39-42-SM V. 27 No. 26 P. 924

National Gypsum Company Gold Bond Rock Wool and Gimco Rock Wool. Approved as fire retarding and fire stopping material in densities of 3.2 lbs., p.c.f. for batt form and 8 lbs. p.c.f. for loose form.

OWENS-CORNING FIBERGLASS CORPORATION.
12-39-SM V. 24 No. 4 P. 136

Red Top Insulating Wool—approved as fire retarding, fire stopping material—min. density 7 lbs. p.c.f. under Sec. C26-191.0 and Sec. C26-535.0.

PITTSBURGH CORNING CORP.
131-44-SM V. 29 No. 18 P. 348

PC Foamglas Insulation for use as an incombustible thermal insulation material in all classes of construction. Approved under Sec. C26-191.0a.

PLASTERGON WALL BOARD COMPANY.
28-42-SM V. 27 No. 13 P. 341

Airlock Mineral Wool Insulation. Approved as fire-retarding material 4.2 lbs. density for batt—8 pounds loose form.

REYNOLDS METALS COMPANY.
916-41-SM V. 27 No. 5 P. 107

Reyn-O-Cell (house and building insulation). Approved, use subject to limitations.

UNITED STATES MINERAL WOOL COMPANY.
646-40-SM V. 25 No. 46 P. 1539

U. S. Rock Wool—U. S. Stud-Pak—approved as fire-retarding, fire-stopping material—min. density of 10 lbs. p.c.f.—under Sec. C26-191.0 and Sec. C26-535.0.

WESTERN SILICAIR PRODUCTS, INC.
989-40-SM V. 26 No. 29 P. 1080

Silicair Duct Sheathing—with exceptions of size same as Silicar Acoustical Tile Units—approved under Sections C26-88.0 and C26-178.0,b.

JOISTS

BETHLEHEM STEEL COMPANY.
326-44-SM V. 29 No. 29 P. 643

Bethlehem Open Web Expanded Steel Joists. Approved under C26-191.0a and C26-519.0e for use in classes of construction under C26-240.0, C26-241.0, C26-244.0 and C26-620.0, when installed as required under C26-519.0.

DEXTONE CO. (THE)
157-38-SM V. 28 No. 45 P. 948

Lith-I-Bar Precast Lightweight Concrete Joists. Approved under C26-191.0, C26-615.0,a, C26-615.0,b, C26-620.0 and C26-461.0.

Refer to the resolution for details of approval and limitations of use.

LADDERS

ELEVATOR APPLIANCES CO., INC.
249-38-SA V. 24 No. 7 P. 238

Emergency Escape Ladders for Elevator Cabs. Types L-1, L-2, L-3 and L-4—approved.

LATH

(See also Fibre Board and Gypsum Wallboard)

CONSOLIDATED EXPANDED METAL COMPANIES.
236-39-SM V. 28 No. 11 P. 225

Consolidated Expanded Metal Companies Metal Lath and Lathing Accessories—approved under Sections C26-458.0, C26-459.0 and C26-191.0.
V. 28 No. 19 P. 400

Permission was granted by the Board to also market the above-mentioned material under the trade name of Wheeling Corrugating Co.

EBSARY GYPSUM CO.
229-38-SM V. 23 No. 16 P. 510

Ebsary Plasterboard and Lath—approved for use as a substitute for wood lath under Sec. C26-458.0.

GYPSUM ASSOCIATION.
H. W. Bell Co.
Certain Teed Products Corp.
Ebsary Gypsum Co.
Kelly Plasterboard Co.
National Gypsum Company.
United States Gypsum Company.
136-38-SM V. 23 No. 26 P. 834

Perforated Gypsum Lath—approved for use as a plaster base in a wood stud partition with a one hour fire resistive rating under Sec. C26-636.0, as a plasterboard under Sec. C26-462.0; for use in fire resistive ceilings under Sec. C26-669.0, as a substitute for combustible lath under Sec. C26-458.0.

NATIONAL GYPSUM COMPANY.
709-39-SM V. 25 No. 5 P. 151

Gypsum Wallboard and Plaster Base—approved under Sections C26-191.0, C26-241.0, C26-242.0, C26-363.0, C26-458.0, C26-462.0, C26-686.0, C26-667.0—may be marketed under the following brands: Gold Bond, Rockwall, Gypsolite.

KELLY PLASTERBOARD CO., INC.
798-39-SM V. 25 No. 3 P. 77

Kelly Cork—Gypsum Lath and Plasterboard—approved for use under Sections C26-363.0, C26-462.0, C26-669.0, C26-686.0 and as a substitute for combustible lath under C26-458.0.

PENN METAL COMPANY, INCORPORATED.
242-39-SM V. 25 No. 49 P. 1634

Penn Metal Company Metal Lath and Lathing Accessories—approved for use under Sections C26-458.0, C26-459.0 and C26-460.

PITTSBURGH STEEL COMPANY.
132-39-SM V. 24 No. 41 P. 1426

Steeltex, Type A (Plaster Base)—flameproofed, paper-backed metal lath—approved for use as a substitute for combustible lath under Sec. C26-458.0.

REYNOLDS METAL COMPANY.
714-38-SM V. 25 No. 15 P. 526

Reynolds Ecod Welded Wire Fabric—approved for use as a substitute for combustible lath under Sec. C-26-458.0.
V. 26 No. 50 P. 1656

Permitting Reynolds Ecod Welded Wire Fabric to be marketed as Reyn-O-Lath.

TRUSCON STEEL CO.
579-31-SM V. 17 No. 11 P. 351

Insulmesh—approved for use as a plasterbase in lieu of wood lath—a paper backed metal lath of at least No. 23 gauge.
235-39-SM V. 28 No. 22 P. 471

Truscon Steel Co. Lath. Approved under Sections C26-458.0, 459.0 and 460.0.

UNITED STATES GYPSUM COMPANY.
257-39-SM V. 25 No. 42 P. 1413

U. S. Gypsum (also known as Samson)—Metal Lath and Lathing Accessories—approved under Sections C26-191.0, C26-458.0, C26-459.0, C26-460.0, C26-461.0.
790-42-SM V. 28 No. 13 P. 258

Rocklath and Diamond Liner (Gypsum Lath) Plasterboard—approved under Sections C26-191.0 and C26-458.0.

WHEELING CORRUGATING CO.
236-39-SM V. 28 No. 19 P. 400

Reference is directed to the approval issued the parent company, the Consolidated Expanded Metal Companies, under this heading (LATH).

LATHING ACCESSORIES

JOHNS-MANVILLE SALES CORPORATION.
896-41-SM V. 27 No. 4 P. 86

Johns-Manville Transite Furring—Metal furring for J-M Transite sheeting, 20 gauge studs in 20 gauge floor and ceiling channels.

OLSEN PRODUCTS, INC.
1041-40-SM V. 25 No. 52 P. 1737

Olsen Gypsum Lath Spring Wire Clips, PC MC PS and corner Combinations—manufactured from No. 11 and No. 12 U. S. gauge hot drawn steel wire—for use in floating wall systems—approved as substitute methods of attachment as provided in Sections C26-459.0 and C26-462.0,b.

TRUSCON STEEL CO.
235-39-SM V. 28 No. 22 P. 471

Truscon Steel Co. Lathing Accessories. Approved under Section C26-191.0.

U. S. GYPSUM COMPANY.
485-39-SM V. 24 No. 24 P. 914

U. S. Gypsum Rocklath Accessories—approved for use with Rocklath under Sections C26-178.0,b and C26-462.0.

U. S. MACHINE CORPORATION.
261-41-SM V. 27 No. 15 P. 412

Frewal-Flat Clip #101, Corner Clip #201, Channel Clip #301. Accessories for a floating wall system—#101 and 201 manufactured from 28 gauge tight coat galv. sheets—#301-26 gauge.

Refer to the resolution for details of approval and limitations of use.

LIMES

AMERICAN LIME PRODUCTS COMPANY.
430-40-SM V. 25 No. 51 P. 1698

Hi-Power Brand Masons Hydrated Lime—Bulldog Pulverized Quicklime—Thomasville Lump, Pulverized and Pebble-Sized Bulk Quicklime—Red Seal Pulverized Water-Proofed Masons Quicklime. Approved under Sec. C26-312.0.

G. & W. H. CORSON, INC.
844-40-SM V. 26 No. 27 P. 991

Miracle Hydrated Lime (for masonry). Approved for use in masonry mortar under Sections C26-178.0,b and C26-313.0,b,e.

GIBSONBURG LIME PRODUCTS COMPANY.
774-40-SM V. 25 No. 52 P. 1743

Gibsonburg and Superspread Brands of Finishing Hydrated Lime—approved under Sections C26-312.0,b, C26-463.0 and C26-464.0.

HOOSAC VALLEY LIME COMPANY, INC.
1518-39-SM V. 25 No. 6 P. 203

Hoosac Granular Quicklime for masonry.
Hoosac Pulverized Quicklime for masonry.
Hoosac Superfine Quicklime for Finishing.
Hoosac Granular Quicklime for Finishing.
Hoosac Adams Granular Quicklime for Finishing.
Approved under Sections C26-312.0,a, C26-463.0 and C26-464.0.

HOOSAC MASONS HYDRATED LIME.
1519-39-SM V. 25 No. 6 P. 204

Approved under Sections C26-312.0,b and C26-463.0 and C26-464.0.

KELLY ISLAND LIME AND TRANSPORT CO.
1328-39-SM V. 25 No. 4 P. 113

Tiger Brand (White Rock) Hydrated Finishing Lime. Approved under Sections C26-312.0,b and C26-463.0.

LIMESTONE PRODUCTS CORPORATION OF AMERICA.
711-41-SM V. 28 No. 4 P. 85

Lime Crest (Masons Hydrated Lime). Approved for use under Sections C26-312.0,b and C26-313.0.

H. E. MILLARD.
247-40-SM V. 25 No. 19 P. 663

Millard's Pebble Lime. Approved for use in manufacture of sand lime brick.
Millard's Pebble Lime.
Millard's Medium Pulverized Lime—Swelt Arrow Masons Hydrated Lime.
Approved under Sections C26-312.0,a, and b, C26-313.0, C26-463.0, C26-464.0.

NATIONAL GYPSUM COMPANY.
1114-39-SM V. 25 No. 51 P. 1693

Gold Bond Hydrated Finishing Limes.
Rockwall Hydrated Finishing Limes.
Gold Bond, Palmer, Rockwall, and Big Yield Hydrated Masons Limes and Quicklimes. Approved under Sections C26-312.0,a,b and C26-313.0.

NATIONAL LIME AND STONE COMPANY.
289-41-SM V. 27 No. 48 P. 1188

Monarch Hydrated Finishing Lime, Monarch Masons Lime, Monarch Brick Mortar. Approved.

NEW ENGLAND LIME CO.
213-40-SM V. 25 No. 19 P. 661

Nelco Snowite Granular Finishing Lime.
Nelco Adams Granular Finishing Lime.
Nelco Granular Masonry Lime.
Nelco Pulverized Masonry Lime.
Nelco EZ-on Blended Finish.
Nelco Masons Hydrated Lime.
Nelco Finishing Hydrated Lime.
Nelco Pulvo Quicklime.
Approved under Sections C26-312.0,a, C26-313.0, C26-463.0 and C26-464.0.

NORTH AMERICAN CEMENT CORPORATION.
124-38-SM V. 23 No. 26 P. 832

Berkeley Masons Hydrated Lime. Approved for use under Sec. C26-312.0,b.

OHIO HYDRATE AND SUPPLY CO.
1106-40-SM V. 28 No. 52 P. 1120

Ohio and Hawkspread White Finishing Lime; Ohio White Finish Autoclaved Lime; Ohio Masons Hydrated Lime; Ohio Quickmix Masons Lime, Hypressure Hydrate; Ohio Sanlime Colored Interior Sand Finish (Ohio Ritewall Hair Fibred Base Coat Lime—see also PLASTER). Approved under C26-191.0; C26-463.0; C26-313.0,b,e,d and C26-464.0.

PILGRIM MASONS HYDRATED LIME.
1523-39-SM V. 25 No. 6, P. 205

Pilgrim Masons Hydrated Lime. Approved under Sec. C26-312.0,b.

ROCKLAND ROCKPORT LIME CO., INC.
1524-39-SM V. 25 No. 6 P. 205

Star Pulverized Quicklime for Masonry, Rockland Waterproof Lime for Masonry—Failproof Quicklime for Finishing. Approved under Sections C26-312.0,a, C26-463.0 and C26-464.0.

STANDARD LIME AND STONE COMPANY.
949-40-SM V. 26 No. 5 P. 215

Washington Brand Hydrated Finishing Lime. Approved under Sections C26-463.0 and C26-464.0.

UNITED STATES GYPSUM COMPANY.
483-39-SM V. 26 No. 11 P. 413
V. 28 No. 41 P. 848

Minitmix and Mortaseal.
Red Top Ivory Finish Lime.
Red Top Grand Prize Finish Lime.
Red Top Masons Hydrated Lime.
Red Top General Purpose Hydrated Lime.
Red Top Fibered Lime.
Samson Masons Hydrated Lime.
Samson Hydrated Finish Lime.
Approved under Sections C26-312.0,b, C26-313.0,a,b,e,d and C26-463.0.

484-39-SM V. 26 No. 29 P. 1075

Blue Label Cheshire Finish Quicklime.
Farnams Cheshire Finish Quicklime.
U. S. G. Masons Quicklime.
Samson Finish Quicklime.
Samsons Masons Quicklime.
Approved for use under Sections C-26-312.0,a and C26-313.0,a,b,e,d.

Refer to the resolution for details of approval and limitations of use.

VERMARCO LIME COMPANY.
231-40-SM V. 25 No. 21 P. 731

Vermarco Quicklime.
Vermarco Finishing Quicklime.
Vermarco Hydrated Lime.
Approved under Sections C26-312.0,a,b, C26-463.0 and C26-464.0.

WARNER COMPANY.
1366-39-SM V. 26 No. 12 P. 448

Bell-Mine Pebble Quicklime. Approved for use in manufacture of sand-lime, brick.
Bell-Mine Rotary Kiln Pulverized Masons Quicklime. Approved for use under Sections C26-313.0 and C26-463.0, C26-464.0.
Bald Eagle Hydrated Lime. Approved under Sections C26-312.0, and C26-463.0, C26-464.0.

WHITEROCK QUARRIES, INCORPORATED.
681-39-SM V. 24 No. 25 P. 949

Whiterock Pulverized Quicklime. Approved under Sec. C26-312.0,a.

WOODVILLE LIME PRODUCTS COMPANY.
1311-39-SM V. 28 No. 8 P. 282

White Lily Blubag Finishing Hydrated Lime. Approved under Sections C26-312.0,b, C26-313.0, C26-463.0 and C26-464.0.

LINTELS

TRUSCON STEEL COMPANY.
15-41-SM V. 26 No. 20 P. 734

Truscon Formed Steel Lintels, No. 572 (an angle 3½" x 3½" x ⅛") and No. 573 (4½" x 3½" x 5/32"). Approved under Sections C26-178.0,b, C26-818.0, C26-421.0,b and C26-616.0.

MIXER

ALSOP ENGINEERING CORPORATION.
1111-41-SA V. 27 No. 26 P. 723

Alsop Engineering Corporation Mixer or Agitator—in sizes from ¼ H.P. to 30 H.P. installations. Approved under Sec. C19-15.0.

MOTION PICTURE EQUIPMENT

DUPLEX CINEMA EQUIPMENT.
56-38-SA V. 23 No. 27 P. 876

Duplex DeLuxe Splicing Machine. Approved under Sec. C19-112.0.

NEUMADE PRODUCTS CORPORATION.
838-39-SM V. 24 No. 31 P. 1219

Neumade Vented Cabinets for Motion Picture Films—Models, Fumetite, Fire Chief, Firetite Sectional. Approved under Sec. C19-119.0.

AUTOMATIC FILM MACHINE CO., INC.
65-31-SA V. 22 No. 28 P. 870

Auto Patch Machine. Approved.

FILM INSPECTION MACHINE CO., INC.
418-26-SA V. 13 No. 22

Film Inspection Machine. Approved.

ALBERT G. MACKLER.
260-31-SA V. 16 No. 42 P. 1067

Mackler Film Rewinder and Renovator. Approved.

NATIONAL FIRE PROTECTION COMPANY.
609-41-SM V. 27 No. 5 P. 107

National Film and Volatile Cabinet. Approved under Sec. C19-110, Subd. 4.

OIL BURNERS FOR DOMESTIC AND COMMERCIAL USE

(See also Range Burners and Space Heaters)

Name of Burner	*Calendar No.*
A. B. C. Oil Burner	1295-24-SA
A. B. C. Oil Burner, Type H	684-29-SA
ABC Oil Burner, Models 2 and P7	98-35-SA
Ace Rotary Oil Burner	47-35-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA
Acme Oil Burner, Models BO-1 and BO-2	132-34-SA
Aetna Automatic Oil Burner	1547-23-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models B-6 and C-6	139-36-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Aldrich Heat-Pak Oil Burner, Models 35, 35F 35TF, 35LG, 35DD, 35J, 35OA, 35P, 35GF, 35FF, 35CA and Compact	237-36-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5	514-39-SA
Alladin Oil Burner	298-26-SA
Alexander Oil Burner	65-28-SA
Alida Oil Burner	124-34-SA
Alida-Remington Oil Burner	124-34-SA
Alpine Oil Burner, Models A and H	110-36-SA
Ameco Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Ameco Oil Burner, Model 2½M	559-38-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA
American Oil-Saver Special Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
American Oil-Saver Special Oil Burner, Model 2½M	559-38-SA
Anthony Nebulyte Oil Burner	1026-22-SA
Arcoflame Oil Burner	426-38-SA
Arcoflame Oil Burner, Models B, C, L, D, DF, 64, 65, M and MF	426-38-SA
Aristocrat Oil Burner	222-35-SA
Arrow Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Arrow Oil Burner, Model 2½M	559-38-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Autocrat Oil Burner, Model B-1	297-31-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Baker Automatic House Heating Burner	1323-22-SA
Baker Oil Burner, Model L, Gun Type	404-29-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD	329-35-SA
Ballard Baby Grand Oil Burner	447-32-SA
Ballard Low Pressure Mechanical Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA
Ballard Oil Burner, Model BAO and BBS Unit	839-38-SA
Ballard Super Domestic Oil Burner	939-24-SA
Bauer Oil Burner	129-37-SA
Bayard Domestic Fuel Oil Burner	1184-22-SA
Beckett Commodore Oil Burner, Model OB-1	518-39-SA
Benat Oil Burner, Models A, B and E	23-37-SA
Berggren Oil Burner	764-26-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem-Dynatherm Oil Burner	888-40-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem Oil Burner, Crusader Model	335-38-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW	505-37-SA
Bettendorf High Pressure Oil Burner	479-31-SA
Bettendorf Oil Burner	731-28-SA
Bettendorf Oil Burner, Models G1, G2, D3, HD2, MV1, MV2, B and B1	1133-39-SA
Bettendorf Oil Burner, Model HB	498-32-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Braden Automatic Fuel Oil Burner, Models XLA, AL, W, CL, XLNT and XLNC	322-30-SA
Branford Oil Burner	36-31-SA
Branford Oil Burner, Model "A"	461-32-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil (Heavy Oil) Oil Burner, Models HR-4H, HR-5H and HR-6H	1137-40-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and AS	229-32-SA
Capitol Oil Burner, Models A, B and E	23-37-SA
Carboradiant Oil Burner, Models V and VS	16-31-SA
Carboradiant Oil Burner, Model VSS	49-32-SA
Carborundum Burner	571-29-SA
Carrier Home Air Conditioner, Type 58C (Oil Fired)	664-39-SA
Carrier Home Weathermaker, Type 58D2	182-41-SA
Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Carrier Oil Burner, Model 62C2	499-38-SA
Carrier Oil Burner, Models 62D2 and 62D3	334-39-SA
Cardinal Oil Burner, Model C	50-37-SA
Carter-Korth Oil Burner, Model "P"	389-32-SA
Carter-Korth Oil Burner	54-30-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Ceco Oil Burner	354-35-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Centry Oil Burner	157-28-SA
Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Challenger Oil Burner, Model "A"	86-34-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Citro Oil Burner, Models A and B	86-36-SA
Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Commonwealth Automatic Oil Burner	348-28-SA
Conco Oil Burner	1200-39-SA
Concord Burner	108-35-SA
Conservoil Burner, Models H-1C and H-1F	155-37-SA
Continental Oil Burner, Models A, B and C	146-31-SA
Cook's Automatic Oil Burner	955-27-SA
Cope-Swift Safety Automatic Oil Burner	354-31-SA
Craftsman Oil Burner	222-35-SA
Crano Oil Burner, Models H-1C and H-1F	155-37-SA
Crater Automatic Oil Burner	34-34-SA
Crescent Oil Burner	222-29-SA
Crescent Type M Size I Oil Burner and Models 8, 18 and 28	592-31-SA
Creveling Oil Burner, Models A, B and E	23-37-SA
Crown Oil Burner, Type XA	426-29-SA
Crystal Blue Flame Oil Burner	423-29-SA
D and K Oil Burner	369-40-SA
Dahl Vaporizing Oil Burner	915-26-SA
D'Elia Oil Burner	155-31-SA
Delco Heat Oil Burner	420-31-SA
Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2, and DLM	800-38-SA
Delco Heat Burners, Models A, AO, AFO, A12 and B	537-41-SA
Demand Oil Burner	108-34-SA
DeSoto Oil Burner, Models D, DA and D2	787-39-SA
DeWalt Oil Burner	541-31-SA
Diesel-American Oil Burner, Models DA-0, DA-2, DA-1 and DA-3	6-37-SA
Diesel Oil Burner	354-35-SA
Dietz Oil Burner, Type B	295-29-SA
Dietz Oil Burner, Type D	1105-22-SA
Dist-O-Matic Oil Burner	663-28-SA
Doe Oil Burner	317-31-SA
Doherty Oil Burner	943-26-SA
Draft-Rite Oil Burner	178-35-SA
Duo-Therm Oil Burning Furnace, Models 750 and 850	1044-40-SA
Dupont Oil Burner	248-36-SA
Dynamic Oil Burner	108-34-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA
Econ-O-Heat Oil Burner, Model E	130-37-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA
Economy Oil Burner, Type A-1	45-31-SA
Edison Oil Burner, Models A, B and E	23-37-SA
Eisler Automatic Oil Burner	481-27-SA
Elec-tro-matic Oil Burner, Type 151	125-33-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV, TM and JM	259-25-SA
Ember-Glo Oil Burner	462-32-SA
Empire Oil Burner	222-35-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterprise Steam Atomizing Burner	15-33-SA
Enterprise Type Junior "W" Oil Burner Models 1, 2 and 3	225-32-SA
Espo Oil Gas Burner	1431-23-SA
Esso Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Esso Oil Burner, Models E.B. 1 and 2	520-31-SA
Esso Oil Burner, Models E.B. 3, 4 and 5	109-31-SA
Esso Oil Burner, Models EBOO and EBS Unit	839-38-SA
Evenheet Oil Burner	554-32-SA
Everedy Oil Burner	102-33-SA
Excelsior Steel Furnace Co. Oil Burner, Model U.C.	132-34-SA
Fadco Oil Burner	493-24-SA
Fairfield-Diesel Oil Burner	753-38-SA
Fairfield Model F Jr. Oil Burner	547-37-SA
Fairfield Oil Burner	584-31-SA
Faultless Oil Burner	493-24-SA
Fine-Glo Oil Burner	178-35-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Fluid Heat Domestic Oil Burner, Type O	1094-27-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
Fluid Heat Oil Burner	361-32-SA
Forsdraft Oil Burner	41-34-SA
Foster Oil Burner	715-26-SA
Franklin Domestic Oil Burner	560-26-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30	97-33-SA
Friar Oil Burner, Models R-15 and R-35	21-36-SA
Fuelo Oil Burner	47-30-SA
Gar Wood Oil Burner	373-30-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA
General Automatic Oil Burner, Model A	60-36-SA
General Electric Fuel Oil Burner	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
General Electric Oil Burner, Type DB-2, DB-20 and DB-26	201-38-SA
General Electric Oil Burner, Models LA-3, LA-20, LA-22, LA-32, LA-34, LA-42, LA-44 and LA-54	605-38-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco G.B.O. Oil Burner	282-33-SA
Gilbarco Industrial Burner	350-32-SA
Gilbarco Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Gilbarco Oil Burner, Models G.B. 1 and 2	520-31-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA
Gilbarco Oil Burner, Model GBOO and GBS Unit	839-38-SA
Gilbert & Barker Flexible Flame Burner	109-31-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Gilbert & Barker Oil Burner, Model S-1	282-33-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H	116-37-SA
Gill Oil Burner	1231-23-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA
Golden Glow Oil Burner	493-24-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Goodspeed Automatic Oil Burner	957-27-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner	382-26-SA
Grant Oil Burner, Model "C"	232-32-SA
Great Eastern Oil Burner, Models A, B and E	23-37-SA
Great Eastern Oil Burner, Model JM	295-25-SA
Hardinge Oil Burner	813-25-SA
Hardinge Oil Burner, Model 23	33-33-SA
Harris Fuel Oil Burner	690-30-SA
Hart Automatic Oil Burner	1162-24-SA
Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Hauck Venturi Improved Propositioning Oil Burner	88-27-SA
Hayward Oil Burner (Vertical Rotary) Models AG, BG, CG, DG, AP, BP, CP, and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat and Power Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Heat and Power Oil Burner, Model 2½M	559-38-SA
Heat King Oil Burner, Model 2	98-35-SA
Heat Master Oil Burner and Improved Model	56-39-SA
Heat-O-Matic Oil Burner	178-35-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Heatiator Oil Burner	1346-23-SA
Heil Activ-Flame Oil Burner, Models X1, X3 and X6	295-29-SA
Heil Combustion Fuel Oil Burner	1105-22-SA
Heil Combustion Fuel Oil Burner, Type B	295-29-SA
Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20, S-40 and P-5	21-36-SA
Hercules Jr. Oil Burner, Model 2101	1015-40-SA
Hercules Oil Burner	510-29-SA
Hercules Oil Burner, Models H, HF, and Type H, 1937 Model, as improved 1940	309-33-SA
Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Herman Nelson Conversion Oil Burner	144-36-SA
Hev-E Oil Burner, Models S-1, S-2, S-3 and S-4	948-40-SA
Hillcrest Oil Burner, Models A, B, and E	23-37-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA
Holby Type A Fuel Oil Burner	688-29-SA
Holland Gun Type Oil Burner	225-37-SA
Holland Gun Type Oil Burners, Models H4, S4, M4 and L4	367-42-SA
Holland Type "F" Oil Burner	237-34-SA
Home-Utility Oil Burner, Models A and H	110-36-SA
Homer Domestic Oil Burner	1211-25-SA
Homer Utility Oil Burner	187-33-SA
Homestead Oil Burner, Model E	176-36-SA
Homestead Twin Control Oil Burner, Models J, N, H, JU and NU	176-36-SA
Hupp Oil Burner, Models H, U, P and PP	10-34-SA
Ideal ArcoVariflame Oil Burner	837-38-SA
Ideal Oil Burner, Models A, B and E	23-37-SA
Imperial Oil Burner	187-33-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA
Inferno Oil Burner	82-33-SA
International Mechanical Draft Oil Burner	372-30-SA
International Oil Burner	1305-24-SA
Iron Fireman Oil Burner, Model M	577-39-SA
Jackson Oil Burner	771-41-SA
Jacobsen Balanced Oil Burner (Model V-1)	333-33-SA
Johnson Improved Rotary Fuel Oil Burner	938-22-SA
Joyce Oil Burner	852-26-SA
K. F. C. Oil Burner	846-25-SA
Kalamazoo Power Oil Burner, Models 1, 2 and 3	166-34-SA
Kaytown Quiet Automatic Oil Burner, Models A, B and C	146-31-SA
Kelco Oil Burner	237-33-SA
Kelvinator Oil Burner	339-31-SA
Kelvinator Oil Burner, Models K, 0256-A 0256-B, 0256-C, 0456, 0836 and NK 30-A, and Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83	105-34-SA
Kelvinator Rotary Oil Burner, Models NKB-275S, NKB-400S, NKB-525S, NKB-675S, NKB-440W, NKB-640W, NKB-840W and NKB-1080W	255-39-SA
KeWaNee Oil Burner, Model "C"	518-32-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsco Oil Burner, Model E	130-37-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Kleen Heet Oil Burner	62-24-SA
Kleen Heet Oil Burner, Type 902 Models 2 and 711	99-35-SA
Kleen Heet Oil Burner, Type R	49-33-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Kres-Kno Oil Burner	443-28-SA
Kres-Kno Oil Burner, Models BFTDR, BFE, BFToDR, BFSE, BFWDR and BFPR	903-40-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Kres-Kno Ball Flame Pressing Machine Burner, Models 1M, 2M and 3M	904-40-SA
Kresky Oil Burner, Model MD	591-29-SA
Laco Oil Burner, Model NL	670-30-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Lange Economical Oil Burner	355-33-SA
Latham Automatic Oil Burner	49-38-SA
Lawrence May Oil Burner	1034-27-SA
Leader Bake Oven Oil Burner	384-36-SA
Leader Oil Burner	425-31-SA
Lectromatic Oil Burner, Model 2½M	559-38-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G	265-37-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
H.C. Little Oil Burner	814-41-SA
Lochinvar Oil Burning Unit	142-36-SA
Lonergan Automatic Oil Burner	208-33-SA
Luxor Heat Oil Burner, Models XLA, AL, W, CL, XLNT and XLNC	322-30-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800	341-32-SA
M. W. Emancipator Oil Burner	102-33-SA
M. W. Oil Burning Water Heater	737-29-SA
M. W. Water Heater, Model 20-D	365-34-SA
Magna Fuel Oil Burner	197-33-SA
Majestic Oil Burner	693-30-SA
Major Oil Burner, Models H, U, P and PP	10-34-SA
Major Oil Burner, Models M and J	293-38-SA
Marnis Domestic Oil Burner, Models 50 and 60	556-41-SA
Marr Oil Burner, Model H, Type R	765-26-SA
Marvelo Oil Burner, Model MB	336-38-SA
Master Fuel Oil Burner	350-32-SA
Master Gulf Oil Burner, Models A, B and E	23-37-SA
Master-Kraft Oil Burner	83-33-SA
May Oil Burner, Models L, C and S	68-24-SA
May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Mayfield Oil Burner	568-31-SA
Mayflower Oil Burner	124-29-SA
Mazda Oil Burner, Models A, B and E	23-37-SA
McIlvane Oil Burner	544-29-SA
Melco Automatic Oil Burner, Type "A"	1032-25-SA
Merco Oil Burner	637-29-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Mercury Oil Burner, Model M-2	722-39-SA
Metered Heat Oil Burner, Model G	136-34-SA
Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Midwest (Heavy Oil) Oil Burner, Models 211H, 311H and 114H	1137-40-SA
Miller Oil Burner, Type OG-80	937-40-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A, B and H	110-36-SA
Monitor Oil Burner	202-34-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner	673-27-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Moto-Heat Oil Burner	195-32-SA
Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
Mousette Oil Burner	887-25-SA
Nabco Oil Burner	287-37-SA
Nairoil Oil Burner, Type R, Model E	13-35-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
National Heat and Power Co., Inc., Oil Burner	788-38-SA
National Oil Burner, Model E-J	360-34-SA
National Oil Burner, Series N, Models S, I and C	1129-38-SA
National Rotary Oil Burner	836-25-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
New Perfection Oil Burner, Type "C"	518-29-SA
New Process Oil Burner	1071-27-SA
Nichols-McCann-Harrison Burners	255-31-SA
Noiseless Nokol Model G Oil Burner	801-28-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA
Nokol Automatic Burner	1078-24-SA
Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA
Norge Oil Burner, Models N8, N18, and N28	226-34-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
Norge Oil Furnace, Gun Type, Models 0-90 and 120	271-41-SA
Norge Oil Furnace, Pot Type, Models OA-63 and OB-60	272-41-SA
Norge Water Heater, Models 23 and 45	365-34-SA
Novo Oil Burner, Model JM	259-25-SA
Nu-Way Oil Burner	773-26-SA
Nu-Way Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Nu-Way Oil Burner, Model 2½M	559-38-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbuilt Burner	85-33-SA
Oil King Oil Burner, Models F, S, J and J-1	166-33-SA
Oliver Oil Gas Burner, No. 30-A	1359-24-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
Orr Fuel Oil Burner	113-26-SA
PDM Low Pressure Oil Burner	205-38-SA
Pacific Oil Burner	343-35-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Models A-25, A-50, A-75, A-180, AF-20 and AB-20	248-37-SA
Paragon Oil Burner, Model B	698-40-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner	1193-25-SA
Paramount Oil Burner, Model A	617-30-SA
Pascoe Oil Burner	1029-26-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA
Penn Rotary Oil Burner	236-35-SA
Peoples Silent Oil Burner, Models O and G	313-35-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10	264-35-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA
Perfect-Pantex Oil Burner	271-33-SA
Perfex Airnoil Burner	175-37-SA
Petro Domestic Burner	161-26-SA
Petro Model T Oil Burner	451-31-SA
Petro Model W Oil Burner	452-31-SA
Petro Burner, Model O	78-28-SA
Petro Burner, Model P-2	735-30-SA
Petro Oil Burner, Model W-2	244-33-SA
Petro Oil Burner, Models W-1 and W-1½	245-33-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH	614-32-SA
Philco Oil Burner, Models AM and B	27-37-SA
Pioneer Automatic Oil Burner	1259-27-SA
Precision Oil Burner, Model W	137-37-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Pressure Oil Burners, Models A, B and C	146-31-SA
Presto Automatic Oil Burner	294-34-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Automatic Oil Burner, Models KA, KB and KC	146-31-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Flame Oil Burner, Models E, EW-1, EW-1-S and EW-2	341-33-SA
Quiet Flame Oil Burner, Models D, H and K	234-37-SA
Quiet Heet Oil Burner	49-36-SA
Quiet May Oil Burner, Models L, C and S	68-24-SA
Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Radiant Oil Burner, Model 2½M	559-38-SA
Radium Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Radium Oil Burner, Model 2½M	559-38-SA
Rasol Oil Burner	108-34-SA
Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16	368-34-SA
Ray Gun Type Oil Burner, Model XP	50-38-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Rayfield Oil Burner	504-26-SA
Real Host Oil Burner	38-34-SA
Relmer Oil Burner	148-40-SA
Re-Ly-On Oil Burner	745-26-SA
Remington Domestic Oil Burner, Type B	532-31-SA
Remington Oil Burner	891-26-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Automatic Oil Burner, Model R-G	440-37-SA
Reynolds Oil Burner, Model GC	266-34-SA
Richfield Oil Burner, Pressure Gun Type	73-36-SA
Rich-Heat Oil Burner, Models G and S	136-34-SA
Richmond Gravity Fuel Oil Burner	1193-22-SA
Rickard Oil Burner	1011-27-SA
Rightway Oil Burner	339-31-SA
Rite Silent Burner	187-33-SA
Ritz Oil Burner, Model A	378-36-SA
Rockville Oil Burner, Models J-5 and J-10	21-36-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
Rotoflame Gem Oil Burner	187-33-SA
Round Oak Oil Burner	343-35-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S & K Wide Range Fuel Oil Burner	10-33-SA
S-K Oil Burner, Models F and G	369-33-SA
S and W Air King Oil Burner	493-24-SA
S. T. Johnson Co., B.H. Oil Burner	517-37-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
S. T. Johnson Oil Heat Servant	157-34-SA
Sachem G.B.O. Oil Burner	282-33-SA
Schulse Home Oil Burner	1487-23-SA
Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior	436-32-SA
Sealdheet Oil Burner, Model SH	160-36-SA
Security Oil Burner	56-28-SA
Selectrol Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Selectrol Oil Burner, Model 2½M	559-38-SA
Shepard Oil Burner	563-30-SA
Sherwood Oil Burner, Model P	134-35-SA
Shill Oil Burner	315-30-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Silent-Auburn Fuel Oil Burner, Models A, B, C, O, A1 and AA	461-31-SA
Silent Automatic Oil Burner	458-26-SA
Silent Automatic Burner, Model "B"	709-30-SA
Silent Automatic Burner, Model "E"	710-30-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Flash Oil Burner, Model C1	38-33-SA
Silent Glow (Heavy Oil) Oil Burner, Models 211 H, 311 H and 114 H	1137-40-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner, Model G	600-30-SA
Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Silent Glow Oil Burner, Model 1300	12-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Heet Oil Burner, Models A, B and E	23-37-SA
Silent Heet Oil Burner, Model C	96-36-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Domestic Oil Burner, Type P.A.	446-30-SA
Simplex Domestic Type "S.P." Oil Burner	145-31-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G., and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Socony Arrow Oil Burner	1191-24-SA
Standard Automatic Oil Burner, Type 14-G	536-31-SA
Standard Automatic Oil Burner, Type 11-G	537-31-SA
Standardyne Oil Burner	34-34-SA
Stephens Oil Burner, Models Nos. 1 and 2	146-33-SA
Sterling Oil Burner, Models XLA, AL, W, CL, XLNT and XLNC	322-30-SA
Stromberg Oil Burner, Models A, B and E	23-37-SA
Stuhler Oil Burner	618-27-SA
Stuhler Oil Burner, Model R	84-36-SA
Summerheet Oil Burner	581-26-SA
Sundstrand Automatic Oil Burner	755-26-SA
Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3-K, B-5U, B-5K and C-6U	658-30-SA
Sunflower Model S-1 Oil Burner	657-29-SA
Sunflower Oil Burner, Model S-2	587-30-SA
Sun-Glo Oil Burner, Models A, B and E	23-37-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Super Automatic Oil Heater, Model SSH	715-29-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA
Superb Oil Burner, Models A and B	86-36-SA
Superflex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	400-32-SA
Superheet Oil Burner, Model D	254-33-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Swirling Heat Oil Burner, Model A-M	242-36-SA
Sword Automatic Oil Burner	951-25-SA
Synchro-Flame Oil Burner, Models R and RH	139-35-SA
Tabor Automatic Oil Heater, Type "D"	778-28-SA
Thatcher Oil Burner (Gun Type), Models B-1 and B-2	831-39-SA
Thermoil Oil Burner, Model G1	324-36-SA
Thompson-Gould Oil Burner	178-35-SA
Thoroburn Oil Burner, Model A-1-16-G	269-33-SA
Timken Oil Burner, Model 20	287-28-SA
Timken Rotary Oil Burner	297-29-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B	121-35-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA
Timken Wall Flame Oil Burner, Model F	497-38-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	281-37-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Oil Burner (pump type)	94-32-SA
Toridheet Oil Burner	63-28-SA
Toridheet Oil Burner, Model G	17-35-SA
Toridheet Oil Burner, Model P	134-35-SA
Tri-Aire Oil Burner, Model C-3	188-36-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
Twin City-on-the-Door Oil Burner	129-27-SA
Tydol Silent Knight Oil Burner, Models XLA, AL, W, CL, XLNT, and XLNC	322-30-SA
U and S Oil Burner for Pressing Machine, Models A, B and C	331-36-SA
Uni-Lec-Tric Oil Burner	498-29-SA
United States Gun-type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Universal Fuel Oil Burner	6-24-SA
Universal Oil Burner	584-31-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vesta Oil Burner	451-26-SA
Victor Oil Burner	612-30-SA
Victory Oil Burner	320-30-SA
Viking Oil Burner	396-32-SA
Vitro-Heet Oil Burner, Model MD	591-29-SA
Vitro-Heet Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Volcano Automatic Oil Burner	556-29-SA
Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Wards Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Warner Oil Burner, Model A	16-34-SA
Wayne Oil Burner	1155-25-SA
Wayne Domestic Oil Burner, Model K	115-32-SA
Wayne S-2 Domestic Oil Burner	115-32-SA
Weatherall Oil Burner, Models XLA, AL, W, CL, XLNT and XLNC	322-30-SA
Webster Oil Burner, Model M	172-37-SA
Weco Multi Oil Burner, Low Pressure Type	24-36-SA
Welbilt Oil Burner	222-35-SA
Westinghouse Oil Burner, Model K	17-35-SA
Westinghouse Oil Burner, Model P	134-35-SA
Westinghouse "Spiralaire" Oil Burner, Model J	559-39-SA
Wheco Oil Burner	108-34-SA
White Flame Oil Burner	357-35-SA
White Heat Oil Burner	232-36-SA
Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, R, HP-3, HP-1 Sentinal, HP-3A Sentinal, HP-1 Metered Heat and HP-3A Metered Heat	918-22-SA
Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Wizard Automatic Oil Burner	181-33-SA
York Air Conditioning Systems Oil Burner, Model MB 141	36-38-SA
York Automatic Oil Burner	44-29-SA
York Bake Oven Oil Burner	384-36-SA
York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
York-Lalor Oil Burner	261-37-SA
Yorktown Oil Burner	166-32-SA
Yorktown Oil Burner, Model A	3-35-SA
Zenith Oil Burner	270-34-SA

OIL BURNERS FOR INDUSTRIAL USE

Name of Burner	*Calendar No.*
Ace Rotary Oil Burner	47-35-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5	514-39-SA
Alpine Oil Burner, Models A and H	110-36-SA
Anthony Nebulyte Oil Burner	1026-22-SA
Arcoflame Oil Burner, Models A, B, C, D, DF, 64, 65, M and MF	426-38-SA
Aristocrat Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Babcock & Wilcox Mechanical Oil Burner	45-21-SA
Bake-O-Heat Oil Burner	1205-39-SA
Ballard Automatic Oil Burner	1363-23-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4	447-32-SA
Ballard Low Pressure Mechanical Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Ballard Jr. Oil Burner	1176-27-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner	1414-22-SA
Bauer Oil Burner	129-37-SA
Berggren Oil Burner	764-26-SA
Best Calorex Burner	1464-21-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Burnwell Mechanical Burner	957-22-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil (Heavy Oil) Oil Burner, Models HR-4H, HR-5H and HR-6H	1137-40-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Coen Mechanical Oil Burner	942-21-SA
Conco Oil Burner	1200-39-SA
Concord Burner	108-35-SA
Cornell No. 1 Type A Oil Burner	397-23-SA
Craftsman Oil Burner	222-35-SA
Crater Automatic Oil Burner	34-34-SA
D and K Oil Burner	369-40-SA
Dahl Mechanical Fuel Oil Burner	13-21-SA
D'Elia Oil Burner	155-31-SA
Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2 and DLM	800-38-SA
Demand Oil Burner	108-34-SA
Demand Oil Burner, Model A (for Pressing Machines)	841-39-SA
Dempsey Industrial Oil Burner	317-36-SA
DeWalt Oil Burner	541-31-SA
Doe Oil Burner	317-31-SA
Draft-Rite Oil Burner	178-35-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Dry-Sys Type L Indirect Oil Fired Air Heater and Syphon Oil Burner	726-41-SA
Dynamic Oil Burner	108-34-SA
Electrol Industrial and Range Oil Burner, Model LF	575-39-SA
Empire Oil Burner	222-35-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA
Enco Mechanical Oil Burner	509-30-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterpise Steam Atomizing Burner	15-33-SA
Esso Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Faber Industrial Fuel Oil Burner, Types B and M	372-38-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA
Fine-Glo Oil Burner	178-35-SA
Fisher Oil Burner, Model M	182-38-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Flex-O-Gas Oil Burner, Model FR	168-37-SA
Forsdraft Oil Burner	41-34-SA
Frankfort Type P Oil Burner	1046-23-SA
Friar Oil Burner, Models R-15 and R-35	21-36-SA
Gem Fuel Oil Burner	111-26-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco Industrial Burner	350-32-SA
Gilbarco Oil Burner, Models AAPA, ABPA, ACPA, ADPA, AFPA, AHPA, AAPH, ABPH, ACPH, ADPH, AFPH, AHPH, AAPM, ABPM, ACPM, ADPM, AFPM, AHPM, AAM, ABM, ACM, ADM and AFM	1493-22-SA
Gilbert & Barker Fuel Oil Burner	1636-21-SA
Gold Star Oil Burner, Models F and S	166-33-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner, Model "C"	232-32-SA
GRD Fuel Oil Atomizer	128-27-SA
Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Hammond Oil Burner	72-31-SA
Harris Fuel Oil Burner	690-30-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat Master Oil Burner and Improved Model	56-39-SA
Heat-O-Matic Oil Burner	178-35-SA
Herco Oil Burner, Industrial Models A-4 and A-5	349-33-SA
Herco Oil Burner, Models R15, R35, F, P15, P35, P50, J5, J10, S20 and S40	21-36-SA
Hobeco Oil Burner	1278-21-SA
Holby Oil Burner	328-27-SA
Holby Type B Fuel Oil Burner	689-29-SA
Holland Gun Type Oil Burner	225-37-SA
Home Utility Oil Burner, Models A and H	110-36-SA
Hupp Oil Burner, Models H, U, P and PP	10-34-SA
Hypressure Jenny Steam Cleaner, Models JM and JL	672-42-SA
Ideal Arco Variflame Oil Burner	837-38-SA
Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA.
Induslo Fuel Burner 1-27	5-24-SA
Kalamazoo Power Oil Burner, Models 1, 2 and 3	166-34-SA
Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836, NK30-A, NK30-B, NK30-C, NK30-D, NK45 and NK83	105-34-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsway Century Oil Burner, Models F and	
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Leader Bake Oven Oil Burner	384-36-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
Leintz Oil Burner	155-20-SA
Lonergan Automatic Oil Burner	208-33-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
Magna Fuel Oil Burner	197-33-SA
Mahrvel Low Pressure Burner	859-26-SA
Major Oil Burner, Models H, U, P and PP	10-34-SA
Master Fuel Oil Burner	350-32-SA
Maxon Oil Burner (New Style)	1026-22-SA
May Oil Burner, Models L, C and S	68-24-SA
May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Metered Heat Oil Burner, Model G	136-34-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA
Mid-West Oil Burner, Models 106, 108, 208 211, 311 and 114	327-31-SA
Midwest (Heavy Oil) Oil Burner, Models 211H, 311H and 114H	1137-40-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A, B and H	110-36-SA
Monarch Industrial Oil Burner	133-35-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner, Models MA-2, MA-3, HA-4, SP-1, SP-2, SP-3 and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Nabco Oil Burner	287-37-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type DR Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
National Heat and Power Co., Inc., Oil Burner	788-38-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
Nichols-McCann-Harrison Burners	255-31-SA
Norge Oil Burner, Models N8-8C and N13-8C.	543-37-SA
North American Low Pressure Oil Burner	792-26-SA
Nu-Vapomatic Oil Burner (for Pressing Machines)	708-39-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbilt Burner	85-33-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
PDM Low Pressure Oil Burner	205-38-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner, Model A	617-30-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Penn-Automatic Oil Burner, Gun Type	250-37-SA
Perfect-Pantex Oil Burner	271-33-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Perfex Airnoil Burner	175-37-SA
Petro Mechanical Burner and Air Register	735-24-SA
Petro Model W Oil Burner	452-31-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH	614-32-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Presto Automatic Oil Burner	294-34-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Heet Oil Burner	49-36-SA
Quiet May Oil Burner, Models L, C and S	68-24-SA
Quiet May Oil Burner, Models BB, B, NSJ, NSJ1, W, SMT, LCT, DU, N, O, U and D	46-34-SA
Quigley No. 10 Low Pressure Oil Burner	436-31-SA
Quinn Oil Burning Equipment	367-21-SA
Rasol Oil Burner	108-34-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Relmer Oil Burner	148-40-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Oil Burner, Model GC	266-34-SA
Robins Steam or Air Atomizer Burner	414-42-SA
Rockville Oil Burner, Models J-5 and J-10	21-36-SA
Rockwell Fuel Oil Burner	341-21-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S. & K. Wide Range Fuel Oil Burner	10-33-SA
S. K. Oil Burner Models F and G	369-33-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Silent Glow (Heavy Oil) Oil Burner, Models 211H, 311H and 114H	1137-40-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Standardyne Oil Burner	34-34-SA
Steam Oil Burner	183-22-SA
Stephens Oil Burner, Models No. 1 and 2	146-33-SA
Stewart Gasifier Oil Burner	146-35-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Surface Combustion Low Pressure Burner	92-23-SA
Syncro-Flame Oil Burner, Model R	139-35-SA
Tate-Jones Fuel Oil Burner, "L" Type	1254-24-SA
Tate-Jones No. 6 Oil Burner	1444-23-SA
Thompson-Gould Oil Burner	178-35-SA
Timken Rotary Oil Burner	297-29-SA
Timken Siltent Automatic Oil Burner, Model G	266-34-SA
Todd Mechanical Fuel Oil Burner	1525-22-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	281-37-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Oil Burner (pump type)	94-32-SA
Todd Steam Atomizing Fuel Oil Burner	123-23-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
United States Gun-Type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Vapofier Oil Burner	184-34-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vitro-Heet Pressing Machine Burner, Model MD, Sizes KRF and KRF-1	354-34-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Warner Oil Burner, Model A	16-34-SA
Wayland Horizontal Rotary Oil Burner	204-40-SA
Webster Oil Burner, Model M	172-37-SA
Welbilt Oil Burner	222-35-SA
Wheco Oil Burner	108-34-SA
White Heat Oil Burner	232-36-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wizard Automatic Oil Burner	181-33-SA
York Bake Oven Oil Burner	384-36-SA
York-Labor Oil Burner	261-37-SA
Yorktown Oil Burner	166-33-SA
Yorktown Oil Burner, Model A	3-35-SA

Refer to the resolution for details of approval and limitations of use.

OIL BURNERS ACCESSORIES

COLE SULLIVAN ENGINEERING CO.

102-36-SA V. 22 No. 27 P. 835

Cole Draft Governor (combination damper and automatic draft governor)—Approved for use in New York City with Oil Burner Installations.

DAVIDSON ELECTRIC CO.

381-38-SA V. 23 No. 27 P. 877

Davidson Automatic Damper Control, Model M405A. Approved for use in oil burner installations.

HERD UTILITIES, INC.

30-43-SA V. 28 No. 8 P. 179

Herd Thermostatic Damper Control (Automatic Draft Regulator). Approved for use in oil burner installations.

S. LOWE AND SONS COMPANY.

710-40-SM V. 25 No. 29 P. 1060

Lowe Draft Controls for Metal Smoke Pipes—designed for use in 8 and 9 inch metal smoke pipes. Approved for use in oil burning installations. Approved under Sec. C26-191.0.

PENN ELECTRIC SWITCH COMPANY.

640-38-SA V. 23 No. 40 P. 1179

Penn Overload Switch for Oil Burners, Type 730. Approved for use in Oil Burner Installations.

1046-38-SA V. 27 No. 23 P. 642

Penn Overload Switch, Type LC, Models LCT, LCP, LSCT and LSCP. Approved for use as a refrigerator control under Sec. C19-100.0,b.

RELIABLE PRODUCTS MFG. CO.

345-44-SA V. 29 No. 44 P. 936

Reliable Heat Exchanger—Approved for use in Oil Burning Installations under C19-57 of the Administrative Code and Rule 7.2.2 of the Oil Burner Rules.

BENJAMIN RIESNER, INC.
15-36-SA V. 21 No. 20 P. 597

Riesner Fuel Oil Ventilating Brick F-1 and Riesner Volatile Oil Ventilating Brick, G-1 and G-2—Approved under Oil Burner Rules.

TEESDALE MANFACTURING CO.
119-36-SA V. 21 No. 44 P. 1249

Teesdale Baramatic Damper—Approved for use in New York City with Oil Burner Installations.

WHEELCO INSTRUMENTS COMPANY.
239-41-SA V. 28 No. 6 P. 131

Wheelco Flameatrol (Safety System for Oil Burners), Models 1101A, 1102A, 1123A, 1124A, 1125A, 1126, 1131A, 1132A, 1256, 1257 and 1265C. Approved for use under the Oil Burner Rules.

PAINT

ALBI CHEMICAL CORP.
40-43-SM V. 29 No. 13 P. 254
V. 29 No. 15 P. 302

Albi Firepel "S" (fire-retarding paint). Liquid coating material—mixed 4 parts to 1 part water—applied in 2 coats over wood construction, to be used only where protected from the elements. Approved under Sections C26-191.0a for voluntary use under Sub. Art. 7 of Art 9 and C26-161.0, Administrative Building Code.

ARKANSAS CO., INC., THE.
405-41-SM V. 28 No. 20 P. 425

Arko Flameproofing Compound AS. A complex inorganic salt, when dissolved in water, renders Rayon Pile Fabric and Cotton Velour flameproofed. Approved under the Rules of the Board.

DEBEVOISE COMPANY.
863-41-SM V. 27 No. 40 P. 1032

Dereka Damp-Proof Black Paint and Dereka Metal Paint, Red, No. 500. Approved for use under Sec. C26-522.0 and C26-524.0.

JOSEPH DIXON CRUCIBLE COMPANY.
892-38-SM V. 24 No. 18 P. 663

Dixon's Waterproof Primer No. 101.
Dixon's Waterproof Finish Coat No. 108. Approved under Sections C26-520.0 and C26-524.0.

A. C. HORN. 757-38-SM V. 24 No. 18 P. 663
Dehydratine No. 10, Semi-Mastic (waterproofed brush coating). Approved under Sec. C26-524.0.

M. J. MERKIN PAINT COMPANY, INC.
282-40-SM V. 25 No. 24 P. 858

Merkin No. 62 Red Oxide Primer for Structural Steel.
Merkin No. 291 Black Graphite Finish Coat for Structural Steel. Approved under Sections C26-522 and C26-524.0.

MODERN WATERPROOFING PAINT CO.
449-43-SM V. 29 No. 23 P. 475

Aquella and Aquella No. 2, Waterproofing Mineral Paint for Interior and Exterior Use. Approved tentatively under C26-191.0a for use under Rule 5.3.1 of the rules of the Board on Manufacture, Testing and Use of Concrete Masonry and Article 9, Administrative Building Code, until such time as durability data is developed which will warrant unlimited general approval.

TECHNICRAFT COMPANY, INC.
195-42-SM V. 27 No. 27 P. 751
V. 28 No. 1 P. 15

Lumiplast—luminus pigment to be used on exit signs. Approved.

TRUSCON STEEL COMPANY.
126-38-SM V. 23 No. 24 P. 773

Bar-Ox Paint RB-22 (Red)—Black Bar Joist Paint 30B-74. Approved under Sections C26-191.0 and C26-522.0.

WILBUR AND WILLIAMS COMPANY.
727-41-SM V. 27 No. 9 P. 225

Totrust (Rust Preventive Paint). Approved for use under Sections C26-552.0 and C26-554.0.
728-41-SM V. 27 No. 28 P. 772

Bondlite (for interiors) and Exterior Bondlite—Penetrating and bonding oil paints.
900-41-SM V. 28 No. 8 P. 177

Damp Coat Enamel (water resisting paint). Approved.

PAINT DRYING SYSTEM

ELLIOTT ELECTRIC COMPANY (THE).
100-43-SA V. 28 No. 45 P. 941

Elliott Electric Infra-Red Oven. Approved under Rule 4.4, Paint, Varnish & Lacquer Spraying Rules of Bd. Standards and Appeals, and C26-191.0.

GEHNRICH AND GEHNRICH, INC.
69-43-SA V. 29 No. 50 P. 1067

Gehnrich and Gehnrich Gas-Fired Industrial Ovens, Types T, H, C, Indirect Gas Recirculating Air Heater, Type IH and Direct Gas-Air Heater, Type D.J. Approved under C26-191.0z and the Rules of the Board.

PANIC BOLTS

AMERICAN HARDWARE CORPORATION OF NEW YORK (P and F Corbin Division).
842-42-SM V. 28 No. 32 P. 717

Corbin Automatic Exit Fixtures or Panic Bolts, Types 3552½, 3552, 3557 and 3557½. Approved under Sections C26-191.0 and C26-285.0.
66-43-SM V. 28 No. 32 P. 718

Corbin Panic Bolt (Rim Type Automatic Exit Fixture) Types 2585, 2685, 2586, 2686, 2588, 2688, 2590 and 2690. Approved under Sections C26-191.0 and C26-285.0.

CORBIN (P & F) DIVISION OF (American Hardware Corporation of New York).
842-42-SM V. 28 No. 32 P. 717

Corbin Automatic Exit Fixtures or Panic Bolts, Types 3552½, 3552, 3557 and 3557½. Approved under Sections C26-191.0 and C26-285.0.
66-43-SM V. 28 No. 32 P. 718

Corbin Panic Bolt (Rim Type Automatic Exit Fixture) Types 2585, 2685, 2586, 2686, 2588, 2688, 2590 and 2690. Approved under Sections C26-191.0 and C26-285.0.

SARGENT & CO.
918-21-S V. 6 No. 47 P. 893

Anti-Panic Fire Exit Bolt. Approved.
304-43-SM V. 28 No. 32 P. 719

Sargent Fire Exit Bolt, Models J5344L and J5391L. Approved under Sections C26-191.0 and C26-285.0.

Refer to the resolution for details of approval and limitations of use.

SARGENT & GREENLEAF.
651-27-SA V. 13 No. 10 P. 241

S. & G. Panic Lock. Approved.
61-43-SM V. 28 No. 50 P. 1079

Sargent and Greenleaf Fire Exit Panic Locks, Models 5300, 5300-C, 5300-X2545, 5400, 5400-X2545, 5300-J, 5300-JC, 5300-JX2545J, 5400-J and 5400-JX2545J. Approved under Sections C26-191.0 and C26-285.0.

VAN KANNEL REVOLVING DOOR CO.
554-19-S V. 5 No. 20 P. 300

Van Kannel Panic Bolt. Approved.

VON DUPRIN DIVISION OF VONNEGUT HARDWARE CO.
907-42-SM Vol. 28 No. 26 P. 556

Von Duprin Fire & Panic Exit Bolts, Types A, A2, B2, C2, E, F, H, J, K, L, Q, S, U, V1 and Y. Approved under C26-191.0 and C26-285.0.

PARTITIONS

MELVILLE PRAEGER.
461-43-SM V. 29 No. 30 P. 676

Magiclip Partition (2" Solid Gypsum Lath and Plaster Partition)—a solid non-bearing, incombustible partition, for use as a substitute method of construction. Approved under Sec. C27-191.0 and C26-3.0.

S. H. POMEROY COMPANY, INC.
424-42-SM V. 27 No. 46 P. 1145

"Jackson System." Amended to include the Jackson Metal Nailable Studs and accessories for non-bearing interior and exterior partitions. Approved under Section C26-191.0.

JOHNS-MANVILLE SALES CORPORATION.
894-41-SM V. 26 No. 52 P. 1733

J-M Transite Walls (Partitions) Imperial Type. Approved as a fireproof partition.
895-41-SM V. 27 No. 4 P. 85

J-M Transite Walls, Universal Type—approved for use in sub-dividing partitions under Sec. C26-667.

OLSEN PRODUCTS INC.
354-43-SM V. 28 No. 48 P. 1040

Olsen Clip System 2-in. Solid Plaster Partition. Approved under C26-3.0.

U. S. GYPSUM CO.
476-44-SM V. 29 No. 48 P. 1027

U. S. Gypsum Co. 2 in. Solid Rocklath and Plaster Partition (Method of Construction)—Approved as a solid non-bearing incombustible partition not exceeding 9 ft. in height using ⅜" or ½" Rocklath, as a substitute method of construction, under C26-3.0.

PASTE, PIPE JOINT

FEDERAL PROCESS COMPANY.
1049-41-SM V. 27 No. 4 P. 86

Federal Gasoila Varnish. Approved.
Federal Gasoila Cement. Approved. For threaded pipe connections under Sec. C26-191.0.

KEY COMPANY.
882-38-SM V. 25 No. 28 P. 1023

Key Graphite Paste (for threaded connections, oil, gas, etc.). Approved under Sec. C26-191.0.

PIPE COVERING (Insulation)

ATLANTIC ASBESTOS CORPORATION.
834-40-SM V. 28 No. 12 P. 241

Atlantic Asbestos Corporation's Asbestos Air Cell Pipe Covering, Asbestos Air Cell Block, Woolfelt Pipe Covering, 1 inch thick and 1 inch thick doubleshell. Approved under Sections C26-191.0 and C26-1274.0.

PLASTER

(See also Gypsum Wallboard and Lath)

CALIFORNIA STUCCO PRODUCTS COMPANY.
266-40-SM V. 25 No. 25 P. 906

Stucoustic Acoustical Plaster. Approved as an acoustical plaster under Sec. C26-191.0; approved under Sections C26-464.0 and C26-637.0, b.

CERTAIN-TEED PRODUCTS CORPORATION.
1343-39-SM V. 24 No. 47 P. 1692

Kalite Acoustical Plaster. Approved under Sec. C-26-191.0 and as an incombustible material under Sec. C26-88.0.

COLONIAL PLASTER COMPANY.
1059-39-SM V. 24 No. 41 P. 1450

Duraplast (Decorative Plaster). Approved for use as a finish coat on plaster surfaces under Sections C-26-463.0 and C26-464.0.

INSULATING DURAPLAST PLASTER.
215-41-SM V. 26 No. 14 P. 509

Insulating Duraplast Plaster—the mineral Vermiculite expanded at high temperature. Approved as a fire retarding material under Sec. C26-191.0.

EASTERN COMPOSITION STONE COMPANY.
1248-39-SM V. 25 No. 29 P. 1059

Craftplaster. Approved for use as a substitute for the finish (Gypsum) coat only under Sections C26-312.0, C26-463.0 and C26-464.0.

KEYCAST STONE CO.
309-38-SM V. 24 No. 15 P. 551

Plastalath Prefabricated Plaster wire lath embedded midway in a monolithic mixture of brown and scratch mortar. Approved for use as a substitute for combustible lath and plaster under Sec. C26-458.0.

MAC-RYAND CORPORATION.
831-38-SM V. 24 No. 11 P. 361

MacStone Decorative Plaster approved for use as a finish Coat but not as a substitute for required plaster.

NATIONAL GYPSUM COMPANY.
711-39-SM V. 26 No. 17 P. 607

Gypsum Plaster under the following names—Gold Bond, Universal, Rockwall, Clip-On, Riverside, Pioneer, Gold Bond Superwhite, Universal Silverwhite, Universal Blue Ribbon, Pioneer FF, Pioneer FFF, Pioneer Barga Lucca, Gold Bond Macoustic, Best Brothers Keene's Cement—approved under Section C26-468.0.

Refer to the resolution for details of approval and limitations of use.

NEWARK PLASTER COMPANY.
814-39-SM V. 25 No. 3 P. 78

Newark Plaster Co.—Gypsum Plaster approved for use under Sections C26-312.0, C26-464.0, C26-466.0, C26-572.0, C26-632.0, C26-636.0, C26-667.0, C26-669.0.

OHIO HYDRATE & SUPPLY CO.
1106-40-SM V. 28 No. 52 P. 1120

Ohio Ritewall Hair Fibred Base Coat Lime Plaster—Approved under C-26-464.0.

SAFETY PLASTER SALES CORPORATION.
818-38-SM V. 24 No. 44 P. 1577

Kaminex Safety Plaster—approved for use as a plaster material under Sections C26-312.0, C26-463.0 and C26-464.0.

TUCKAHOE STUCCO CORP.
1123-39-SM V. 24 No. 50 P. 1790

Keentex Colored Plaster—approved for use as a substitute for the finish (gypsum) coat only under Sections C26-312.0, C26-463.0 and C26-464.0.

WILLIAM S. STEELE, INC.
821-38-SM V. 24 No. 14 P. 512

Zonolite Insulating Plaster approved as a fire retarding material under Sec. C26-191.0.

J. S. GYPSUM COMPANY.
800-39-SM V. 27 No. 47 P. 1165
V. 28 No. 13 P. 259
V. 29 No. 22 P. 453

U. S. Gypsum Company Gypsum Plaster, Red Top and Samson Brands (various names). Approved (see resolution).

PLUMBING, PIPING, FIXTURES & ACCESSORIES

AMERICAN RADIATOR COMPANY.
669-38-SM V. 23 No. 45 P. 1397

Arco Cast Iron Pipe and Fittings—approved under Sec. C26-1229.0.

AMERICAN RADIATOR AND STANDARD SANITARY CORPORATION.
208-39-SA V. 24 No. 21 P. 770

American Radiator and Standard Sanitary Corporation Vitreous China, W. C. Tank, Models F-4050—approved under Sec. C26-1277.0.
1093-41-SM V. 27 No. 8 P. 195

American Radiator and Standard Sanitary Corp. Plate B-1942 Water Controller (ballcock for low tank). Approved under Sec. C26-1277.0,h.
101-42-SM V. 28 No. 20 P. 426

American Radiator and Standard Sanitary Corp. "Standard" B-884-ST Combination Sink Faucet with Spray. A combination sink faucet and spray, provided with a vacuum breaker. Approved under Section C26-1277.0h.

AMERICAN STERILIZER CO.
439-41-SM V. 26 No. 28 P. 1039
V. 28 No. 6 P. 135

Aeroflush Bedpan Washer—Approved for use in New York City under Section C26-1277.0. and C26-178.0b.

ANNENBURG MARBLE AND TERRAZZO CORPORATION.
463-39-SM V. 24 No. 23 P. 873

Anolith Hopper Ring (ring slab for toilet bowl)—approved under Sec. C26-1250.0.

A. S. G. PIPE LINING COMPANY.
81-42-SM V. 27 No. 18 P. 517

PermOlive (Cement Lined Pipe). Approved for use in hot and cold water supply systems.

W. A. CASE AND SONS MANUFACTURING CO.
1048-26-SA V. 12 No. 22

T. N. One Piece Combined Bowl and Flushing Reservoir Water Closet—approved.

ALEXANDRO COZZO.
734-39-SM V. 24 No. 31 P. 1217

Caboco Superior Drain Ring for Toilet Bowls or Gaskets—approved under Sec. C26-1250.0.
V. 25 No. 29 P. 1059

Name of above changed to "Excelled Draining Ring for W. C. Bowl."

CRANE COMPANY.
1384-39-SM V. 25 No. 22 P. 773

Crane C-12785 Saxanet Closet Bowl with C13558 Six-gallon Ipswich Tank with Scovill Type "S" Float Valve and Vacuum Breaker—approved under Sec. C26-1277.0.
668-38-SA V. 24 No. 18 P. 660

Crane "Hanover" tank and Closet Combinations—approved under Sec. C26-1277.0.

EVER-PLASTICS CORPORATION.
1084-38-SM V. 24 No. 9 P. 328

"Sani-Sett" (Plumbing Fixture Setting Compound). Approved for use as a gasket under Sec. C26-1250.0.

JOHN DOUGLAS COMPANY.
89-35-SA V. 20 No. 17 P. 358

Siphon Proof Water Closet, Type A. Approved under the Plumbing Rules of the Board.

GENERAL CERAMICS COMPANY.
129-40-SM V. 25 No. 18 P. 624

Belmont G-211 Water Closet Combination. Approved under Section C26-1277.0.

GB-800 ADMIRAL CLOSET COMBINATION.
1214-39-SM V. 24 No. 42 P. 1500

Approved under Section C26-1277.0.

HOSPITAL SUPPLY COMPANY.
531-40-SM V. 26 No. 14 P. 502

Hospital Supply Company Overflow for Bed Pan Washer (Model Orbit). Approved for use in New York City under Section C26-1277.0.

JOHN J. KELLY.
237-19-S V. 4 No. 17 P. 269

Glennan Improved Hub Ferrule. Approved.

Refer to the resolution for details of approval and limitations of use.

EDWARD KENNEDY.
36-35-SA V. 20 No. 15 P. 321
Kennedy Special Double Seal Joint Fitting. Approved under the Plumbing Rules.

MAURICE A. KNIGHT.
785-39-SM V. 27 No. 43 P. 1075
Knightware Acid Neutralizing Sumps. Approved for use under Sec. C26-1297.0,b.

KOKOMO SANITARY POTTERY CORPORATION.
549-40-SM V. 25 No. 24 P. 858
Kokomo Sanitary Pottery Corporation—six-gallon vitreous china toilet tank, No. 230. Approved under Section C26-1276.0.

NATHAN KUHN.
519-39-SM V. 24 No. 24 P. 917
Kuhn Automatic Back Pressure Sewer Valve. Approved under Section C26-1259.0.

CHARLES W. MOORE.
734-38-SA V. 23 No. 40 P. 1211
Moore Water Closet Floor Flange and Gasket. Approved under Section C26-1250.0.

IGNATIUS L. MULLER.
348-39-SA V. 24 No. 28 P. 1064
Absolute Oil Separator. Approved under Section C26-1296.0.

NATIONAL TUBE COMPANY.
471-38-SM V. 24 No. 4 P. 128
Duroline Steel Pipe. Approved under Section C26-1240.0.

SECURITY PRODUCTS COMPANY.
1038-38-SA V. 24 No. 3 P. 85
Noverflo Toilet Combination. Approved.

SIMPLEX BOILER STAND COMPANY, INC.
1077-39-SM V. 27 No. 40 P. 1014
Simplex Felt Grease Treated W.C. Gaskets. Approved under Sec. C26-1250.0.

JAY R. SMITH.
174-39-SM V. 24 No. 27 P. 991
Jay R. Smith Felt Gasket for Water Closet Floor Flanges. Approved under Section C26-1250.0.

UNITED WIRE AND SUPPLY CORPORATION.
219-35-SM V. 21 No. 9 P. 240
"United" Copper Service Pipe. Approved for use in New York City.

PREHEATERS

ADVANCE CRESCENT CORPORATION.
1110-38-SA V. 24 No. 4 P. 128
Crescent Preheater for Oil Burning Equipment. Approved under the Oil Burner Rules.

ALBERT G. PURDUE ASSOCIATES.
820-39-SA V. 24 No. 31 P. 1196
Lines Thermal Electric Conductions System (for heating oil). Approved under the Oil Burner Rules.

ARMOR CLAD INDUSTRIES, INC.
859-41-SA V. 27 No. 23 P. 644
Armor Clad Safety Oil Preheater. Approved under Oil Burner Rules.

CHARLES A. HONES, INC.
874-38-SA V. 24 No. 7 P. 241
Buzzer Fuel Oil Preheater (gas fired). Approved under the Oil Burner Rules.

SAFETY HEATER CO.
49-45-SA V. 30 No. 13 P. 245
Safety Oil Heater (Preheater). Approved under Sec. C19-57.0a Administrative Code and Rule 7.2.2 of the Oil Burner Rules.

PRESSURE REDUCING VALVES—STANDPIPE OUTLET

CONRAN STANDPIPE COMPANY.
315-22-S V. 9 No. 23
V. 16 No. 7 P. 157
Conran Pressure Reducer. Approved.

CROKER NATIONAL FIRE PREVENTION ENGINEERING CO.
535-29-SA V. 16 No. 7 P. 158
Croker 2½" Pressure Reducing Valve. Approved.

ANSONIA FIRE PREVENTION ENGINEERING CO., INC.
65-32-SA V. 17 No. 25
Elkhart 2½ in. Hose Outlet Pressure Reducing Valve. Approved. 162-33-SA V. 20 No. 22
Elkhart Combination Pressure Reducer and Hose Valve. Approved.

PUMPS—FUEL OIL

Name of Pump	*Calendar No.*
American Marsh Duplex	638-25-SA
American Marsh Simplex	639-25-SA
Autopulse Electric Fuel Oil Pump	215-31-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA
Ballard Duplex Electric Driven Pump Set	1413-22-SA
Beach Russ Co. Rotary	1134-22-SA
Blackmer Rotary	935-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA
Century Rotary	908-21-SA
Cook Electric Oil Pump	603-25-SA
Davidson	590-21-SA
Dean Bros. Durable Duplex	840-22-SA
DeLaval IMO Oil Pump	628-32-SA
Deming Double Oscillating Force Pump	458-27-SA
Deming Fuel Oil Pump	298-31-SA
Enterprise Oil Pump	11-28-SA
Exeter Rotary	507-22-SA
General Electric Oil Pump	475-32-SA
Goulds Hand Rotary	1133-25-SA
Goulds Rotary Oil Pump	437-31-SA
Goulds Triplex Plunger	257-22-SA
Hardinge Fuel Oil Pump	813-25-SA
Ingersoll-Rand "Campump" Models ½ HP, 1 HP and 5 HP	410-32-SA
Kinney Rotating Plunger Pump	503-24-SA
Koerting Gear Pump	1264-25-SA
Kraissl Fuel Oil Pump	60-28-SA
Leiman Rotary	95-24-SA
Marsh Fuel Oil Pump	1050-23-SA

Refer to the resolution for details of approval and limitations of use.

Name of Pump	*Calendar No.*
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
M. D. Rotary	52-27-SA
Milwaukee Piston Rotating Port Pump	763-25-SA
Monroe Oil Pump	658-26-SA
National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Northern Rotary	1396-24-SA
Pascoe Pump Set	1029-26-SA
Petro-Nokol Industrial Oil Pump	570-32-SA
Quiet May Gerotor Pump	267-32-SA
Quimby Screw Pump, Sizes 2 in., 2½ in., 3 in., 3¼ in., 3½ in., 4 in., 5¼ in., 6 in., 7 in. and 8 in.	1193-21-SA
Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Ray Rotary	588-25-SA
Rotary Pressure Pump	1060-25-SA
Rotary Vacuum Pump	513-25-SA
Samson Magnetic Fuel Oil Pump	163-34-SA
S. B. U. Pumps, Models A, B, C and D	410-32-SA
Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2	199-36-SA
Tate-Jones	492-21-SA
Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Tuthill Model B Fuel Oil Pump	60-28-SA
Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Union Steam Pump for Fuel Oil	705-30-SA
Viking	438-21-SA
Warren Oil Pump	1169-23-SA
Wayne Oil Pump & Fan Set	1155-25-SA
Webster Fuel Oil Pump, Types A, Q and T	23-34-SA
Worthington Duplex Double-Acting Steam Pump	184-22-SA
Worthington Show Model Duplex	194-22-SA
Yale and Towne Tri-Rotor Pump	191-39-SA

PUMPS AND ACCESSORIES FOR GASOLINE & FUEL OILS

S. F. BOWSER AND COMPANY, INC.
974-39-SA V. 24 No. 46 P. 1651

Bowser "Reel Way" Gasoline Pump with Hose Reel Attachment. Approved.

DAYTON PUMP AND MANUFACTURING COMPANY.
1022-38-SA V. 24 No. 12 P. 432

Rapidayton Centrifugal Gasoline Pumping Unit, Model G-6500. Approved.

DETROIT LUBRICATOR CO.
1112-38-SA V. 24 No. 2 P. 47

Clearview Oil Gauge, Model CRC-725. Approved for voluntary installations under the Oil Burner Rules.

ERIE METER SYSTEMS, INCORPORATED.
452-40-SA V. 25 No. 26 P. 944

Erie Non-Computing Pump, Models 77 and 99. Approved.

GILBERT & BARKER MFG. CO.
572-38-SA V. 24 No. 6 P. 208

Gilbarco Calcometer M96, M97 and M98, Gasoline Dispensing Pump. Approved under Section C19-69.0.

B. F. GOODRICH COMPANY.
225-41-SA V. 27 No. 20 P. 569

Goodrich Type B. Flexible Nozzle Tube. Approved for use under Sec. C19-70.0—intended for use with hose nozzle valves of gasoline discharge devices.

L. O. KOVEN & BROTHER, INCORPORATED.
114-42-SM V. 27 No. 40 P. 1015

Koven, N. Y. C. Oil Separator.

MARTIN AND SCHWARTZ, INC.
391-40-SA V. 25 No. 19 P. 660

Martin and Schwartz, Inc. Pneumatic Hose Control No. 12565-M and M-1 for Power Operated Gasoline Pumps. Approved.
779-38-SA V. 26 No. 51 P. 1697

M. & S. Computing Gasoline Pumps, Models 70RA2, 70RPA2-15, 70RA2-25, WMP2-15, and WMP2-25.

NATIONAL PUMPS CORPORATION.
954-38-SA V. 27 No. 39 P. 989

National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38, gasoline dispensing pumps. Approved.

NATIONAL TRANSIT PUMP & MACHINE CO.
175-35-SA V. 21 No. 18 P. 535

National Transit Rotary Pump for Gasoline and Fuel Oil. Approved.

NEPTUNE METER COMPANY.
130-40-SA V. 25 No. 17 P. 592

Neptune Red Seal Computer and non-computer gasoline dispensing pump, Model 855. Approved.

SCOVILLE MANUFACTURING COMPANY.
339-42-SM V. 27 No. 30 P. 839

Scoville Manufacturing Company Rubber Covered Hose Nozzle.

SERVICE STATION EQUIPMENT COMPANY.
746-38-SA V. 26 No. 50 P. 1652

Bennett Pumps for Motor Fuels, Models 541, T542, 543, T544.

SERVICE STATION EQUIPMENT CO.
746-38-SA V. 24 No. 31 P. 1191

Bennett Pumps for Motor Fuels Models 156 and 375. Approved.

SUN OIL COMPANY.
779-38-SA V. 24 No. 5 P. 169

M and S Computing Gasoline Pump, Model 70. Approved.

TOKHEIM OIL TANK AND PUMP COMPANY.
1326-39-SA V. 24 No. 46 P. 1653

Tokheim Model 39-HR Computer Pump with Hose Reel and Tokheim Model 39-DP-HR Clock Dial Pump with Hose Reel. Approved.
1326-29-SA. V. 26 No. 51 P. 1698

Tokheim Motor Fuel Dispensing Pumps, Models 800-S, 800-S-TP, 802-S, and 802-S-TP.

PUTTY AND CAULKING COMPOUNDS

L. SONNEBORN SONS, INCORPORATED.
715-41-SM V. 28 No. 14 P. 283

Stormtight Caulking Compound—approved.

Refer to the resolution for details of approval and limitations of use.

TREMCO MANUFACTURING COMPANY.
154-40-SM V. 26 No. 23 P. 839

Tremglaze Mastic Glazing Compound—Tremco Steel Sash and Casement Putty. Approved under Section C26-178.0b.

RANGE CONNECTORS

COLONIAL STOVE COMPANY.
357-38-SA V. 23 No. 39 P. 1178

Colalloy Kwik Konnector for Gas Stoves. Approved as a connecting device for gas appliances under Sections C26-1330.0 and C26-1331.0.

GRAY-WILSON COMPANY.
68-38-SA V. 25 No. 11 P. 391

Romine Gas Range Connection. Approved for use in New York City.

MARSHALL BRASS COMPANY.
857-38-SA V. 24 No. 6 P. 209

"E-Z" Range Connector. Approved for use in New York City.

V. 26 No. 26 P. 953

"E-Z" Range Connector. Resolution amended to permit copper tubing as well as aluminum tubing.
1206-38-SA V. 24 No. 11 P. 401

"Lo-Lo" Range Connector. Approved for use in New York City.

MORRIS A. ELLIOTT COMPANY.
199-40-SM V. 26 No. 21 P. 778

"Quick-Link" Flexible Gas Range Connector—semi-rigid tube of seamless aluminum. Approved under Sections C26-1330.0 and C26-1331.0.

SUPERSEAL CORPORATION.
625-37-SA V. 23 No. 7 P. 202
V. 26 No. 42 P. 1401

Superseal Gas Connection. Approved for use in New York City.

TYNE COMPANY.
964-39-SM V. 24 No. 46 P. 1655

Tyne Company Semi Rigid Gas Range Connectors. Approved for use in New York City.

RANGE OIL BURNERS AND SPACE HEATERS

(See also Oil Burners for Domestic & Commercial Use)

Name of Burner	*Calendar No.*
A. B. C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA
Aetna Range Oil Burner	29-35-SA
Aetna Water Heater, Models 6, 7, 9, and 47 W.H.T. and 15 and 16 W.H.T	148-37-SA
*Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA
* NFC—Not Flue Connected.	
Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200 and 103-76300.	725-39-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA
Air-O-Flame Range Burner	236-34-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Ameroil Oil Burner for Stoves and Ranges	592-32-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA
Bland Range Oil Burner	234-34-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA
Brigham Range Oil Burner	217-35-SA
Caloroil Oil-Electric Range Burner	728-39-SA
Caloroil Range Oil Burner	172-34-SA
Carrier Water Heater, Types 60B4 and 60B5	121-35-SA
Champion Range Oil Burner, Models A and B	291-34-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA
Coleman Oil Burning and Space Heater, Models 821A, 822A, 824, 825, 826 and 827	308-36-SA
Diamond Range Oil Burner	325-34-SA
Duo-Therm Circulating Heater, Models 902 and 952	1042-40-SA
Duo-Therm Water Heater, Model 16	1043-40-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27	157-35-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19	158-35-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA
Electrol Industrial and Range Oil Burner, Model LF	575-39-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA
Estate Oil Heatrola (Oil Burner), Models 821F, 822F, 822FT, 823F, 825FT, 827F, 883F, 884F, 885F, 913F, 913FT, 915F, 917F and 919F	135-39-SA
Estate Speedex Oil Heater, Models 731, 732, 733, 734, 735 and 737	135-39-SA
Evanoil Heater, Circulating Type, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10 and E-88	1209-39-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe	311-34-SA
Fairfax Range Burner	302-34-SA
*Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2	545-39-SA
* Not Flue Connected.	
Florence Oil Heater, Models, KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9	62-33-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA
Florence Range Burners	219-34-SA
Fox Range Oil Burner	200-34-SA
Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588	923-38-SA
Gilbert and Barker Oil Space Heaters, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811	56-37-SA
Hi-Heat Range Burner, Models A and DeLux	323-34-SA
Hoffman Controlled Heat Warm Air Furnace, Models HU-70 and HB-75	507-41-SA
Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA
Kalamazoo Oil Burning Space Heater, Models F-2, F-3, C-4, R-1 and R-2	263-34-SA
Kalamazoo Range Burner, Models Junior, Lupre and DeLuxe	238-33-SA
Ker-Oil Automatic Water Heater	263-35-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320-A	266-35-SA
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115	339-34-SA
Kolrid Range Burner	48-34-SA
Kress-Kno Ball Flame Range Burner, Models BFM-10, BFM-13, BFTDR, BEF, BFWDR and BFSE	905-40-SA
Kres-Kno Range Oil Burner, Model MD, Sizes KR, KRF, KRF-1 and 1R	355-34-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA

Refer to the resolution for details of approval and limitations of use.

Name of Burner	*Calendar No.*
Lonergan Automatic Hot Water Heater	179-35-SA
Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2	263-34-SA
Loyalty Range Burner	302-34-SA
Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
M.W. Circulating and Radiant Heaters, Models 501, 601, 701, 801, 406, 407, 506, 507, 611, 612, 614, 711, 712, 714, 807, 575.2, 675.2, 715.2 and 815.2	366-34-SA
M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G, 165 and 175	364-34-SA
Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Majestic Space Heater, Models 247T and 248	181-35-SA
Majestic Water Heater, Models 255A and 255B	182-35-SA
Matchless Self-Lighting Range Oil Burner	410-37-SA
Modern Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
Monogram Oil Fire (Circulating) Heaters, Models E30, G30, H30, K30, L30, R30, S30, 38A130, 38B130, 37C130, 38B240, 37C240, 38B340, 37C340, E50, G50, H50, K50, L50, R50, S50, 38A150, 38B150, 37C150, 38B250, 38B350 and 37C350	153-44-SA
National Range Oil Burner	361-34-SA
Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Octo Range Oil Burner	410-37-SA
Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Orlando Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Plymouth Oil Burning Space Heater, Models 18, 20, 28 and 30	923-38-SA
Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906P, 907P, 300P, 918P, 920P, 930P and 933P	493-38-SA
Putnam Range Oil Burner	54-35-SA
Quaker Burnoil Stove	11-31-SA
Quick Meal Range Burner	304-34-SA
Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35	306-34-SA
Quick Meal Water Heater, No. 5681-0	305-34-SA
Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater	32-31-SA
Rex Range Burner, Models 27B and 27T	165-35-SA
Rex Space Heater, Models 247T and 248	166-35-SA
Rex Water Heater, Models 255A and 255B	167-35-SA
Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315.	56-37-SA
Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Sears-Roebuck Oil Burning Water Heater, Hercules Model No. 2544	303-36-SA
Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA
Serv-Well Space Heater, Models 247T and 248	166-35-SA
Serv-Well Water Heater, Models 255A and 255B	167-35-SA
Silent Glow Oil-Electric Range Burner	728-39-SA
Silent Glow Range Oil Burner	172-34-SA
Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80	24-37-SA
Silent Heet Oil Burner for Ranges and Stoves	592-32-SA
Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Speedy Hot Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119, 1120, 1221, 1231, 1201, 1232, 1222, 1202, 1235, 1247, 1205, 1309, 1305, 1306, 1310, 1317, 1318, 1319 and 1320 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Toridheet Range Water Heater, Models 222, 232 and 242	65-35-SA
Tower Range Oil Burner	126-33-SA
Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17	243-36-SA
Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
Viking Range Water Heater, Models 222, 232 and 242	65-35-SA
Vitro-Heet Range Oil Burner, Models MD, sizes KR, KRF, KRF-1 and 1-R	355-34-SA
Washington Oil Burning Space Heater, Models 3712, 3724, 3736, 3747 and 3758	923-38-SA

ROOFING AND SIDING MATERIALS
(See also Floor and Roof Construction)

BARBER ASPHALT CORPORATION.

870-38-SM V. 24 No. 44 P. 1577

Barber Built-Up Roofs and Asphalt Shingles. Approved under Section C26-608.0.

BARRETT COMPANY.

777-38-SM V. 23 No. 39 P. 1181

Barrett Mineral Surfaced Roofing (for general roof covering). Approved under Article 11, Group 16 and Section C26-680.0.

778-38-SM V. 23 No. 39 P. 1182

Barrett Specification Tarred Felt and Pitch Built-Up Roofing. Approved under Article 11, Group 16.

827-38-SM V. 23 No. 41 P. 1257
V. 24 No. 10 P. 361

Barrett Roofings. Approved under Section C26-680.0.

BIRD & SONS, INC.

341-38-SM V. 23 No. 30 P. 1012

Bird Roofing Materials, Paroid and Neponsit Brands. Approved under Article 11, Group 16 and Section C26-680.0.

V. 24 No. 6 P. 209

Bird Custom-Built. Approved as above.

V. 24 No. 13 P. 472

Flat Shingles of Square Butt Type. Approved as above.

V. 24 No. 24 P. 909

Bird Roofing Materials and Accessories. Approved as above.

876-38-SM V. 24 No. 2 P. 48

Bird Asphalt Siding. Approved under Sections C26-191.0 and C26-248.0—limited to frame construction outside the fire limits and to legal replacements within the fire limits.

V. 24 No. 24 P. 911

Bird Asphalt Siding Accessory Materials. Approved as above.

243-43-SM V. 28 No. 49 P. 1061

Refer to the resolution for details of approval and limitations of use.

Bird Insulating Fibre Board. (Roof Insulation). Approved under Insulating Fibre Board Rules of The Board of Standards and Appeals.
681-42-SM V. 27 No. 52 P. 1287

Bird Insulated Siding, Bric Design, ½ in. fibre board, surface-saturated with hard asphalt, bitumastic coating, colored mineral granules of igneous rock. Approved.

CELOTEX CORPORATION.
1205-38-SM V. 24 No. 8 P. 294

Celotex Roofing Materials. Approved under Sections C26-680.0 and under Article 11, Group 16.

CERTAIN-TEED PRODUCTS CORP.
42-39-SM V. 24 No. 10 P. 362

Certain-Teed and Vulcanite Brands Asphalt Roofing Materials and Asphalt Shingles. Approved under Article 11, Group 16, and Section C26-680.0.

CLEMENT HALLOWS COMPANY.
716-38-SM V. 23 No. 46 P. 1397

Alumintop Nos. 5 and 6 (Reroofing). Approved.

COOPER COMPANY.
1081-38-SM V. 24 No. 26 P. 989

Cooper Asphalt Shingles and Roofing Materials. Approved under Section C26-680.0 and Article 11, Group 16.

FLINTKOTE COMPANY.
145-39-SM V. 24 No. 17 P. 623

Flintkote Company Asbestos and Asphalt Siding Shingles. Approved under Section C26-191.0—use limited to frame construction outside fire limits and replacement within the fire limits under Section C26-248.0.
V. 26 No. 6 P. 258

Flintkote Insulated Brick Siding.
Flintkote Embossed Brick Strip Siding.
Approved for use limited to frame construction outside the fire limits as provided in Section C26-248.0.
415-38-SM V. 23 No. 30 P. 996
V. 24 No. 17 P. 619

Flintkote Roofing Materials. Approved under Article 11, Group 16, and Section C26-680.0.
V. 27 No. 21 P. 591
V. 27 No. 25 P. 699
V. 27 No. 43 P. 1077

Flintkote, 2 and 3-ply Asphalt Felt, slag or gravel surface re-roofing and Flintkote, 3 and 4-ply asphalt felt, slag or gravel re-roofing and mineral surface shingle. Approved.

FORD ROOFING PRODUCTS COMPANY.
573-39-SM V. 24 No. 31 P. 1209

Ford Asphalt Built-Up Roofing, Asphalt Shingles and Allied Products. Approved under Section C26-680.0 and Article 11, Group 16.

INSUL-MASTIC LABORATORIES, INC. and McGREW PAINT AND ASPHALT COMPANY.
395-40-SM V. 25 No. 31 P. 1155

Insul-Mastic (re-roofing and re-surfacing materials). Approved under Section C26-680.0 and Article 11, Group 16.

JOHNS-MANVILLE SALES CORPORATION.
163-38-SM V. 23 No. 26 P. 835

Asphalt Saturated Asbestos Roofing Felt. Approved under Section C26-680.0.
96-38-SM V. 23 No. 17 P. 678

Johns-Manville Corrugated Transite. Approved for use as roofing and siding under Sections C26-347.0 and C26-351.0.

JONES AND BROWN, INCORPORATED.
170-42-SM V. 27 No. 29 P. 802

Inselbric—½" fibre board base, saturated both sides and coated on the exterior surface with asphalt mastic. Approved for use limited to frame construction outside the fire limits.

KEASBEY & MATTISON COMPANY.
278-39-SM V. 28 No. 7 P. 155

Keasbey & Mattison Company Asbestos-Cemented Corrugated Roofing and Siding. Approved under Sec. C26-347.0 as a roofing material, under Sec. C26-351.0 as a siding material.
650-40-SM V. 28 No. 4 P. 80

K & M Century Asbestos—Cement shingles—laminated and homogeneous methods of manufacture. Approved for use under Section C26-540.0.

KEYSTONE ROOFING MANUFACTURING COMPANY.
410-39-SM V. 25 No. 31 P. 1140

Keystone Roofing Manufacturing Company Roofing Materials. Approved under Section C26-680.0 and Article 11, Group 16.

KOPPERS COMPANY.
670-38-SM V. 24 No. 4 P. 129

Koppers Built-Up Roofing. Approved.

LLOYD A. FRY ROOFING COMPANY.
352-39-SM V. 24 No. 21 P. 774

Lloyd A. Fry Roofing Company Roofing Materials. Approved under Section C26-680.0 and Article 11, Group 16.

LOGAN-LONG COMPANY.
947-38-SM V. 23 No. 47

Logan-Long Built-Up Roofing and Asphalt Shingles. Approved under Section C26-680.0 and Article 11, Group 16. These materials may be marketed under the following names:

Tru-Test	Tru-Test Corp.
Jim Brown	Brown Fence & Wire Co.
Doyle	Doyle Hdwe. Co.
Ajax	Stelwagon Mfg. Co.
Oriental	Sears Roebuck & Co.
Everwear	H. Verby Co., Inc.
Wearon	Wearon Products Co.
Longware	Park Lumber Co.
Invincible	Lloyd A. Fry Roofing Co.
Giant	Lloyd A. Fry Roofing Co.
Moskote	Moscowitz Bros.
Maple City	Murray Co.
Victory	J. J. Mitzman
Lone Star	Igoe Brothers

M. J. MERKIN PAINT COMPANY INCORPORATED.
997-38-SM V. 24 No. 20 P. 744

Perfectseal Roof Coating and Roof Cement. Approved for use as a repair coating for old roofs and as a cement in the laying of new roofs—Section C26-680.0.

Refer to the resolution for details of approval and limitations of use.

THE PHILIP CAREY COMPANY.
62-39-SM V. 27 No. 14 P. 373

The Philip Carey Company Built Up Roofing—May be applied to either combustile or non-combustible decks.

RUBEROID COMPANY.
733-38-SH V. 23 No. 48 P. 1503
V. 25 No. 3 P. 75

Ruberoid Built-Up Roofings—Asphalt Shingles—Asbestos Shingles—Corrugated Asbestos Roofing. Approved under Article 11, Group 16, and Section C26-680.0.
1032-38-SM V. 23 No. 50 P. 1584

Ruberoid Eternit Corrugated Asbestos. Approved under Sections C26-347.0, C26-351.0, C26-605.0, C26-626.0.

SHINGLE-GIBBS COMPANY.
447-39-SM V. 24 No. 22 P. 836

S-G Fibrated Coating No. 110 (for roofing). Approved.
448-39-SM V. 24 No. 22 P. 837

S-G Structural Waterproofing No. 170 (for roofing). Approved.

STANDARD OIL CO. OF N. J.
1229-38-SM V. 24 No. 43 P. 1535

Ennjay 160/180 Melting Point Asphalt for flat roofs.
Ennjay 180/200 Melting Point Asphalt for steep roofs.
Ennjay slate filled Asphalt for use in roofing materials.
Approved under Sections C26-605.0 to C26-609.0.

TEXAS COMPANY.
133-39-SM V. 24 No. 23 P. 869

Texas Company Roofing Materials. Approved.

TILO ROOFING COMPANY.
1152-38-SM V. 26 No. 52 P. 1725

Tilo Roofing. Approved as fire-resistive material under Sec. C26-680.

UNITED STATES GYPSUM COMPANY.
440-39-SM V. 24 No. 23

U. S. G. Asphalt and Asbestos Cement Roofing Materials (also marketed under the name "Samson"). Approved under Article 11, Group 16, and Section C26-680.0.

ROOFLIGHTS, SKYLIGHTS, SIDEWALK LIGHTS (See also Ventilators)

AMERICAN BAR LOCKS CO., INC.
1371-39-SM V. 25 No. 4 P. 113

Alglas Wire glass floor and Roof Construction—wire glass plates set in a steel frame grid—approved under Sec. C26-515.0.
1372-39-SM V. 25 No. 4 P. 114

Alglas Vaculite Floor & Roof Construction—approved under Section C26-626.0.

AMERICAN 3 WAY LUXFER PRISM CO., INC.
531-38-SM V. 24 No. 31 P. 1202

Clad-Crete Rooflights. Approved under Section C26-191.0.
532-38-SM V. 24 No. 31 P. 1202

Thermag Rooflights. Approved under Section C26-191.0.
534-38-SM V. 24 No. 31 P. 1203

3-Way Armored Sidewalk Lights. Approved under Section C26-191.0.

MARCO COMPANY.
260-38-SA V. 23 No. 18 P. 571

Marco Automatic Stage Ventilator or Skylight. Approved under Sections C26-720.0, C7 and C26-724.03.

PENNSYLVANIA WIRE GLASS CO.
355-38-SM V. 23 No. 45 P. 1394

Pennsylvania Original Solid Corrugated Wire Glass—wire netting embedded in corrugated sheet glass—approved fire use as a skylight—maximum width 27¾"—maximum span 48" under Sections C26-347.0, C26-676.0.

SCAFFOLDS

EDWARD B. BRITTIN.
898-38-SA V. 24 No. 15 P. 548

Brittin Bracket (for Scaffold work). Approved under Section C26-191.0 (2.2.3).

MAX MICHELSON.
359-38-SA V. 23 No. 51 P. 1623

Michelson Scaffold. Approved under Section 240 Labor Law, Sections C26-191.0 and C26-556.

SCREENS (Safety Window)

CARL E. TRULOCK.
1114-40-SM V. 25 No. 50 P. 1666

Trulock Safety Screen (Combination Detention and Insect Screen). Approved for permissive use under Section C26-178.0, b.

CHAMBERLIN METAL WEATHER STRIP COMPANY.
273-41-SM V. 28 No. 6 P. 134

Chamberlin Safety Detention Screen. Approved for voluntary use.

SHEATHING (See also Fibre Board and Gypsum Wallboard)

BIRD AND SON, INC.
243-43-SM V. 28 No. 49 P. 1061

Bird Insulating Fibre Board. Approved under Insulating Fibre Board Rules of Board of Standards and Appeals.

UNITED STATES GYPSUM COMPANY.
620-39-SM V. 26 No. 17 P. 605

U. S. Gypsum Sheathing—Samson Gypsum Sheathing. Approved under Sections C26-538.0c and C26-242.0.

SIAMESE FIRELINE CONNECTIONS

W. D. ALLEN MFG. CO.
472-42-SA V. 28 No. 45 P. 941

Allen's Iron Body Siamese, 4, 5 and 6 inch for Fire Dept. use. Approved under C26-191.0 for use under C26-1340, C26-1383.0 and Standpipe and Sprinkler Rules of Board of Standards and Appeals.
1162-27-SA V. 17 No. 12 P. 377

Allen's Recessed Fire Dept. Standpipe and Sprinkler Siamese Connection. Approved.
156-34-SA V. 22 No. 30 P. 948

Allen's Siamese Connections for Fire Dept. use. Approved.

Refer to the resolution for details of approval and limitations of use.

ANSONIA FIRE PREVENTION CO., INC.
98-33-SA V. 23 No. 28 P. 902

Elkhart Siamese House Connection for Standpipe and Sprinkler System 3" x 3" x 6" Flush Type of Straightway and 90° patterns. Approved.

M. H. ATERITE COMPANY.
664-20-S V. 6 No. 1

Aterite Siamese Connection. Approved.

CROKER FIRE PREVENTION CORP.
209-32-SA V. 20 No. 20 P. 588

Croker 4", 5", 6" Siamese for Standpipe and Sprinkler Systems. Approved.
764-39-SA V. 25 No. 3

Croker Flush Type Siamese. Approved.

ELKHART BRASS MFG. CO.
337-22-S V. 11 No. 18

Elkhart Brass Co. Siamese Connection. Approved.

NEW YORK BRASS FOUNDRY CO., INC.
11-35-SA V. 23 No. 11 P. 335

Four inch, 5" and 6" Standpipe and Automatic Sprinkler and Siamese Connection. Approval expired 3/8/40.

SPRAY GUN FOR METALS

METALLIZING ENGINEERING CO., INC.
688-39-SA V. 26 No. 12 P. 446

Metco Metallizing Gun, Type E—for spraying molten metals. Approved under C-19-93.0.
443-41-SA V. 27 No. 51 P. 1260
V. 27 No. 52 P. 1286

Mogul Metal Spray Gun. Approved for use under Sec. C19-93.0.

SCHORI PROCESS CORPORATION.
567-38-SA V. 24 No. 18 P. 660

Schori Pistol for Spraying Powdered Metals, Zinc, Copper, Lead, etc. Approved.

SPRAYING EQUIPMENT—PAINT, VARNISH & LACQUER

Name	*Calendar No.*
Automatic Paint Sprayer	477-37-SA
Binks Circulating System for Paint Spraying.	851-39-SA
Binks-Hu-Ro-Thor-Hurley Spray Equipment.	338-32-SA
De Vilbiss Spray-Painting Equipment	336-32-SA
De Vilbiss Spray Gun and Electric Motor Electro-Pneumatic Control	663-44-SA
Eclipse Spray Painting Equipment	151-38-SA
Eureka Paint Sprayer	478-37-SA
Hydro-Whirl Water Washed Spray Booth	174-44-SA
Milburn Spray Painting Equipment	492-38-SA
Paasche Spray Painting Equipment	363-32-SA
Paasche Water Wash Airfinishing Booth, Standard and DeLuxe Models (Spray Booth)	650-44-SA
Sharpe Spray Guns, Models B-21, C-21, RA-21, RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO, L, M-2, M-4, FA-36 and FC-36	604-38-SA
Spraco Spray Painting Equipment	479-32-SA
Western Electric Co., Inc., Paint Spray Booths, Models RS-13161 and RS-13162 (Water Impingement Type)	404-44-SA

SPRINKLER VALVES—DRY PIPE

HODGMAN MANUFACTURING CO.
141-41-SA V. 26 No. 18 P. 641

Hodgman Air Check Valve, 3" Model C. Approved.

STANDPIPE FIRELINE DELUGE VALVES

AMERICAN FIRE PREVENTION BUREAU, INC.
781-42-SA V. 27 No. 50 P. 1240

Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler System. Approved under Articles 16 and 17.

AUTOMATIC SPRINKLER COMPANY OF AMERICA. 297-23-SA V. 24 No. 4 P. 127

Remote Control Deluge Valve for Standpipe Systems.

STANDPIPE FIRELINE GATE VALVES—REMOTE CONTROL

CONRAN STANDPIPE CO., INC.
359-30-SA V. 22 No. 10 P. 291
V. 26 No. 42 P. 1401

Conran Hydraulic Emergency Control Valve for Fire Line.

KENNEDY VALVE MANUFACTURING CO.
34-40-SA V. 25 No. 40 P. 1334

Kennedy Motorized O.S. and Y. Fireline Valve—approved under Sections C26-1383.0 and C26-1396.0.

STANDPIPE SYSTEM

CONRAN STANDPIPE CO., INC.
293-37-SA V. 24 No. 46 P. 1648

Conran System of Standpipes.

STUCCO (Prepared)

U. S. GYPSUM COMPANY.
482-39-SM V. 28 No. 27 P. 581

Oriental Exterior Stucco and Samson Exterior Stucco. Approved under Section C26-178.0b.

TANK PROTECTION
(Cover for Underground Tanks)

FINK-DUMONT-WHITE, INC.
484-26-SA V. 16 No. 31 P. 874

Protectoseal Cover for Underground Tanks. Approved.

TERRAZZO STRIPPING

CENTRAL COMMERCIAL COMPANY.
366-41-SM V. 26 No. 52 P. 1730

Vogeliner Plastic Dividing Strip for Terrazzo. Approved.

MANHATTAN TERRAZZ0 BRASS STRIP CO.
52-40-SM V. 25 No. 51 P. 1696

Manhattan Dividing Strips—Brass, White Alloy Zinc, and Nickel Silver Strips for floor and wall base. Approved under Sec. C26-178.0,b.

TRAPS

BRADLEY WASHFOUNTAIN COMPANY.
577-38-SA Vol. 24 No. 15 P. 548

BNY Bradley Trap—approved under Section C26-1224.0.

G. WALTON BUSCH AND SONS, INCORPORATED.
911-42-SM V. 28 No. 9 P. 196

Busch "Codepruf" Grease Trap. Approved for use under Sec. C26-1260.

Refer to the resolution for details of approval and limitations of use.

GEORGE M. CALL.
1166-40-SM V. 26 No. 18 P. 655

G. M. CALL Interceptor-Non-Stoppage Waste Trap. Approved under Section C-26-1260.0.

CHASE BRASS & COPPER CO., INC.
254-36-SA V. 21 No. 22 P. 621

Chase Brass & Copper Co., Inc. 1½-inch New York Regulation Lavatory Trap. Approved under Section 99 of the Rules for Plumbing and Drainage.

CRANE COMPANY.
142-39-SA V. 24 No. 10 P. 359

Russell Vitreous China Lavatory with Integral Trap. Approved under Sections C26-1240.0 and C26-1256.0.

CODY BRASS WORKS, INC.
1352-18-S V. 4 No. 14 P. 228

Geco Anti-Siphon Trap. Approved under Rule 99, Rules for Plumbing and Drainage.

JOSAM MANUFACTURING COMPANY.
165-38-SA V. 23 No. 30 P. 993

Josam Plaster Interceptor. Approved under Section C26-1260.0.
166-38-SA V. 23 No. 30 P. 993

Josam Grease Interceptor. Approved under Section C26-1260.0.
243-35-SA V. 21 No. 7 P. 179

Josam-Marsh Hair Interceptor. Approved under the Rules for Plumbing and Drainage.
427-38-SA V. 24 No. 7 P. 240
V. 25 No. 46 P. 1536

Josam Oil Interceptor, Models B64, B65, B66 and B85. Approved.

M. S. LITTLE MANUFACTURING COMPANY.
1080-38-SA V. 24 No. 15 P. 549

N. Y. Code Duo Trap for Continuous Sink and Tray Wastes. Approved under Art. 15, Subarticle 5.

NORMAN BOOSEY MANUFACTURING COMPANY.
886-41-SM V. 26 No. 52 P. 1732

Boosey No. 2021 Fixed Air Gap.
An indirect waste with an air gap to prevent siphonic action. Approved in sizes ¾" to 4" under Sec. C26-1277.0,b.
933-41-SM V. 26 No. 52 P. 1734

Boosey Air-Away Grease Interceptors, Series Nos. 1507, 1508 and 1509. Approved.

J. A. ZURN MANUFACTURING COMPANY.
86-40-SM V. 25 No. 10 P. 352

Zurn Greaseptor, Z-1170, Z-1171. Approved for use as a grease trap under Section C26-1260.0.

TUBING—(METAL) FOR OIL BURNER INSTALLATION

AMERICAN BRASS COMPANY.
519-40-SM V. 25 No. 44 P. 1474

American Brass Company Copper Water Tubing, Type K (for oil burner lines) made from seamless drawn copper. Approved for use in oil burner installations.

CHASE BRASS AND COPPER CO., INC.
357-37-SM V. 25 No. 22 P. 771

Chase Brass and Copper Co. Oil Burner Tubing. Approved for use as copper tubing in oil burner lines.

REVERE COPPER AND BRASS, INC.
305-36-SM V. 23 No. 24 P. 772

Revere Copper Oil Burner Tubing. Approved for use as copper tubing in oil burner lines.

VACUUM BREAKERS
(See Anti-Siphon Devices)

VACUUM STILL

DE LAVAL SEPARATOR COMPANY.
936-38-SA V. 24 No. 3 P. 85

DeLaval Vacuum Still. Approved for use at limited locations.

VALVES (Shower)

HAMILTON MANUFACTURING COMPANY.
440-40-SM V. 26 No. 28 P. 1037

Hamilton Thermostatic Shower Mixing Valve, Series No. 2000, 3000, and 4000. Thermal unit to close hot water port in case of failure of cold water supply. Approved under Section C26-178.0,b.

VENEERS, EXTERIOR

SAYRE AND FISHER BRICK CO.
301-38-SM V. 23 No. 21 P. 679

S. & F. Colonial Veneer Brick—made of burnt red clay, 8¼" x 2½" x 3". Approved for use in veneered walls of frame constructed buildings under Section C26-437.0.

WATSONTOWN BRICK CO.
57-39-SM V. 24 No. 11 P. 403

Watsontown Persian 2" Veneer Brick—red matt texture shale burned clay, 2¼" x 2" x 8". Approved for use in veneered walls in frame constructed houses under Section C26-437.0.

METAL-LITHIC PRODUCTS COMPANY.
365-38-SM V. 23 No. 30 P. 996

Metal-Lithic Porcelain Building Veneering Unit, 16 to 20 gauge Porcelain enameled steel backed with 1" of concrete. Approved for use under Sections C26-437.0, C26-437.2 and C26-438.0.

VENTILATORS
(See also Rooflights, etc.)

CARRIER CORPORATION.
339-39-SA V. 24 No. 16 P. 582

Carrier Room Ventilator. Approved under Section C26-191.0.

CENTURY FAN AND VENTILATOR COMPANY.
878-39-SM V. 24 No. 47 P. 1691

Century Spring Register with Fusible Link Attachment. Approved under Section C26-191.0.

EMPIRE FAN AND VENTILATING EQUIPMENT COMPANY.
1056-38-SA V. 24 No. 10 P. 358

Empire Spring Register. Approved under Section C26-191.0.
498-39-SM V. 24 No. 43 P. 1536

Empire Turbine Ventilator. Approved.
499-39-SM V. 24 No. 43 P. 1537

Refer to the resolution for details of approval and limitations of use.

Empire Syphon Ventilator. Approved.
1077-38-SA V. 24 No. 10 P. 359

Empire Wall and Empire Ceiling Gravity Registers. Approved under Section C26-191.0.

BENJAMIN LOW.
213-38-SA V. 23 No. 17 P. 545

"Low" Wind-operated Stationary Single and Dual Suction Type Ventilator. Approved for use under Sections 200 and 250, Multiple Dwelling Law.

PHOENIX VENTILATOR COMPANY.
998-38-SA V. 23 No. 52 P. 1659

Phoenix Duo-Cone Syphon Ventilator. Approved under Section C26-262.0 and Section 200 of Multiple Dwelling Law.

747-38-SA V. 23 No. 51 P. 1583

Phoenix Wind-Driven Turbine Ventilator. Approved under Section C26-262.0 and Section 200, Multiple Dwelling Law.

PUREXHAUST CORPORATION.
675-38-SA V. 23 No. 42 P. 1286

Purexhaust (Fume, smoke and carbon monoxide eliminator). Approved for use with internal combustion engines under Section C26-165.

SUPERIOR SKYLIGHT COMPANY, INCORPORATED.
501-40-SM V. 25 No. 25 P. 907

Invisible Gravity Ventilator. Approved under Sections C26-720.0 and C26-724.0.

VENTILATION ACCESSORIES

BENJAMIN RIESNER, INC.
1358-39-SM V. 29 No. 3 P. 39

Benjamin Riesner Ventilating Brick, Types C and D—metal ventilating brick for masonry walls in garages. Approved for use under C26-267.0b.

WALL COVERING (See also Fibre Board, Gypsum Wallboard and Veneers)

BIRD AND SON, INCORPORATED.
976-41-SM V. 27 No. 18 P. 516

Bird Armowall-Flexible Wall Covering .051 in. thick-enamel on an asphalt saturated backing felt.
Monaconsec-Flexible Wall Finishing Sheet—.065 in. thick. Approved for use in Class 3 and 4 construction.

FORMICA INSULATION COMPANY.
993-40-SM V. 26 No. 21 P. 783

1/16-inch Formica (decorator sheets for wall covering) 50% heat reaction synthetic resin and 50% cellulose. Approved for use under Section C26-667.0, 7b.
993-40-SM V. 28 No. 5 P. 109
Formica, 1/16 in. decorator sheets for wall covering. Approval rescinded.

WATER COOLERS

CARRIER CORPORATION.
488-39-SA V. 24 No. 28 P. 1065

Carrier Water Cooler. Approved.

WATER TANK LEVEL INDICATOR

ACME FIRE ALARM CO., INC.
839-39-SA V. 24 No. 52 P. 1848

Acme Type P. S. High and Low Water Level Indicating Device for Pressure Tank. Approved for use on sprinkler and standpipe pressure tanks under Sections C26-1366.0 and C26-1419.

WATERPROOFING METHODS FOR CONCRETE AND MASONRY WALLS (See also Paints)

AMERICAN BRASS COMPANY.
508-38-SM V. 23 No. 30 P. 1002

Walsh Waterproofing Method A—a sheet copper waterproofing membrane backed up with sisalkraft building paper, with an asphalt binder fastening. Approved for use in masonry construction with lime free Portland cement mortar, under Article 9, Subarticle 4 of the Administrative Building Code.
V. 23 No. 45 P. 1394

Walsh Waterproofing Method B. Approved as above.

ANTI-HYDRO WATERPROOFING CO.
179-39-SM V. 28 No. 21 P. 451

Anti-Hydro Integral Waterproofing Compound. Waterproofing material. Approved under Section C26-191.0.

BRISK WATERPROOFING COMPANY, INC.
1243-39-SM V. 26 No. 49 P. 1626

Larson Waterproofing Units—Waterproofing Membrane of Asphalt-Impregnated Felt. Approved as a method of construction under C26-178.0b.

DUSING AND HUNT, INC.
1002-39-SM V. 27 No. 49 P. 1214

Perfection Joint Cover—for protection of Horizontal Stone Joints—made of 12 oz. lead coated copper. Approved.

WATER TREATMENT EQUIPMENT

WATER SERVICE LABORATORIES, INC.
470-43-SA V. 29 No. 31 P. 709

Chemistat (proportioning feed for treating water with sodium silicate)—Approved under C26-178.0b and Sec. 170 of the Sanitary Code.

WATER TREATMENT CORPORATION.
597-43-SM V. 29 No. 30 P. 678

Water Treatment Corporation's Automatic Proportionate Feeding Device (for chemical treatment of water supply using Sodium Silicate). Approved under C26-178.0b, Administrative Building Code and Sec. 170 of the Sanitary Code.

WEARING SURFACE (See also Floor Coverings)

BUILDERS SPECIALTY COMPANY.
60-39-SM V. 24 No. 26 P. 998

Permaflex—flexible concrete for resurfacing and patching floors—approved as a flooring material and as a waterproofing material under Sections 76 and 200 of Multiple Dwelling Law.

Refer to the resolution for details of approval and limitations of use.

CELOTEX CORPORATION.
1205-38-SM V. 26 No. 38 P. 1296

"Mil-Flor"—bagasse fibre saturated with an asphaltic compound, in sheets 24 in. by 48 in. by ½ in. thick to be cemented to the under floor. Approved as a wearing surface under Section C26-667.0, 4c.

WELDING—RODS AND EQUIPMENT

AIR REDUCTION SALES COMPANY.
437-38-SM V. 23 No. 30 P. 1000

Airco Welding Electrodes. Approved.
V. 24 No. 22 P. 827

Airco No. 79 may be marketed under Wilson No. 98V&O.
541-39-SA V. 25 No. 12 P. 424

Airco Type "A" Portable Acetylene Generators. Approved as an appliance.
603-42-SA V. 27 No. 45 P. 1122

Airco Stationary Acetylene Generator, 300 lb. and 500 lb. capacities. Approved.

AMERICAN CHAIN & CABLE CO.
248-38-SM V. 23 No. 18 P. 573

Page Hi-Tensile Electrodes. Approved under Rule 7. Subdivision 2 of the Welding Rules.

BASTIAN BLESSING COMPANY.
316-40-SA V. 26 No. 9 P. 351

Rego Oxy-Acetylene Welding and Cutting Equipment. Approved.

GENERAL ELECTRIC COMPANY.
174-41-SA V. 26 No. 51 P. 1699

General Electric Silver Braising Torch No. P-5163606. Approved.

HARNISCHFEGER CORPORATION.
544-38-SM V. 23 No. 30 P. 1014

Smootharc Electrodes. Approved under Rule 7, Subdivision 2 of the Fusion Welding Rules.

HOKE, INC.
450-43-SA V. 29 No. 6 P. 96

Hoke Jewel Torch—Approved for use with illuminating gas and oxygen—for brazing and soldering under Section C19-93.0.

LINCOLN ELECTRIC COMPANY.
486-38-SM V. 23 No. 30 P. 1001

Lincoln Fleetweld Welding Electrodes. Approved.

LINDE AIR PRODUCTS COMPANY.
884-38-SA V. 23 No. 48 P. 1501

Acetylene Generator "Carbic Type CMP2" for Welding. Approved as an Appliance.

LINDE AIR PRODUCTS COMPANY.
91-40-SM V. 25 No. 9 P. 311

Oxweld W29 Welding Blowpipe.
Purox No. 23 Welding Blowpipe.
Purox No. CA33 Cutting Attachment.
Purox No. 34 Welding Blowpipe.
Purox No. CA-34 Cutting Attachment.
Prest-O-Weld C108 Cutting Blowpipe.
Prest-O-Weld W108 Welding Blowpipe.
Prest-O-Weld CW108 Cutting Attachment.
Prest-O-Weld W109 Welding Blowpipe.
Prest-O-Weld CW109 Cutting Attachment.
Oxweld MP-5 Acetylene Generator—Stationary.
Oxweld MP-7 Acetylene Generator—Portable or Stationary.
Oxweld MP-9 Portable Acetylene Generator.
Approved as appliances.
91-40-SA V. 26 No. 52 P. 1723
V. 27 No. 18 P. 513

Oxweld C52, C53, C54 and W37 Machine Cutting Blowpipe, Oxweld W26-M Blowpipe, Oxweld CW-29 Cutting Attachment; Prest-O-Weld C-111 Cutting Blowpipe, Prest-O-Weld W-110 Welding Blowpipe and CM-110 Cutting Attachment; Prest-O-Weld W-111 Blowpipe and CW-111 Cutting Attachment and Oxweld MP-10 Portable Acetylene Generator. Approved.

METAL AND THERMIT CORPORATION.
798-38-SM V. 24 No. 8 P. 293

Murex Vertex and Murex Fillex Welding Electrodes. Approved.

SMITH WELDING EQUIPMENT CORPORATION.
221-42-SA V. 27 No. 44 P. 1098

Smith's Type D and Type J Portable Acetylene Generators, K815, K830, K850, K1515, K1530 and K1550. Approved.
222-42-SA V. 27 No. 44 P. 1100

Smith's Type L Stationary Acetylene Generators, K2100, K220, K2300 and K2500.

REID-AVERY COMPANY.
645-39-SM V. 25 No. 27 P. 983

Raco Welding Electrodes. Approved under Rule 7, subdivision 2 of the Fusion Welding Rules.

UNA WELDING, INC.
1134-38-SM V. 24 No. 9 P. 328

Una 3100 Welding Electrode. Approved.

WILSON WELDER AND METALS CO.
474-38-SM V. 24 No. 19 P. 695

Wilson Welding Electrodes and Alloy Rod A. Approved.

WINDOWS

HERMANN AND GRACE COMPANY.
1153-40-SM V. 26 No. 7 P. 291

Hermann and Grace Company Hollow Metal Double Hung Window. One hour fire resistive rating. Approved under Sections C26-610.0, C26-659.0, C26-191.0, C26-178.0, b.

REVERSIBLE DOUBLE HUNG WINDOW CORP.
510-40-SM V. 25 No. 45 P. 1507

Reversible Safe-E-Sash (Double-Hung) Wood Window. Approved under Sections C26-261.0 and C26-262.0.

S. H. POMEROY CO., INC.
1137-39-SM V. 24 No. 43 P. 1540

Pomeroy "Standard Type" Hollow Metal Steel Double Hung Window, Model M—one hour fire resistive rating. Approved under Sections C26-178.0, b, C26-191.0 and C26-610.0.
1136-39-SM V. 24 No. 43 P. 1539

Pomeroy "Superior Type" Hollow Metal Steel Double Hung Window, Models H, I. L. Approved as a fireproof window under Sections C26-178.0, b, C26-191.0 and C26-610.0.

WOOD PRESERVATIVES

CELCURE SOUTHERN CORPORATION.
744-38-SM V. 23 No. 46 P. 1431

Celcure Acid Cupric Chromate—a wood preservative. Approved under Section C26-191.0.

AMERICAN LUMBER AND TREATING COMPANY.
22-42-SM V. 27 No. 30 P. 886

Wolmanized Lumber—Treated with Wolman salts for protection against termites and decay. Approved.

Refer to the resolution for details of approval and limitations of use.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

THE LIBRARY OF THE
MAY 3 1945
UNIVERSITY OF ILLINOIS

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Docket.

Rules Directory.

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Minutes of Regular Meeting, April 10, 1945, at 2 P. M., Affecting Calendar Numbers 230-44-A, 501-44-A, 577-44-A, 632-44-A, 634-44-A, 723-44-A, 51-45-A, 70-45-A, 77-45-A, 105-45-A, 117-45-A, 138-45-A, 141-45-A, 164-45-A, 170-45-A, 171-45-A, 262-44-A, 640-44-A, 507-44-A, 678-44-A, 62-45-A, 80-45-A, 131-45-A, 177-45-A, 875-41-A, 627-44-A, 653-44-A, 703-44-A, 734-44-A, 68-45-A, 116-45-A, 167-45-A, 184-45-A, 170-37-BZ, 1015-41-BZ and 890-42-BZ.

(Remaining minutes of the meeting of April 10, 1945 will be printed in the Bulletin of April 24, 1945.)

PETITION FOR CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On April 12, 1945, copy of Petition and Order of Certiorari was served on the Board by Reginald S. Hardy, attorney for Beard's Erie Basin, Inc., owner, in re decision of the Board on March 6, 1945, denying appeal from an order of the fire commissioner for the installation of a sprinkler system; Cal. No. 617-44-A; premises Pier 2, west side of Columbia Street, south of Halleck Street, Borough of Brooklyn.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to April 10, 1945.

Cal. No. Dept. Premises Affected.

198-45-A—F.D.—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor); (Block 1282, Lot 11), Borough of Brooklyn, 13584-LF and Decision.

199-45-A—F.D.—2072-2074 3rd avenue, west side, 82 ft. 8 in. south of East 114th street (Block 1641, Lot 37), Borough of Manhattan, 40679-LC and Decision.

200-45-BZ—H.B.M.—1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan, Amendment to Alt. 222-45.

201-45-A—H.B.M.—212-220 East 92nd street, south side, 175 ft. east of 3rd avenue and 211 East 91st street (3rd and 4th floors); (Block 1537, Lot 9), Borough of Manhattan, Amendment to Alt. 62-45.

202-45-A—H.B.Q.—20-20 119th street, west side, 200.38 ft. south of 20th avenue (1st floor); (Block 4160, part of Lot 10), College Point, Borough of Queens (Under section 35, General City Law re bed of proposed mapped street—Powells Cove Road), Alt. 301-45.

203-45-BZ—H.B.M.—536 East 85th street, south side, 223 ft. west of East End avenue (Block 1581, Lot 36), Borough of Manhattan, Amendment to Alt. 129-45.

204-45-A—H.B.M.—115-119 West 52nd street, north side, 200 ft. west of 6th avenue (Block 1005, Lots 22, 23 and 24), Borough of Manhattan, Amendment to Alt. 1326-44.

205-45-A—F.D.—172-190 3rd avenue and 263-283 Douglas street, northwest corner (1st floor); (Block 412, Lots 29, 32, 34, 37 and 41), Borough of Brooklyn, 14582-LF.

206-45-A—F.D.—1171-1183 Atlantic avenue, northeast corner of Perry place (1st floor—Buildings 9 and 10); (Block 1866, Lots 1-7), Borough of Brooklyn, 13777-LF and Decision.

207-45-A—F.D.—1236-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (ground floor—Buildings 1, 2, 3, 4, 7 and 8); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn, 13773-LF and Decision.

208-45-A—H.B.M.—Blocks bounded by north side of East 14th street to south side of East 20th street, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, Blocks 972-977, inclusive, and Blocks 982-987, inclusive, Lots 1), Borough of Manhattan, Amendment to N.B. 11-45 to N.B. 51-45, inclusive.

209-45-A—H.B.M.—245-259 West 41st street, north side, 100 ft. east of 8th avenue (Block 1013, Lot 5), Borough of Manhattan, Amendment to Alt. 200-45.

210-45-BZ—H.B.M.—1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan, N.B. 152-44.

211-45-A—H.B.M.—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan, N.B. 152-44.

212-45-A—H.B.M.—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan, N.B. 83-45.

213-45-A—F.D.—745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn, Decision re 98462-LC.

214-45-A—H.B.M.—215-219 East 91st street, north side, 225 ft. east of 3rd avenue (Block 1537, Lot 10), Borough of Manhattan, Amendment to Alt. 877-44.

Restored to Calendar.

875-41-A—H.B.B.—134 Sterling street, south side, 143 ft. east of Bedford avenue (1st and 2nd floors); (Block 1319, Lot 13), Borough of Brooklyn, Alt. 3813-44.

1223-25-BZ—H.B.B.—181-191 Clermont avenue, east side, 84 ft. north of Willoughby avenue and 174-184 Vanderbilt avenue, west side, 124 ft. 7 in. north of Willoughby avenue (Block 2075, Lot 5), Borough of Brooklyn, Alt. 560-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A

CALENDAR

	Last Publication in Bulletin
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

APRIL 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning,* April 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

57-45-BZ—Application, February 7, 1945, under section 21 of the zoning resolution, of Ralph J. Gurfield, applicant, on behalf of Storch and Hirche, owners, to permit in a retail use B area district, the conversion of the 1st story of an existing building to cover the entire lot; premises 733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

660-44-BZ—Application, November 21, 1944, under sections 7a and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Doris Gordon, owner, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores; premises 200 East Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

671-44-BZ—Application, November 27, 1944, under section 7c of the zoning resolution, of Charles H. Richter, applicant, on behalf of Terry and McMichael, Inc., owner, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for an existing smaller frame garage building; premises 424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant, on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard; premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Bulova Watch Co., owner (Bulova School of Watchmaking, lessee), to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

Appeals from Administrative Decisions.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

692-44-A—130-05B 94th avenue, north side, 65 ft. east of 130th street (1st floor); (Block 9375, Lot 261), Jamaica, Borough of Queens.

195-45-A—26-32 West 17th street, south side, 403 ft. west of 5th avenue (12th floor); (Block 818, Lot 66), Borough of Manhattan.

213-45-A—745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

APRIL 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 17, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

653-44-A—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

685-44-A—100-02 Rockaway boulevard, southwest corner of 101st street (1st floor); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

219-45-A—2 West 122nd street, southwest corner of Mount Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

144-45-A—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.

149-45-A—186 William street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.

CALENDAR

167-45-A—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (under section 35, General City Law—re bed of mapped street—127th street).

81-45-A—465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (ground and 2nd floors); (Block 2008, Lot 9), Borough of Brooklyn.

722-44-A—91 Marlborough road (East 15th street), east side, 107 ft. 5 in. south of Church avenue (2nd and 3rd floors); (Block 5096, Lot 60), Borough of Brooklyn.

732-44-A—200-202 East 116th street and 2121-2123 3rd avenue, southeast corner (2nd and 3rd floors); (Block 1665, Lot 48), Borough of Manhattan.

656-44-A—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan (reopened and restored to calendar, February 27, 1945; previously withdrawn).

635-44-A—43 Debevoise place, east side, 100 ft. south of Lafayette street and 432 Hudson avenue (Block 2085, Lot 7), Borough of Brooklyn.

89-45-A—1580-1590 Broadway and 200 West 48th street, southeast corner and 710-720 7th avenue (Block 1019, Lot 36), Borough of Manhattan.

183-45-A—1037-1041 Beach 20th street, west side, 204 ft. 8 in. south of Mott avenue (1st and 2nd floors); (Block 212, Lot 60), Far Rockaway, Borough of Queens.

193-45-A—1074 Franklin avenue, south side, 249.70 ft. east of 3rd avenue (1st and 2nd floors); (Block 2607, Lot 37), Borough of The Bronx.

216-45-A—424-438 West 33rd street, south side, 268 ft. 9 in. west of 9th avenue (3rd floor); (Block 730, Lot 63), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

25-45-BZ—Application, January 17, 1945, under sections 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of 18 East 71st Corp., owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

607-40-BZ—Application of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), reopened March 27, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

23-45-BZ—Application, January 17, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Santa Fazzini, owner, to permit in a residence use D area district, the extension of a garage for more than five motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution; premises 107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens.

796-23-BZ—Application, of Lama and Proskauer, applicants, on behalf of 1507-1535 Coney Island Avenue Corporation, owner, reopened October 10, 1944, under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station (previously granted by the Board) to include a room for display and sale of new and used cars; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

123-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Benjamin H. Whinston, applicant, on behalf of Young Israel Synagogue of Claremont Parkway, Inc., owner, to permit in a B area district, the conversion and extension in area of a building now occupied as a two family dwelling into a synagogue without complying with the area requirements for a B area district; premises 1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

Appeals from Administrative Decisions

124-45-A—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

731-44-A—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.

751-44-A—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.

Materials for Approval.

53-45-SM—Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround.

497-44-SM—Thatcher Manufacturing Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

490-44-SM—Anchor Hocking Glass Corporation's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

492-44-SM—Ball Brothers Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

494-44-SM—Fairmount Glass Works, Inc., "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

491-44-SM—Armstrong Cork Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

495-44-SM—Owens-Illinois Glass Company's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz., and 32 oz., sizes.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

627-44-A—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.

207-45-A—1236-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (ground floor, buildings 1, 2, 3, 4, 7 and 8); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

184-45-A—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 1, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

418-44-BZ—Application, July 5, 1944, under section 7c of the zoning resolution, of Bernard Shatkin, applicant, on behalf of Tilyou Realty Corp., owner, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 1, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

734-44-A—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

68-45-A—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, APRIL 10, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meeting of the Board held on Tuesday morning, March 27, 1945, and Tuesday afternoon, March 27, 1945, were approved as printed in Bulletin No. 14, Volume 30.

ZONING CASES

50-41-BZ

APPLICANT—John C. Wandell, for Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31).

SUBJECT—Application reopened April 11, 1944—Application (decision of the borough superintendent) under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and

partly in a business use district, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.
APPEARANCES—
For Applicant: John C. Wandell.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

753-44-BZ

APPLICANT—Chester A. Cole and Maurice G. Uslan, for Emanuel M. Honig, owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7f and 21 of the zoning resolution, to permit partly in a residence use and partly in a business-1 use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than five motor vehicles, motor vehicle repair shop, showrooms and gasoline service station.
PREMISES AFFECTED—140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.
APPEARANCES—
For Applicant: Maurice G. Uslan and Chester A. Cole.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Placed on Reserve Calendar.

106-45-BZ

APPLICANT—James E. Casale, for 18 East 71st Corporation, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area.
PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.
APPEARANCES—
For Applicant: James E. Casale.
For Opposition: George J. Thompson, Arthur J. Sylvester, Thomas Capek, Jr., William H. Welsh, Alfred Rice and John J. Matthews.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

589-38-BZ

APPLICANT—The Franklin Savings Bank in the City of New York, owner.
SUBJECT—Application reopened March 13, 1945 for consideration as to extension of variance (expired by limitation)—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—303 West 51st street, north side, 58 ft. 10½ in. west of 8th avenue (Block 1042, Lot 28½ and part of Lots 29, 30, 30½, 31. 32, 33, 33½ and 34), Borough of Manhattan.
APPEARANCES—
For Applicant: George Robinson.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Permit extended.
THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (589-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the packing and storage of more than five motor vehicles, affecting premises 303 West 51st street, north side, 58 ft. 10½ in. west of 8th avenue (Block 1042, Lot 28½ and part of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan, was granted by the Board on December 13, 1938, on certain conditions; and

WHEREAS, the permit was extended on February 9, 1943 and the applicant requested a further extension of the permit, which had expired by limitation of time; and

WHEREAS, this case was reopened by vote of the Board on March 13, 1945, restored to the calendar and set for hearing on April 10, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 13, 1938, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the unbuilt upon portion of the plot facing Eighth avenue and the adjoining lot facing 51st street to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of December 13, 1938 shall be complied with and that a certificate of occupancy shall be obtained."

533-42-BZ

APPLICANT—Paul Friedman and Arnold W. Lederer, for Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42).
SUBJECT—Application reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application (decision of the borough superintendent) previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of used cars.
PREMISES AFFECTED—2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.
APPEARANCES—
For Applicant: Paul Friedman.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Resolution amended and permit extended.
THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

MINUTES

THE RESOLUTION (533-42-BZ)

WHEREAS, this application under sections 7e and 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles and also, open display and sale of used cars, affecting premises 2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn, was granted by the Board on January 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to complete the work (which had expired by limitation) and the extension of the permit; and

WHEREAS, this case was reopened by vote of the Board on October 31, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 25, 1944, so that as amended, it shall read as follows:

"*Granted* under sections 7e and 7h for a temporary term of two years from the date of this *amended* resolution, to permit the occupancy as proposed for the parking and storage of more than five motor vehicles and for the sale of used cars on the premises, consisting of lots 42 and 43 and part of lot 45, where the later is now unbuilt upon, *on condition* that the frame building on Lot 43 shall be removed and the entire premises leveled and graded substantially to the grade of Church avenue; that the plot shall be surfaced with steam cinders, or clean gravel treated with a binder and rolled so as to provide surface drainage; that on the interior lot lines where walls of adjoining buildings do not occur, there shall be erected a substantial steel picket fence not less than 4 ft. in height erected on a concrete curb not less than one foot in height or a wall of brick masonry not less than 4 feet in height and suitably coped; that there shall be no entrance to the premises except one curb cut as indicated to the west, which may be 24 ft. in width; that all other curb cuts shall be removed and the curbs restored; that there shall be located against the wall of the Erasmus Hall high school, a concrete bumper not less than 3 ft. in width and not less than 6 in. in height, to prevent cars from bumping the school wall; that a similar bumper shall be constructed against the premises of the adjoining owner to the west; that the existing buildings on Lot 45 shall not be increased in height or area during the term of this variance; that the cars may enter the plot to reach the 4-car garage at the rear thereof; that the sale of used cars shall be toward the east, and the westerly portion may be used for parking and storage of motor vehicles; that no additional building shall be erected on the premises, except there may be erected an office, solely for shelter for the attendant and for toilet for the customers, provided such building is not over 150 sq. ft. in area and one-story in height, and constructed of masonry; that such building shall be erected near the entrance and adjacent to the side of the building to be removed; that only motor vehicles in condition for operation shall be stored or parked and only motor vehicles of the pleasure-car type; that no signs shall be erected on the premises advertising the parking and storage use and the sale of used cars, except a sign advertising each use, attached to the fence, provided such signs do not exceed 15 sq. ft. in area, do not extend beyond the building line and are not illuminated; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within six months from the date of this *amended* resolution and that a certificate of occupancy shall be obtained."

639-44-BZ

APPLICANT—Halford Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises.

PREMISES AFFECTED—440 West 240th street, southeast corner of Greystone avenue to Dash place (Block 3414-E, Lot 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Percival Corn.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (639-44-BZ)

WHEREAS, Halford Realty Corporation, owner, filed November 13, 1944, an application under sections 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of two garages, one (metal) for five motor vehicles and one (frame) for ten motor vehicles, space rented to persons not residing on premises; affecting premises 440 West 240th street, southeast corner of Greystone avenue to Dach place (Block 3414E, Lot 20), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 240th street and Greystone avenue are in a residence use, B area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated December 1, 1943, re request for certificate of occupancy, reads:

"Receipt is acknowledged of your communication of November 26, in which you advise us that you are about to take an appeal to the Board of Standards and Appeals for an interpretation of Article 2, Section 6 of the zoning resolution in relation to your application for a certificate of occupancy for garages for more than five cars, located at the subject premises.

As you were previously informed, the records of this Department show only that an approval was issued for an extension to a frame stable under Alt. Applic. 1340-1895. Since there are no records on file that any approval or permit was ever issued for the erection of a five car metal garage, or for the change in use of the frame stable to a garage at the above premises, the affidavits submitted by you, which purport to prove that these structures existed, and were used as garages prior to July 25, 1916, cannot serve as a basis for issuing a certificate of occupancy under the authority of Article 2, Section 6 of the zoning resolution. The storage of automobiles in a residence district, other than as accessory to dwelling is prohibited under Article 2, Sec. 3 of the zoning resolution, and your application for a certificate of occupancy is, therefore, again denied."

and

WHEREAS, the applicant states the premises consist of a plot, 181.07 ft. frontage by 185.88 ft., irregular in area, on which is located a one story metal building, 45 ft. by 18 ft., occupied as a garage for five cars and a one story frame building occupied as a garage for (ten) 10 cars; that it is proposed to maintain these garages, in view of the long continued usage, at least 15 years for a part, and much longer

for the other part, and in view of the fact that the garages are located far from the main thoroughfare (Greystone avenue) and are concealed most of the year by heavy foliage and that the streets that are adjacent (West 240th street and Dash place) are unopened streets, unpaved and uncurbed and that the existing garages are not intended to be permanent fixtures, since the income derived from them is not even sufficient to pay taxes and penalties, and they are only being maintained until such time as a permanent improvement can be erected on the site; and

WHEREAS, under Cal. 5-44-A, the Board denied an appeal on these premises; report of committee in this case, Cal. 5-44-A covered conditions on plot; that two buildings in question are only ones on the lot; that the barn was erected many years ago and occupied as a stable and carriage house; that the stable was remodeled under Plan #1340-1895, which is the only record in files of Dept. of Housing and Buildings; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board in connection with previous appeal Cal. 5-44-A; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7e thereof, for a term of two years from the date of this resolution, to permit the occupancy of the two existing buildings as proposed, *on condition* that not more than fifteen (15) motor vehicles shall be stored therein; that such motor vehicles shall be of the pleasure-car type; that during the term of this variance, the premises shall be used for no other purpose than that herein permitted; and that all permits required shall be obtained and all work completed within three months from the date of this resolution and that a certificate of occupancy shall be obtained.

40-45-BZ

APPLICANT—Daniel Santoro, for Gus Stanzione and Rose Stanzione, owners.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use E area district, the erection of a three-car garage (for light delivery trucks) as an accessory to a baker-grocery business on the front of plot in a local retail D area district.

PREMISES AFFECTED—705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Daniel Santoro.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (40-45-BZ)

WHEREAS, Daniel Santoro, for Gus and Rose Stanzione, owners, filed January 29, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a residence use, E area district, the erection of a three car garage (for light delivery trucks) as an accessory to a bakery and grocery business in a local retail, D area district on front of lot, affecting premises 705 Forest avenue, north side, 310.66 ft. west of Bement avenue (Block 168, Lot 68), West Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Myrtle avenue is in a residence use, E area and class 1¾ height district; Forest avenue is in a local retail, D area and class 1¾ height district; Bement avenue is in a retail 1 and residence use, D and E area and class 1¾ height district; and

WHEREAS, the decision of the borough superintendent, dated January 19, 1945 on Alt. Applic. 7-45 reads:

> "1. This proposed non-fireproof 3 car garage to be used as accessory to a bakery is not permitted in a residential use zone, as being contrary to amended zoning resolution. Art. II, Sec. 3, 9a.
>
> 2. This proposed non-fireproof 3 car garage is not permitted in an E area district as a 25 ft. rear yard is required. Amended zoning resolution. Art. IV, Sec. 15a."

and

WHEREAS, the applicant states that the premises consist of a plot, 52.46 ft. frontage by 148 ft. and 155 ft. in depth, on which is located a 1 and 2 story, class 3 constructed building, 24 ft. and 27 ft. by 100 ft. and 28 ft. in area at 1st story and 24 ft. by 65 ft. above, occupied as a grocery and bakery, two car garage and flour storage, and it is proposed to use the present two car garage for flour storage and build a new three car garage at the rear, leaving a 23 ft. rear yard; and

WHEREAS, the applicant contends that the plot is 52.46 ft. front and 148 ft. and 155 ft. in depth; that the present building erected in 1938, is 24 ft. front and 100 ft. in depth; that the local retail zone extends 100 ft. from the front, so that the balance of the plot is in the residential zone; that lot is same size since 1916; that due to greatly curtailed labor, the owners who conduct a bakery and grocery business on the premises covered by the application, propose to change the present layout and machinery, by substituting up to date labor saving machinery and equipment; that it is proposed to install a new oven, slicing and mixing machine: that in order to accomplish this, it will be necessary to extend the present building into the residential zone, 28 ft. one story high; that this proposed addition will be used as a garage for light delivery trucks for the business; and

WHEREAS, the frontage along Forest avenue was formerly zoned for business use and the existing use district zoning was adopted on January 23, 1942; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision c and section 21 of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension into the residence area as proposed for the construction of a garage, as indicated on plans filed with this application marked "Received January 29, 1945", *on condition* that the building and use shall not be further increased; that the balance of the plot shall be maintained landscaped, with a substantial steel picket or heavy wire mesh fence supported on steel posts on the side and rear lot lines and across the driveway at the end thereof; that no windows shall be constructed on the lot line wall to the west; that this garage shall be used solely as proposed, for the storage of motor vehicles used in conjunction with the business conducted on the premises by the owner; that the exterior of the proposed garage shall be of masonry construction, blending with the existing finish of the exterior of present building; that no repairing of motor vehicles shall be performed on the premises and no private gasoline system or pump shall be installed on the premises; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a certificate of occupancy shall be obtained; and that all

permits required shall be obtained and all work completed within one (1) year from the date of this resolution.

52-45-BZ

APPLICANT—Joseph H. Cornell, for Frances Greenrose, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building.

PREMISES AFFECTED—214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell and Hugh Quinn.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (52-45-BZ)

WHEREAS, Joseph H. Cornell, for Frances Greenrose, owner, filed February 3, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the 1st story of an existing residence and business building; affecting premises: 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 90th street is in a business and residence use, A area and Class 1 height district; Rockaway Beach boulevard is in a business use, A area and Class 1 height district; Long Island Railroad Right of Way is in a residence use, A area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated January 24, 1945, re Alt. Applic. 1425-44 reads:

"M. The erection of extension in residence district for business use is in violation of Sec. 3, Art. 2 of the Zoning Resolution.

Consideration denied on Objection No. 1."

and

WHEREAS, the applicant states the premises consist of a plot 116 ft. frontage by 125 ft. in depth, on which is located a 3-story, Class 3 construction building, 51 ft. by 108 ft. in area on the 1st story and 25 ft. by 64 ft. in area above, occupied as bar and grill in 1st story and residence above and that it is proposed to extend the building on the 1st story for new dining room and kitchen; and

WHEREAS, the applicant contends that the use district at this location was changed in 1938 by the City Plan Commission from unrestricted to residential use; that portion of plot adjacent to Long Island Railroad was used as large express office by them and this building was demolished in 1940; the present 3-story building has been used as bar and grill and restaurant on first floor and with apartments on second and third floors, since 1890; that it is proposed to extend the first floor of present building, to create new dining room and kitchen, etc., as per plans, and the new extension built on portion of the site of former express office; that this property lies between business on Rockaway Beach boulevard, and the Long Island Railroad, with frontage of 116 ft. on Beach 90th street and is definitely useless for residential purposes; that at rear of site is a large two-story public garage, which has been there for a long time; that opposite the site on Beach 90th street, is a bottling establishment and garage to same, and two old houses badly in need of repairs and that the vacant lot adjoining the railroad formerly had a freight track run in there and this siding was removed when the railroad was elevated; that with these surroundings, it is respectfully requested the Board grant a variance under Section 7c to permit the proposed extension; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application to and it hereby is *granted* under section 7c thereof, to permit the extension of the existing building into the residence use district substantially as shown on plans filed with this application marked "Received February 5, 1945", *on condition* that the existing frame building on the southerly portion of the lot shall be removed and there shall be constructed along the interior southerly lot line where existing brick walls of adjoining buildings do not occur, a substantial brick masonry wall not less than 6 ft. in height and properly coped; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

56-45-BZ

APPLICANT—George W. Swiller, for R. and A. Building Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7A of the zoning resolution, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets.

PREMISES AFFECTED—125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx.

APPEARANCES—

For Applicant: George W. Swiller.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (56-45-BZ)

WHEREAS, George W. Swiller, for R. and A. Building Corporation, owner, filed February 6, 1945, an application under section 7A of the zoning resolution, to permit in a business use district, abutting a residence use district, the extension of a show window more than 25 feet beyond the intersection of the two streets, affecting premises: 125-131 East 170th street and 1401-1405 Wythe place, northwest corner (Block 2843, Lot 98), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Wythe Place is in a business and residence use, B area and Class 1¼ height district and East 170th street is in a business use, B area and Class 1¼ height district; and

MINUTES

WHEREAS, the decision of the borough superintendent, dated January 30, 1945, re Alt. Applic. 644-44, reads:

"15. Show window on Wythe Place, over 25 feet from intersection of East 170th street is prohibited by Section 7-A Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 102.1 ft. frontage by 86.2 ft., irregular in depth, on which is located a two-story (32 ft. 6 in. high), Class 1 constructed building, 102.1 ft. by 86.2 ft. in area, occupied as stores, restaurant, billiard parlor and office and that it is proposed to occupy the building as stores, restaurant office and sales room and add a new 7 ft. show window alongside of the existing 20 ft. 6 in. show window on the corner of Wythe Place and East 170th street; and

WHEREAS, the applicant contends that the building is a two-story fireproof structure; present occupancy first floor—stores and restaurant; second floor—offices and billiard parlor; that it is proposed to extend the store front display window of corner store along Wythe place, an additional 7 ft., by installing a new display window as shown on plans; that the total length of distance from the intersection of East 170th street and along Wythe place to remote point of display window will be 31 ft.; that it is impossible to display the various designed suits in present store front along Wythe place, due to the fact that each style requires a certain number of square feet of window display; therefore, the additional show window is essential; that it is obvious that the front on Wythe place will be beautified, due to the increase of the newly designed store front; and

WHEREAS, the applicant further contends that the existing show window extends 20 ft. 6 in. along Wythe place from the intersection of East 170th street; that there is also a show window at the rear of Wythe place, extending to the entrance to the second story; that it is proposed to close up this rear show window with masonry construction and to alter one of the existing windows adjacent to the corner show window, so as to create an additional 7 ft. wide show window, all to be within 31 ft. of the intersection of East 170th street; that this is an appropriate case for the Board to act on under the provisions of Section 7A and is in harmony with the general purpose and intent of the section; that the proposed condition will afford a greater protection to the residential district in the rear along Wythe place and will facilitate the display of the goods sold on the first story of the premises in question; that the entire alteration will enhance the value of property in the neighborhood and will in no wise tend to depreciate the value of or interfere with the enjoyment of the property in the residence district on Wythe place; that a recent amendment of the Zoning Resolution would permit the erection of a large open entrance-way leading to a loading platform or parking area within the building at any point on Wythe place frontage, without requiring any protection for the adjoining residence use district; that the proposal herein not only provides protection for the residence district, but actually improves the protection now existing, by removing further south, all semblance of business activity on the first floor of these premises; and

WHEREAS, the applicant stated that the proposed tenant is not to have occupancy of the cellar and no openings will be provided from the first floor store to such cellar space; and that if the cellar space is occupied by others, such exits shall be provided as the law requires; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7-A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted under Section 7-A, to permit the extension of show windows, substantially as proposed on plans filed herewith marked "Received February 6, 1945", *on condition* that such extension does not exceed 7 feet as shown and that no additional show window shall be constructed or maintained northerly therefrom along Wythe place; that a second means of exit from the store may, however, be constructed as permitted under Section 7-A; that similar ashlar, now on the Wythe place elevation, shall be continued across the store front proposed to be discontinued; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

731-44-A

APPLICANT—Franklin W. Gilman, for Loft Candy Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Lillian Kaltman.
ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M. on request of applicant's representative.

751-44-A

APPLICANT—Abe Rothenberg, lessee, for J. Stern, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.
APPEARANCES—
For Applicant: Charles E. Levy.
ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M. on request of applicant's representative.

107-45-A

APPLICANT—James E. Casale, for 18 East 71st Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.
APPEARANCES—
For Applicant: James E. Casale.
For Opposition: George J. Thompson, Arthur J. Sylvester, Thomas Copek, Jr., William H. Welsh, Alfred Rice and John J. Matthews.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

28-45-A

APPLICANT—Tedlee Chemical Corp., lessee, for 115 Dobbins Street Corporation, owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (3rd floor); (Block 2616, Lot 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: James A. Wilson.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

MINUTES

95-42-A

APPLICANT—L. D. Kauffman, for Wallabout Basin Storage, Inc., lessee; New York Dock Co. 1, owner.
SUBJECT—Application reopened January 23, 1945—re Appeal from an order of the fire commissioner.
PREMISES AFFECTED—290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn.
APPEARANCES—
For Applicant: L. D. Kauffman.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (95-42-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 290-304 Furman street, west side, 306 ft. 1¼ in. north of Joralemon street (Block 245, part of Lot 15), Borough of Brooklyn, was granted by the Board on April 17, 1942, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, Order No. 98569-LC, issued by the fire commissioner January 8, 1945, reads:

"With reference to application dated October 20, 1944, for a permit to store 500,000 Matchmans Gross of matches, at above premises, please be advised that the Fire Department, is without power to issue such a permit for the reason that a recent inspection of the premises shows same to be occupied for factory purposes. This is a violation of C19-46-b-1, of the Administrative Code, which reads as follows:

'No permit shall be issued for the storage or sale of matches within the city in quantities aggregating more than 60 Matchmans gross for any premises, which are occupied as a tenement house, dwelling, school, work shop, factory, theatre, or other place of public amusement or assembly.'

"1. You are, therefore, ordered to reduce the stock of matches stored on the premises to not more than 60 Matchmans Gross. C19-46-b-1, Administrative Code."

and

WHEREAS, the applicant now proposes to store 500,000 Matchmans gross of safety matches and to discontinue the storage of 300 drums of alcohol previously permitted; and

WHEREAS, the applicant contends that the building is used solely as an industrial warehouse; that while it is adjacent to a building used for manufacturing purposes, it is separated from such building by a wall and such manufacturing is conducted as a separate entity; that the matches proposed to be stored will be at least 150 ft. from the building used for manufacturing and will have a second wall intervening; that the building is fully protected by sprinklers; that if the Board grants this permission subject to installation of protective devices suggested by the Division of Combustibles, Fire Department, the applicant will be willing to comply.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 17, 1942, so that as amended, the resolution shall read:

"Resolved, that the order of the fire commissioner, Order 98569-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the matches to be stored shall be of a type approved by the fire commissioner and shall be stored in the original cartons and shall not exceed in gross quantity 500,000 Matchmans Gross; that the alcohol previously proposed to be stored, shall not be stored on the premises; that there shall be maintained a fireproof dividing partition, separating the portion of the building to be occupied for the storage of matches and the portion used for factory work, in accordance with the requirements of the resolution adopted under Cal. 517-25-A, as amended April 17, 1942; that the sprinkler system shall be maintained throughout the building to the satisfaction of the fire commissioner; that the so-called standpipe system connected with the sprinkler system shall be dismantled and discontinued and the connections with the sprinkler piping plugged or capped unless the dry pipe valve is removed and the sprinkler system restored, so as to be a wet system at all times."

165-45-A

APPLICANT—Control Instrument Co., Inc., lessee, for Bush Terminal Buildings Co., owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—33-67 35th street and east side of 2nd avenue 1300 ft. 4 in. north of 39th street (2nd floor—West Sec. A, Building 5); (Block 687, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Charles W. Olsen.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (165-45-A)

WHEREAS, Control Instrument Company, Incorporated, lessee, for Bush Terminal Buildings Company, owner, filed March 27, 1945, an appeal from an order of the fire commissioner, affecting premises 33-67 35th street, east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (2nd floor, west section A, Building No. 5); (Block 687, Lot 1), Borough of Brooklyn; and

WHEREAS, Order 97994-C, issued by the fire commissioner November 2, 1944, and repeated in a decision of the fire commissioner dated March 7, 1945, reads:

"1. You are hereby notified that Fire Department Permit #21253, expiring May 25, 1945, and authorizing the storage of Paint, etc. on above premises is revoked until the following is done:

7. Reduce quantity of volatile inflammable oil (naphtha). Plans and specifications in duplicate must be filed with and approved by Department of Housing and Buildings, before the above work may be commenced. C-19-51.0, Administrative Code."

and

WHEREAS, the applicant states the building is 6 stories, (83 ft.) in height; 75 ft. by 700 ft. in area; of Class 1 construction; erected 1911; located in an unrestricted use district, and used and occupied as follows: 1st floor, shipping, receiving and storage of raw materials, 36 persons; 2nd floor, punch press and finishing department, 82 persons; 3rd floor, engraving, gear cutting, burring, salvage, tool room and inspection, 145 persons; 4th floor, Gold Car Heating & Lighting Co., 20 persons; 5th floor, maintenance, assembly and testing, 72 persons; 6th floor, L. M. Peterson & Co., 40 persons; and

WHEREAS, the applicant states the building is equipped with a two source sprinkler system, standpipe system, two stairways, 7 ft. 3 in. wide, in Section A of the building, enclosed in steel and concrete partitions, equipped with fireproof, Class A self-closing doors and leading to the roof, and one of which leads to the street and two fire escapes leading to the roof by a ladder and to the street and the yard by stairs and that windows on the course of the fire escape are fireproof; and

WHEREAS, the applicant contends that permission is requested to increase the quantity of naphtha stored in the paint storage room from 5 gallons to one 55 gallon drum; that naphtha is the only solvent which can be used for cleaning purposes in the applicant's assembly line in accord-

ance with U. S. Navy specifications; that it is necessary to submerge small parts in naphtha to eliminate foreign particles and grease before assembling; that this submerging operation is done in small approved type safety cans; that due to increase in production, the quantities previously used are not sufficient; that it is proposed to store the naphtha in approved type safety storage tank, using approved type explosionproof pumps and transferring the naphtha from the drum to the tank by means of an air pressure barrel drainer; that both of these items, the tank and the barrel drainer will be manufactured by Bowser, Incorporated, and will be of a type approved by the Fire Underwriters.

Resolved, that the decision of the fire commissioner as to Order 97994-C, Item 7, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition,* that not more than one (1) drum of naphtha as proposed shall be used on the premises; that such drum shall be stored within a paint storage room and upon delivery, shall be immediately decanted into the proposed Bowser tank; that such decanting shall be by means of a pump attached to the drum as approved for such use by the Underwriters' Laboratories, Inc. or the Factory Mutual Laboratories; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. Nos. 32-32-A, 782-42-A and 117-43-S; that all other items of the order shall be complied with.

199-45-A

APPLICANT—Artel Manufacturing Co., for N. Y. City Housing Authority, owner (Hanson Manufacturing Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2072-2074 Third avenue, west side, 82 ft. 8 in. south of East 114th street (Block 1641, Lot 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Alexander Mann, F. C. Fredman and Albert A. Hilderbrand.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (199-45-A)

WHEREAS, Artel Manufacturing Company, for New York City Housing Authority, owner (Hanson Manufacturing Company, lessee), filed April 4, 1945, an appeal from an order of the fire commissioner, affecting premises 2072-2074 Third avenue, west side, 82 ft. 8 in. south of East 114th street (Block 1641, Lot 37), Borough of Manhattan; and

WHEREAS, Order 40679-LC, issued by the fire commissioner February 23, 1945, and repeated in a decision of the fire commissioner dated April 2, 1945, reads:

"1. Discontinue the storage of ammunition, fireworks and matches on the same premises in violation of Section C19-38-d-6, C19-41-C-8 and C19-46-b-3.

2. Discontinue the storage of unapproved matches. C19-47.0-a.

3. Discontinue the storage of matches not packed according to provisions of C19-47-d.

4. File copy of certificate of occupancy from Department of Housing and Buildings approving factory occupancy.

8. If it is decided to store fireworks—an approved sprinkler system must be provided. C19-41.0-2."

and

WHEREAS, the applicant states the building is one story (14 ft.) in height; 32 ft. 8 in. by 100 ft. in area; of Class 3 construction; erected 1924; located in a business use, B area, Class 1½ height district, and used and occupied since December, 1944, as follows: defense work (Army Air Force-C-1 Vest-Packing), 30 persons; and

WHEREAS, Certificate of Occupancy 7971 was issued April 12, 1924, permitting the use of the building for stores with an occupancy of 15 persons; and

WHEREAS, the applicant contends that if required to comply with the Fire Department order, the applicant would be forced to discontinue the entire operation for the U. S. Army Air Force, since the ammunition, etc. mentioned in the order is all packed in C-1 emergency vests under contract with the U. S. Army; that no materials are stored; that the vests contain many critical items; that the matches stored are wood matches and not more than one case containing 100,000 matches will be stored on the premises; that the fireworks referred to in the order are small flares packed one gross to a carton, not more than 3,000 flares will be stored on the premises; that the ammunition referred to is 45 caliber packed 72 packages of 20 rounds each to a tin lined wooden case; that not more than 40 cases to be stored on the premises; that the matches are furnished by the Government and the method of packing is in accordance with Army specifications, over which the applicant has no control; that all materials referred to in the order over and above the quantities herein stated, will actually be stored at Ft. Totten, Long Island, by arranging with the Army and deliveries of small quantities will be made to the plant as required.

Resolved, that the decision of the fire commissioner as to Order 40679-LC, Items 1, 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the storage of cartridges, flares and matches shall be as proposed; that such supply shall be stored in a room toward the front of the building separated from the balance of the building by walls of fireproof construction with a fire-retarded ceiling and a self-closing fireproof door; that only a quantity of cartridges, flares and matches shall be taken from the storeroom as are required for immediate use; that this variance shall continue only during the term of the present emergency; as to item 8, that the requirements for a sprinkler system may be waived, provided a sprinkler head fed from the domestic water supply shall be installed in the ceiling of the above referred to storage room; that such room shall not exceed an area of 80 sq. ft.; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and denied as to item 4.

66-25-A

APPLICANT—Samuel Rosenblum, for Mott Properties Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—245 West 55th street north side, 140 ft. east of Eighth avenue (Block 1027, Lot 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (66-25-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 245 West 55th street, north side, 140 ft. east of Eighth avenue (Block 1027, Lot 7), Borough of Manhattan, was granted by the Board on May 19, 1925, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution so as to permit greater film storage in view of the construction of vaults approved by the Building Department under Alt. Applic. 1941-27, 707-30, 2601-30 and 713-33.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of May 19, 1925, by adding thereto:

"that in the event lawful film storage vaults are erected, the amount of film storage may be permitted as may be lawfully stored within such vaults, irrespective of the limitation hereinbefore referred to."

492-42-A

APPLICANT—A. Michael Katz, for Emanay Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123d street and 254 St. Nicholas avenue (Block 1949, Lot 33), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Michael Katz and Irving Goldstein.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (492-42-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123rd street and 254 St. Nicholas avenue (Block 1949, Lot 33), Borough of Manhattan, was granted by the Board on July 23, 1942, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 23, 1942, so that as amended, the resolution shall read:

"Granted on condition that the space occupied for the storage of wholesale drugs shall be restricted to the area shown on the plans filed with this appeal and may consist of the entire section of the southerly building extending from St. Nicholas avenue to 8th avenue and the westerly portion of the northerly building as well as the cellars under both buildings; that such space on the first floor shall be separated from other tenants by partitions, provided the partitions are covered on one side with plaster board and stamped metal; that entrance to the cellar shall be provided from 8th avenue, consisting of an engineer's ladder to each of the cellar sections; that the existing gate, giving access to the rear yard and through to St. Nicholas avenue, shall be maintained; that a door from the rear portion of the first floor northerly section shall be constructed and maintained to such yard; that only such drugs shall be stored on the premises as meet the approval of the fire commissioner, excluding explosives and volatile inflammable liquids; that a three hour fire door shall be installed and maintained in the wall, separating the spaces occupied on the first floor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

426-44-A

APPLICANT—Manuel Selengut, for American Zyloptic Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—334-338 East 32nd street, south side, 206 ft. west of First avenue (Block 937, Lot 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Manuel Selengut.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (426-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 334-338 East 32nd street, south side, 206 ft. west of First avenue (Block 937, Lot 48), Borough of Manhattan, was granted by the Board on July 18, 1944, on certain conditions; and

WHEREAS, the resolution was amended on October 17, 1944 and the applicant requested a further amendment of the resolution; and

WHEREAS, the applicant contends that in lieu of the sources provided for in Section C26-1375.0 in the Administrative Code, it is proposed to install a 10,000 gallon gravity tank, erected on steel supports 20 ft. above the roof, a 6 in. connection to 12 in. city main and an approved siamese Fire Department connection * * *.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of July 18, 1944 and October 17, 1944, by adding thereto:

"that in the event the owner constructs a lawful vault so as to have a lawful capacity of 1500 cu. ft., the amount of celluloid may be increased to not exceeding 10,000 lbs."

APPLIANCE SUBMITTED FOR APPROVAL

2-45-SA

APPLICANT—Automatic Switch Co., owner.

SUBJECT—Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment.

APPEARANCES—

FOR Applicant: John C. Cox.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (2-45-SA)

WHEREAS, the Automatic Switch Co., owner, filed on January 3, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as Asco Solenoid Valves, for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment; and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 2-45-SA

Subject: Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment, approval of.

March 19, 1945.

The Automatic Switch Co., of New York City, owner, filed an application with the Board of Standards and Appeals for the approval of their solenoid valves (Fig. 2, showing typical valve) when used as shown in Fig. 1 for clearing the atmosphere of paint spray fumes as required by Rule 3.2 of the Rules Governing the Use of

MINUTES

Equipment for Spraying and Drying of Paints, Varnishes, Lacquers, and other Flammable Surface Coatings and Storage of Such Materials, adopted under Cal. No. 353-30-SR.

DESCRIPTION

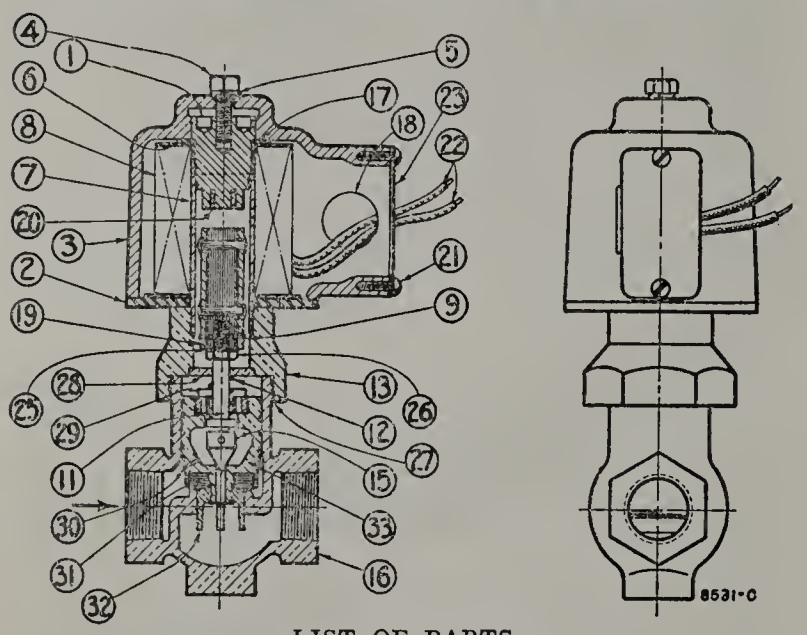
The method of connecting applicant's solenoid valves is shown on Fig. 1. Applicant requests consideration of their regular valves and also those approved for use in explosive atmospheres so as to permit the installation of the latter within ten feet of the spray booth or space where spraying is being performed. Samples of these valves of both types have been submitted to the Board.

Solenoid operated valves (Fig. 2) as per Bulletins 8210 and 8211, pages 4 and 5 of Catalog Section 4-V, enclosed, and Bulletins 8260 and 8261 of Catalog Section 6-V. These valves of both types are furnished in sizes from ½" to 2½" and for handling air up to 200 lbs. maximum. Valves are of the single seat globe type with bronze bodies and trim, and Jenkins type renewable composition disc for tight seating service. Models 8210 and 8260 valves are with standard solenoids, and Models 8211 and 8261 with explosion-proof solenoids approved by Underwriters for installation in Class 1, Group D, Hazardous Locations, Electrical 12264 Application number 35C2333. The arrangement of equipment for automatic control is by means of a solenoid operated valve connected in the air supply line to the spray booth. This valve may be installed either outside or inside of the spray booth, depending on which location is most convenient. Valves installed outside of the spray booth in non-hazardous locations are equipped with standard solenoids. Valves installed inside of spray booths or in locations otherwise hazardous are equipped with explosion-proof solenoids approved by Underwriters for installation in Class 1, Group D, Hazardous Locations, and all wiring to the solenoid in hazardous location shall be approved explosion-proof. Solenoid valves are of the normally closed, i.e., closed when de-energized type and are of packless construction. Solenoid valve coil is wired in parallel with fan motor so that switch used to start fan motor will energize the solenoid valve. Thus, before spray painting can start, it is necessary to close the switch energizing the solenoid valve, to provide a supply of air to spray gun and it is impossible to provide this supply of air without starting ventilating fan.

These valves are listed in the various sizes from ⅜" to 2½" in applicant's bulletin 8210 and 8211, pages 4 and 5 of Catalogue section 4-V, and Bulletin 8260 and 8261 of Catalogue 6-V.

An examination and inspection of the valves were made by the Committee on Tests.

TYPICAL SOLENOID VALVE FOR EXHAUST FAN AND SPRAY GUN INTERLOCK ON SPRAY BOOTHS



LIST OF PARTS

1. Plug nut
2. Solenoid washer
3. Cup
4. Holding screw
5. Holding screw lock washer
6. Insulating washers (2)
7. Core tube
8. Coil
9. Core pin
11. Core stem
12. Spring
13. Bonnet
15. Pilot needle
16. Body
17. Coil clamping washer
18. Snap-in blank
19. Core
20. Shading coil
21. Name plate screws
22. Coil leads
23. Name plate
25. Stem lock washer
26. Stem lock nut
27. Body joint
28. Spring retaining washer
29. Pilot guide
30. Clearance port
31. Disc
32. Disc nut
33. Piston

Fig. 1

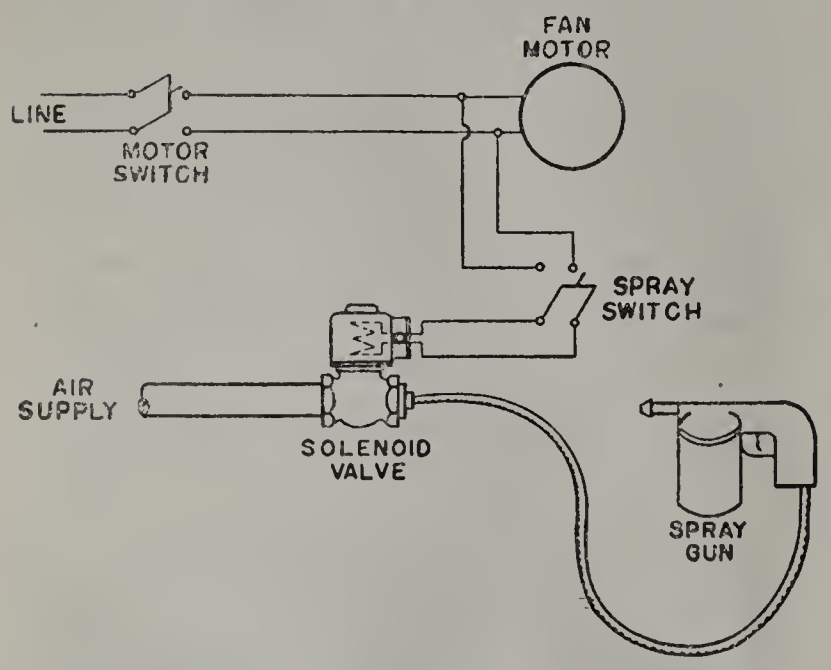


Fig. 2

RECOMMENDATIONS

The Committee on Tests has examined the applicant's Standard Solenoid Valve and the Valve for use in Explosive Atmospheres and finds that they function as designed and when connected in the manner shown in Fig. 1 will interlock the operation and the fan so as to accomplish the intent of Rule 3.2 of the Board's Rules Governing the Use of Equipment for Spraying and Drying of Paints, Varnishes, Lacquers and other Flammable Surface Coatings and Storage of such Materials, thus allowing the air to be cleansed of paint fumes. Accordingly on the basis of the data contained herein the Committee recommends that the Solenoid Valves as described herein, in sizes from ⅜" to 2½" for air pressures up to 200 lbs. be approved under the Board's powers granted by the Charter of the City of New York, Section 661, Subd. 1, 2, provided that when the solenoid valves are required to be located within 10 ft. of the spray booth, only such valves as are approved for use in explosive atmospheres be installed and that an explosion-proof condulet be provided on the explosion-proof valve for making electrical connections to incoming power sources.

The Committee on Tests further recommends that all layouts including the subject valves when submitted to the authorities having jurisdiction shall comply with Fig. 1 and shall bear a label reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 2-45-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as Asco Solenoid Valves for Automatic Interlocking of Paint Spray Gun and Ventilating Equipment, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 10, 1945.

Present: Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

230-44-A

APPLICANT—Henry George Greene, for Sheraton Hotel Corp., owner.

SUBJECT—Appeal reopened March 27, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—297-303 Lexington avenue and 133-139 East 37th street, northeast corner (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (230-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 297-303 Lexington avenue and 133-139 East 37th street, northeast corner (15th floor and penthouse); (Block 893, Lot 25), Borough of Manhattan was withdrawn on June 6, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on March 27, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated March 14, 1945, acting on Alt. Applic. 307-44, reads:

"3. The means of egress, from Penthouse Floor and Roof Terrace which are proposed to be changed to Dining Room and Cabaret, shall conform with C26-281(4), C26-273 and C26-1438 N.Y.B. Code.

4. The Floor and Roof Construction are inadequate for required live load of 100 lb. per sq. ft. as per C26-344.B.C."

and

WHEREAS, the applicant states the building is 15 stories and penthouse (150 ft.) in height, 98 ft. 7½ in. by 140 ft. in area, Class 1 construction; erected in 1925 and located in residence use, B area district; and

WHEREAS, the applicant further states that it is now proposed to occupy the building as follows: Cellar, boilerroom and storage, 10 persons; 1st floor—hotel and diningroom, 300 persons; 2nd floor to 15th floors, inclusive, hotel, 60 persons per floor—; penthouse—and roof terrace, diningroom and cabaret, 234 persons; that the building is equipped with two 3 ft. 8 in. fireproof stairs from the roof bulkhead to the first floor; and

WHEREAS, the applicant now contends that it is proposed to use the enclosed portion of the penthouse story and the open terrace as a cabaret with a total occupancy of 150 persons; that the enclosed area will be used only during the winter months and the open terrace during the summer months, but at no time will both areas be used simultaneously; that the occupancy of 150 persons will be limited to each individual area at different times; that the stairways will accommodate 128 persons; that it is proposed to install an additional stairway leading to the 15th floor and from there, through an uninterrupted passage to the existing stairways at the 15th floor; that the combined capacity of the three stairways will equal 166 persons, which exceeds the number proposed for the penthouse floor; that in addition, the 15th floor and the lower floors have an allowable occupancy under the present Certificate of Occupancy of 60 persons per floor; that the stairs on the lower floors have an actual capacity of 98 persons and the surplus can easily be taken up from the penthouse floor in the event of emergency; that the present floor load capacity of the penthouse is under that required for restaurant occupancy; however, since the occupancy of both areas proposed is only 150 persons, it will in no way exceed the present floor loading capacity; that it is proposed in the area designated for dance floor use, that reinforcement be provided to insure support of at least 100 pounds per sq. ft.; that with these areas reinforced, any overloading factor will be removed; it is therefore requested the Board give favorable consideration to this appeal.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 307-44, objections 3 and 4, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

501-44-A

APPLICANT—Raymond Irrera, for Lillian M. Huber, owner (Agnes Gallagher, lessee).

SUBJECT—Appeal from a decision of the borough superintendent (previously denied; reopened January 9, 1945 re consideration of new proposal).

PREMISES AFFECTED—114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera and Joseph W. McGovern.

For Opposition: Michael N. Compson and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (501-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 114-68 Mexico street, northwest corner of 115th avenue (Block 10392, Lot 23), St. Albans, Borough of Queens, was denied by the Board on November 8, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar, for consideration based on a new proposal; and

WHEREAS, this case was reopened by vote of the Board on January 9, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated December 14, 1944 (amendment dated December 5, 1944), filed with Alt. Applic. 848-44, reads:

"6. Repeat Obj. #1. Proposed use of frame dwelling for a hospital is contrary to Sec. 4.2.1. as to height and area; see also Sec. 4.1.3. Subd. 6.

7. Repeat Obj. #2. Stair width, construction and enclosure to comply with Sec. 26-292.0.

a. Stairs less than required width, Sec. 6.4.1.2.

b. Stairs to be of incombustible material, Sec. 6.4.1.7.1.

c. Stairs to upper floors to lead to street, Sec. 6.4.1.11.

d. Above and below grade to be enclosed with 3 hr. fire rating materials, Sec. 6.4.1.8.1."

and

WHEREAS, the applicant states that the building is 2 stories and attic (27 ft. 6 in.) in height, 31 ft. 6 in. by 33 ft. in area, of class 4 construction, erected in 1909, located in a residence, D area district and used as a one family dwelling; and

WHEREAS, the applicant further states that it is now proposed to occupy the building as follows: cellar, boiler room, kitchen, dining room and mortuary, 5 persons; 1st floor, sanitarium and office, 9 persons; 2nd floor, dwelling, 4 persons; attic, storage, no persons; and

WHEREAS, the applicant contends that it is now proposed to use the 1st floor only of this building for a maternity sanitarium and in this connection, the cellar will be used as a kitchen, dining room, boiler room, coal room and mortuary; that the mortuary is a requirement of the regulations relating to the maintenance of private proprietary hospitals and sanatoria and consists of a room having a floor area of at least 80 sq. ft., provided with adequate ventilation, running water and a floor drain; that although such a mortuary is proposed, statistics show that it will seldom be used; that the first floor will consist of two patients rooms, one being the former living room accommodating 6 beds, the other the former dining room, accommodating 3 beds; that the former kitchen will be used as a delivery room and the former pantry as a nursery room; that the front porch will be used as an office of the sanitarium; that from the 1st floor, there are three means of egress; that the 2nd floor will be maintained for dwelling use for living quarters of the operators; that the attic will be maintained for storage purposes only; that the vacant portion of the plot, indicated on plans filed with this appeal as a garden, will be used as such with benches available for use of the nurses during summer weather; that the operations of the sanitarium will consist of the feeding and caring for prospective mothers and for the care of mothers and babies for a period of 10 days after delivery; that permits from the Department of Health and Department of Hospitals will be obtained; that the staff will consist of five registered nurses, in addition to the operator and two persons performing the domestic and dietary work; that the present two car garage will be maintained as an accessory use to the sanitarium; that by using the first floor only, the portion used for sanitarium will be less than 20 ft. above grade; that the building has an exterior wall construction that varies from the conventional type of frame construction, in that there is 4 in. of concrete on all sides of the building from the foundation to the roof rafters; that in view of the type of construction and the portion used for sanitarium to be limited to the 1st floor and cellar, the applicant requests that the decision of the borough superintendent be modified and permission granted to use the building for the occupancy requested; and

WHEREAS, the applicant contends as to Objection 7a, that the existing stairway serving the 2nd floor is 2 ft. 5 in. wide and since there will be no change in the 2nd floor occupancy, the present condition should remain unaltered; as to Objection 7b, that the existing stair of wood construction be permitted to remain, inasmuch as there is no change in the occupancy above the 1st floor and the first floor occupancy as a sanitarium does not offer any hazard; as to Objection 7c, permission is requested to permit access to the street through the living room and porch or to the side yard, as the occupants using the stairway will be the operator of the sanitarium and the help; as to Objection 7d, the present stair in the cellar is to be enclosed in 3 in. gypsum block partition plastered both sides, equipped with a fireproof self-closing door at the cellar level, thus completely separating any portion of the cellar from the upper floor; that it is requested the Board permit the balance of the stairway serving the dwelling occupancy on the 2nd floor, to remain an open stairway from the 1st floor level to the next intermediate platform and to accept the existing stud and plaster enclosure from the platform to the 2nd floor; and

WHEREAS, the premises and area have been inspected by a committee of the Board; and

WHEREAS, the Board deemed that considering the construction and proposed arrangement and use, that there was no justification for granting a variance of the Code provisions as cited.

Resolved, that the decision of the borough superintendent on Alt. Applic. 848-44, objections 6 and 7, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

577-44-A

APPLICANT—Joseph J. Furman, for Peoples Realty Corp., owner (Tom Mooney Hall Association, Inc., lessee).

SUBJECT—Application reopened and restored to calendar March 20, 1945 re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—13-15 Astor place, northwest corner of Lafayette street, 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph J. Furman, Leonard Feldman and Abraham Bernkauft.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (577-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan, was withdrawn on October 31, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated February 28, 1945, on Alt. Applic. 209-45, reads:

"1. Repeat. Stair capacity not adequate for specified number of persons on 11th floor sec. 6.4.1.1.B.C.

3. Repeat. New stair should be a fire tower sec. 6.5.1.B.C.

4. Minimum liveload of 100 lbs. should be specified for restaurant and meeting hall use on 10th floor and 11th floor and construction shown adequate to support such loads, Section C 26-344.0 Ad. Code."

and

WHEREAS, the applicant states the building is 11 stories (approximately 125 ft.) in height, 149 ft. 6 in. by 159 ft. 3 in. in area; of Class 1 construction; erected 1890; located in a business use, D area, district and used since January, 1943, as follows: Cellar, storage and boiler room; 1st floor, stores, 60 persons; 2nd to 9th floors, offices, 50 persons per floor; 10th floor, restaurant, 150 persons; 11th floor, meeting and ball room, 150 persons; proposes to be used and occupied as follows: Cellar, same; 1st floor, same; 2nd to 9th floors, offices, 100 persons per floor; 10th floor, restaurant and clubroom, 400 persons; 11th floor, meeting and ball room, 650 persons; and

WHEREAS, the applicant further states that it is now proposed to erect a new fireproof stairs, 5 ft. 6 in. wide from the 11th floor to 8th floor and 3 ft. 8 in. wide from 8th to

1st floor, to enclose same with fireproof partitions, equipped with fireproof, self-closing doors; and

WHEREAS, the applicant contends as to Objection 1 of the borough superintendent's decision, that for the 11th floor, the new stair and platforms will accommodate 118 persons; that two existing stairs each accommodate 42 persons, making a total capacity of 202 persons; that it is requested that the Board accept the tiled roof space of approximately 2000 sq. ft., which is separated from the 11th floor space by 6 in. terra cotta blocks, plastered both sides, having fireproof self-closing openings, as a horizontal exit, thus doubling the stair capacities to 404 persons; that inasmuch as the 10th and 11th floors will be used mostly at night and when the remaining floors are practically unoccupied, it is requested that the Board consider the 11th floor similarly to one wherein there would be uninterrupted passage to the street, such as a floor within 32 ft. from curb level under Special Occupancies and allow a total of 650 persons for this floor; that for the 10th floor, the new stair will accommodate 98 persons and the present two stairs 42 persons each, making a total of 182 persons; that by erecting a new 4 in. gypsum block partition plastered both sides, separating the space adjoining the present stairways from the main floor space, a horizontal exit will be created, thus doubling the stair capacities to 364 persons; it is requested that the Board allow 400 persons on this floor; that all stair capacities are computed in accordance with Section 6.4.1.1.a2; and

WHEREAS, the applicant contends as to Objection 3, that it is requested that the fire tower be waived and the new stairway be accepted, as it is impractical to create a fire tower, due to existing construction of the building and the inability of providing a straight line of stairs in a vertical position, as the terminal of the stair on the first floor must be in the present entrance lobby; and

WHEREAS, the applicant contends as to Objection 4, that the Board is requested to accept a liveload of 75 lbs. in lieu of 100 lbs. required; that the present cinder concrete arches are good for 75 to 96 lbs., depending on the spans between beams, and the steel beams and girders are good for a minimum of 75 lbs. in most places and slightly more in other places.

Resolved, that the decision of the borough superintendent on Alt. Applic. 209-45, Objections 1 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed stairway on the East 8th street side, as indicated on revised plans marked "Received March 28, 1945", shall be constructed and maintained and the exit from such stairway shall be re-arranged, so as to lead directly to East 8th street; that such stairway shall be enclosed in lawful partitions through all stories including the 11th floor; that the kitchen, shown on the 10th floor toward the Lafayette street side, shall be moved to some other location on the floor, so as not to block any means of exit; that the fire escape on Lafayette street shall have a run of stairs in place of the vertical ladder leading to the 11th floor; that the storage room on the East 8th street side on the 11th floor shall be so arranged that there will be an adequate passage at all times through same from the terrace at the 11th floor to the stair and elevator lobby; that the stair and elevator lobbies shall be separated from the meeting rooms by fireproof partitions with fireproof self-closing doors; that the number of persons permitted to occupy the 10th floor and 11th floor jointly shall not exceed 650 persons, but not over 450 persons at any time on the 11th floor; that the proposed new stairway may be accepted in lieu of the required fire tower; as to objection 4, that the liveload on the 10th and 11th floors shall not be less than 75 lbs. per superficial foot; that the fire escape shall be maintained in good condition, including the counterbalanced stair to grade; that the standpipe system shall be maintained in accordance with the requirements therefor; that the occupancy as herein provided for shall not be permitted until the requirements of this resolution are complied with; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

632-44-A

APPLICANT—Interborough Engineering Co., for Long Island Star-Journal, owner (Petrometer Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—42-26 to 42-30 28th street, northwest corner of 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Ribelle Perotto.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (632-44-A)

WHEREAS, Interborough Engineering Company for Long Island Star-Journal, owner (Petrometer Corporation, lessee), filed November 8, 1944, an appeal from an order of the fire commissioner and a decision of the borough superintendent, affecting premises 42-26 to 42-30 28th street, northwest corner 42nd road (5th floor); (Block 422, Lot 32), Long Island City, Borough of Queens; and

WHEREAS, order 4557-LF, issued by the fire commissioner April 3, 1940, and referred to in a decision of the fire commissioner dated October 20, 1944, reads:

"2. Remove all partitions not built of incombustible material as per Sections 263 and 270 of the Labor Law."

and

WHEREAS, a decision of the borough superintendent, dated March 27, 1945, on Misc. Applic. 883-45, reads:

"1. The erection of wood partitions in a fireproof factory is contrary to Sec. 270, Sub. 6, of the Labor Law."

and

WHEREAS, the applicant states the building is 5 stories (75 ft.) in height; 67 ft. 6 in. by 100 ft. in area; of Class 1 construction; erected in 1919; located in an unrestricted use, B area, Class 1½ height district, and used and occupied since 1919 as follows: cellar, boiler room and storage, 2 persons; 1st floor, office, 25 persons; 2nd floor, office, 100 persons; 3rd floor, dress manufacturing, 40 persons; 4th floor, machine shop, 15 persons; 5th floor, gauge manufacturing, 14 persons, for which no certificate of occupancy has been issued; that the building is equipped with a two source sprinkler system; that there are two 42 in. concrete fireproof enclosed stairs from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that the lessee of the 5th floor is engaged in manufacturing U. S. Navy equipment; that due to the man power situation, they have encountered great difficulty in securing help to meet the contracts on time; that to remove the wood partitions would further interfere with production; it is requested the Board permit the partitions to remain for the duration of the war at which time they will be replaced with metal partitions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Misc. Applic. 883-45, and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the wood partitions on the 5th floor, as indicated on plans filed with this appeal marked "Received November 8, 1944," shall be removed or replaced by lawful partitions within two (2) years from the date of this resolution, and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 587-25-A.

634-44-A

APPLICANT—George D. Brown, Jr., for 227 East 56th Street Corp., owner.

MINUTES

SUBJECT—Appeal reopened February 20, 1945—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—227-229 East 56th street, north side, 260 ft. east of 3rd avenue (Block 1330, Lot 11), Borough of Manhattan.
APPEARANCES—
For Applicant: George D. Brown, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (634-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 227-229 East 56th street, north side, 260 ft. east of 3rd avenue (Block 1330, Lot 11), Borough of Manhattan, was granted by the Board on December 19, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this appeal was reopened by vote of the Board, on February 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a decision of the borough superintendent, dated February 5, 1945, on Alt. Applic. 1257-44, reads:

"10. Bldg. should comply with Sec. 270 Labor Law. See Resol. Bd. S. & A. Cal. 634-44-A. Note that bldg. erected as a new bldg. except portions of side walls, under Alt. 286 of 1917.

a. From every floor there should be two exits remote from each other, one of which on every floor above the ground floor should be an interior or exterior enclosed stair and the other such a stair or a horizontal exit. Stairs should have a min. width of 44 in.

b. Stairs should lead to street or to a fireproof passage leading to street.

c. All exit doors opening on stairway should have a min. width of 44 in. and should swing in direction of egress and should not obstruct passage or stairs."

and

WHEREAS, the applicant states the building is six stories, (74 ft. 11 in.) in height; 50 ft. by 90 ft. in area; of Class 1 construction; erected 1887; located in a business use, B area, Class 1½ height district, and used and occupied since April, 1944, for the storage of antique furniture, with one person on each of the 1st, 2nd, 4th, 5th and 6th stories, and 10 persons on the 3rd story; that no change in use or occupancy is proposed; that the building is equipped with one 3 ft. 8 in. wide stair, enclosed in terra cotta blocks, equipped with kalamein self-enclosing doors and extending from the roof to the street, and one fire escape at the northwest corner, extending to the roof by stairs and to the yard by stairs with egress through the adjoining property by a gate in the fence; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant further states that the resolution adopted by the Board December 19, 1944, requires that in all other respects, the building and occupancy shall comply with the Labor Law and all other laws, rules and regulations applicable thereto; that the borough superintendent has determined that since more than 5 persons were employed in the work shop, the building should contain two interior stairs, as per Section 270 of the Labor Law; that it was the impression of the applicant that the Board in adopting the resolution, had agreed that the building as now constructed and occupied, did not constitute a fire hazard, inasmuch as there are never more than 10 persons in the work shop on the 3rd floor, which shop is immediately adjacent to the interior fire stair and since there is a well constructed exterior iron stairs at the rear, leading to the roof and through a wicket to the adjoining yard.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on December 19, 1944, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1257-44, objections 2 and 10, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the resolution adopted by the Board under Cal. 746-17-A, as to the second means of exit, shall be complied with and maintained; and *granted* only so long as the number of persons employed above the first floor shall at no time exceed a total of ten (10) persons, including those engaged in factory work; that while this condition maintains, the exits as indicated shall be accepted, in lieu of the requirements of the Labor Law; and that in all other respects, all laws other than the Labor Law applicable to the building and occupancy shall be complied with."

723-44-A

APPLICANT—Alfred Di Blasi, for Woodside Tool and Manufacturing Co., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—70-15 to 70-17 51st avenue, north side, 125 ft. east of 70th street (2nd floor); (Block 2440, Lots 48 and 49), Woodside, Borough of Queens.
APPEARANCES—
For Applicant: James P. Gangi and A. J. Coco.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (723-44-A)

WHEREAS, Alfred Di Blasi, for Woodside Tool and Manufacturing Company, owner, filed December 12, 1944, an appeal from a decision of the borough superintendent, affecting premises 70-15 to 70-17 51st avenue, north side, 125 ft. east of 70th street (2nd floor); (Block 2440, Lots 48 and 49), Woodside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 30, 1944, on Alt. Applic. 1260-44, reads:

"1. Two remote exits from each floor area as required by section 270 (3) of the Labor Law not provided."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft. 2 in.) in height, 49 ft. by 105 ft. in area, at first floor, 28 ft. 6 in. by 36 ft. in area at second floor, of class 3 construction, erected in 1921, located in an unrestricted use, C area, class 1½ height district and used and occupied since May 1943 as follows: First floor—toolmaking and manufacturing—15 persons; 2nd floor—office—3 persons; proposed to be used and occupied as follows: 1st floor—toolmaking and manufacturing—25 persons; 2nd floor—office—3 persons; that the building is equipped with one 3 ft. 8 in. iron stairs enclosed in stud partition, surfaced with wire lath and one inch cement mortar both sides, leading from the 2nd floor directly to the street, equipped with self-closing, fireproof one hour door and that a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that the existing 2nd floor is only 864 sq. ft. in area; that if another stairway is required, it would create a hardship, due to the area that would have to be used and the fact that no manufacturing is done on the second floor and no hazardous condition exists that would endanger the health of the three persons who occupy the second floor doing office work; that the existing 3 ft. 8 in. iron stair is sufficient for the three persons occupying the second floor; that if an emergency arises, quick exit may be had from the rear windows on the 2nd

floor, opening to the present roof of the one story portion of the building; that the building is used for manufacturing small airplane parts on the first floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1260-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the existing exit from the first floor directly to 51st avenue and the exit from the storage room and garage to 51st avenue shall be maintained; that doors shall be constructed within the openings leading from the factory to the storage room and storage room to the garage; that the ceiling of the one-car garage shall be fire-retarded; that as to the second floor, the existing primary means of exit shall be maintained and means shall also be provided to reach the roof through the rear windows, from both rear offices, and ladder of sufficient length to reach 51st avenue shall be maintained on the roof toward the westerly portion near the street; that the second story shall be used only for office purposes as proposed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and the building shall not be increased in height or area.

51-45-A

APPLICANT—American Chicle Co., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—30-30 Thomson avenue, south side and 47th avenue, north side, from 30th place (Manly street) to 31st (Mount) street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: John J. Morris and Herbert A. Lehman.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (51-45-A)

WHEREAS, American Chicle Company, owner, filed January 26, 1945, an appeal from a decision of the fire commissioner, affecting premises 30-30 Thomson avenue, entire block bounded by Thomson avenue, Mount street, Nelson avenue and Manly street (ground, 1st, 2nd, 4th and 5th floors); (Block 277, Lot 1) Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated December 26, 1944, reads:

"We have your application dated December 21, 1944, requesting an amendment to the resolution of the Board of Standards and Appeals established March 15, 1921, permitting your employees to smoke in certain designated areas of your premises.

Your request must be denied for the reason that the Fire Commissioner is without authority to amend any resolutions made by the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 5 stories (80 ft.) in height, 200 ft. by 600 ft. in area, of class 1 construction, erected in 1919, located in an unrestricted use, A area, class 2 height district and used and occupied as follows: cellar—chewing gum manufacturing and storage—117 persons; 1st floor—chewing gum manufacturing, storage and office—242 persons; 2nd floor chewing gum manufacturing, storage and cafeteria—180 persons; 3rd floor—chewing gum manufacturing—374 persons; 4th floor—chewing gum manufacturing, lithographing, storage and office—200 persons; 5th floor—office—220 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system and an interior fire alarm system and that fire drills are maintained; that there are six 6 ft. wide fireproof stairs from street to roof; and

WHEREAS, the applicant states that permission is requested to amend the smoking permit issued to the cafeteria, pursuant to the resolution adopted by the Board under Cal. 759-20-S on March 15, 1921; that the cafeteria has been moved from the 5th floor to the 2nd floor and permission is requested to smoke in the cafeteria on the 2nd floor and to include the general offices on the 5th floor and the executive offices on the 1st floor, the reception room on the ground floor, the boiler and engine room, the tenant's office on the 4th floor, all as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that all partitions are of metal and glass; that the owner maintains an active fire organization, that is kept up to date at all times; that the plant is engaged in assembling and packaging of K rations and 10-in-1 rations in large quantities for the U. S. Army; that permission to smoke in the designated areas will assist the owners in their efforts to prevent smoking in any other portions of the manufacturing divisions; it is therefore requested that this appeal be granted; and

WHEREAS, Certificate of Occupancy 31623 permits the present use of the building with an occupancy of 576 persons on each of the basement to 4th floors inclusive and 220 persons on the 5th floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the fire commissioner dated December 26, 1944, and that the appeal be and it hereby is *granted on condition* that no smoking shall be carried on except in the spaces as indicated on plans filed with this appeal marked "Received March 29, 1945," consisting of the enclosed offices and laboratory on the 1st floor, cafeteria on the 2nd floor, enclosed offices on the 5th floor, tenant's space on the 4th floor, the reception lobby on the ground floor and the boiler room and engine room in cellar; that such signs shall be posted as the fire commissioner shall direct, indicating spaces wherein smoking is permitted under this resolution; that the sprinkler system, standpipe system, interior fire alarm system and fire drills shall be maintained in accordance with the requirements therefor, and to the satisfaction of the fire commissioner; that this variance shall continue during the term of the present emergency; that this resolution shall be deemed superseding the resolution applicable to this building, adopted by the Board under Cal. 759-20-S, on March 15, 1921; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 565-40-S.

70-45-A

APPLICANT—Levy and Berger, for Josam Garage, Inc., owner (Armstrong Engineering Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—151-165 35th street, north side, 100 ft. west of 4th avenue (1st floor); (Block 688, Lot 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joseph Levy, Jr. and Herbert J. Johnson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (70-45-A)

WHEREAS, Levy and Berger, for Josam Garage, Inc. owner (Armstrong Engineering Company, lessee), filed February 14, 1945, an appeal from a decision of the borough

superintendent, affecting premises 151-165 35th street, north side, 100 ft. west of 4th avenue (1st floor); (Block 688, Lot 48), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 130-45, dated February 13, 1945, reads:

"1. Approval of temporary occupancy as a factory for a period of 5 years with the privilege of reverting to the previous use as garage for more than 5 motor vehicles cannot be granted, as a possible change from the present zoning of unrestricted could make the original use a prohibited use for the new zoning designation. Denied."

and

WHEREAS, the applicant states that the building is one story (13 ft. 6 in.) in height, 200 by 100 ft. in area; Class 3 construction; erected in 1920; located in an unrestricted use, B area, Class 1½ height district; and used and occupied since 1921 as follows: Cellar, boilerroom; 1st floor, garage for more than five motor vehicles; proposed to be used and occupied: Cellar, boiler room, 1 person; 1st floor, temporary occupancy as factory for a period of at least 3 to 5 years and to revert to garage use for more than five motor vehicles; factory occupancy to consist of the manufacture of Aerosol Insecticide Dispensers—65 persons; and

WHEREAS, the applicant contends that the premises have been leased to contractors for the War Department, manufacturing Aerosol Insecticide Dispensers for the armed forces, for the prevention of malaria and other tropical diseases; that it is proposed to continue to manufacture these dispensers for the duration of the war and for the army of occupation and it is on this basis that the option to extend the lease was determined; that the building is located in an unrestricted use district and inasmuch as this temporary occupancy is for the war effort, it is requested the use as a garage for more than five motor vehicles be permitted upon termination or prior cancellation of lease between the owner and the tenant.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 130-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that if the factory is occupied for the use proposed, other than a garage for a temporary term of five years from the date of this resolution, the garage use may be reinstated at the end of such term, provided that meanwhile, the building is not increased in height or area and is in conformance with all requirements for such garage occupancy; that in the meantime, any gasoline storage system shall be sealed to the satisfaction of the fire commissioner.

77-45-A

APPLICANT—Fred F. French Management Co., Inc., lessee, for Fred F. French Investing Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—340 East 43rd street, south side, 90 ft. west of Prospect place (Block 1335, Lot 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles N. Blakeley and Harry Loeb Moston.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (77-45-A)

WHEREAS, Fred F. French Management Co., Inc., lessee, for Fred F. French Investing Company, owner, filed February 16, 1945, an appeal from a decision of the fire commissioner, affecting premises 340 East 43rd street, south side, 90 ft. west of Prospect place (Block 1335, Lot 37), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated January 17, 1945, reads:

"Disapproved: Reason

The fire alarm rules of the Board of Standards and Appeals require an approved interior fire alarm system to be installed in all premises where a Department of Health permit is required for the accommodation of more than 30 children."

and

WHEREAS, the applicant states that the building is 3 stories and basement (40 ft.) in height, 16 ft. 8 in. by 50 ft. in area; Class 3 construction; located in a residence use, B area, Class 2 height district; used and occupied: Cellar, ordinary; basement—nursery and kindergarten, 18 persons; 1st floor, school, 30 persons; 2nd and 3rd floors combined, dwelling—1 family; proposed to be used and occupied without change; that the building is equipped with one 27 in. wide wood stairs, enclosed in wood and plaster partitions, equipped with wood doors which are self-closing and lead from the roof bulkhead directly to the street; that there is also a scuttle and ladder provided to the roof; there are three fire escapes, one at the rear and two at the front, leading to the roof by a ladder and to the street by two exterior stairs at the front and to the yard at the rear; and

WHEREAS, the application to the Fire Department upon which the decision appealed from was based, stated that it was proposed to occupy the building for eighteen children of four to six years of age and thirty children over six years of age; that the application was for an existing occupancy and a renewal of permit by the Health Department; and

WHEREAS, the applicant contends that on December 27, 1944, violation was complied with by the installation of an additional toilet and ventilating duct to the rear yard; that a violation issued regarding the plastering of cellar ceiling was also complied with; that the cellar ceiling is now fire-retarded; that all violations placed by the Department of Housing and Buildings have been corrected; that on the plan filed with this appeal marked "Basement Floor Nursery & School", eighteen children of pre-school age use the rear classroom and the front playroom; that the rear classroom has a door opening directly to the rear yard and the playroom opens on a foyer with direct access up two steps to the street; that on the plan marked "First Floor Elementary School Rooms", the rear classroom leads directly to the exterior fire stairs, emptying into the rear yard; that the front classroom enters into the foyer hall, thence through the vestibule, down the exterior stairs to the street; that thirty children use these rooms; that the school has been operated for 12 years and up to this year, took no children under grade school age; that there are three paid instructors under the direction of the operator of the school; that fire drills are held at specified times, through the use of push-button alarm, which consists of a bell buzzer which can be distinctly heard on both floors of the school and on two upper floors of the building; that these are operated through four dry-cell batteries.

Resolved, that the decision of the fire commissioner, dated January 17, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a substandard fire alarm system with dry-cell batteries, push buttons and six inch gongs satisfactory to the fire commissioner, shall be installed within the basement and the first floor stories; that such an alarm shall be used only in connection with fire drills which shall be held at least once every two weeks under the charge of competent instructors; that the existing exits as described herein and as indicated on plans filed with this appeal marked "Received February 16, 1945", shall be maintained; that all doors within the building used as nursery shall be made to swing in the direction of egress; that an additional door leading to the lobby or corridor shall be installed on the basement floor and the first floor toward the rear of such rooms; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, sub-

ject to the certificate of occupancy; that no children attending the nursery school shall remain overnight; that the total number of children shall not exceed 50.

105-45-A

APPLICANT—William Gold and Anthony M. De Rose, for Universal Metal Products Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—351-361 Grand Concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx.
APPEARANCES—
For Applicant: William Gold and Anthony M. De Rose.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (105-45-A)

WHEREAS, William Gold and Anthony M. De Rose, for Universal Metal Products Co., Inc., owner, filed March 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 351-361 Grand Concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated February 2, 1945, on amendment to Alt. Applic. 16-45, reads:

"2: Exits must comply with Section 270 Labor Law."

and

WHEREAS, the applicant states that the building is two stories (39 ft.) in height, 142 ft. by 28 ft. and 34 ft. in area at 1st floor (at Grand Concourse level), 142 ft. and 100 ft. by 158 ft. in area at 2nd floor (at Walton avenue level), Class 3 construction; erected in 1926; located in an unrestricted use, A area, Class 1½ height district and used and occupied since 1943 as follows: cellar, boiler room; 1st floor, stores; 2nd floor, public garage; proposed to be used and occupied: cellar, boiler room; 1st floor—storage and factory, 25 persons; 2nd floor—factory—60 persons; that the building to be used for the manufacture of tools and dies, metal stamping and metal products; that it is equipped with one 3 ft. 8 in. iron stair, leading directly from the 2nd story to the street, enclosed in brick at the first story and metal lath and cement partitions on the 2nd story; and that stair enclosure is equipped with metal, self-closing doors; and

WHEREAS, Violation 933 issued March 8, 1943, was for changing the occupancy of 2nd floor from public garage to factory use, contrary to Certificate of Occupancy 957-26; and

WHEREAS, the applicant contends that the first story (Grand Concourse frontage) is of fireproof construction; that the 2nd story is of Class 3 construction; that the 2nd story on the Grand Concourse frontage for a depth of 31 feet, being the first floor on the Walton avenue frontage for a depth of 124 feet is separated and divided into two distinct areas by an 8-inch brick wall with fireproof doors; that there are three standpipe outlets on this floor; that there is a 4 ft. wide street stairway from the 2nd floor Grand Concourse frontage directly to the street, enclosed in an 8-inch brick wall at first story and wood stud with metal lath and cement plaster on the 2nd floor; that the present owners' business consists of manufacturing tools and dies, metal stamping and metal products, sixty persons engaged in war work; that the first floor on Grand Concourse will be used for office, storage space, showrooms and inspection; that no combustible materials are stored or manufactured; that the 2nd story on the Grand Concourse frontage has an average depth of 31 feet, being the first floor on the Walton avenue frontage for a depth of 124 is in fact two separate areas; that 80% of the building is actually a one-story building and has a ceiling covered with 26 gauge metal and on the Walton avenue front has two wide entrances equipped with sliding doors and a 3 ft. wide exit door will be provided in the sliding doors, leading directly to the street at Walton avenue; that as a secondary exit there is a 3 ft. 8 in. clear stairway directly to Grand Concourse, enclosed in brick; that the first floor on the Grand Concourse frontage will have two wide doors sufficient to allow an automobile truck to enter, one at the northerly and one at the southerly end of the premises, in each of which there will be two 3 ft. wide, 7 ft. high exit doors, directly to the street and in addition, a double door 6 ft. in width in the direct center of the building will be provided; it is submitted that the special and unique construction and layout of the building should be accepted for the present number of occupants and a variation of Section 270 of the Labor Law granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, on amendment to Alt. Applic. 16-45, objection 3, and that the appeal be and it hereby is *granted on condition* that the exits, as indicated on plans filed with this appeal marked "Received March 3, 1945", shall be maintained; that the stairway leading to Grand Concourse from the second floor may be enclosed in fire-retarded partitions within the second story; that the scuttle within the stair enclosure shall be maintained; that an additional scuttle shall be constructed near the Walton avenue side, adjacent to the north wall, with a double-rung ladder leading thereto, and an easy-opening device provided thereto; that the building shall not be increased in height and area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that a new certificate of occupancy shall be obtained.

117-45-A

APPLICANT—General Cable Corporation, lessee, for Schulte Realty Corporation, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—47-09 to 47-51 Austel place (Anable avenue), northwest corner of 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Edward Pearman.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (117-45-A)

WHEREAS, General Cable Corporation, lessee, for Schulte Realty Corporation, owner, filed on March 5, 1945, an appeal from a decision of the fire commissioner, affecting premises 47-09 to 47-51 Austel place (Anable avenue), northwest corner 27th (Creek) street (Block 97, Lot 4), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated February 21, 1945, reads:

"In answer to your letter of February 16th requesting permission to designate smoking areas within your plant, we are without power to comply with your request.

It will be necessary for you to appeal to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan, as this privilege was extended to the former occupant under conditions existing at the time of their occupancy."

and

WHEREAS, the applicant states the building is 3 stories and

penthouse (42 ft.) in height; 400 ft. by 100 ft. in area; of Class 1 construction; erected 1916; located in an unrestricted use, A area, Class 2 height district, and used and occupied since 1944 as follows: cellar, boiler room, 1 person; 1st floor, office, storage and receiving, 50 persons; 2nd floor, cafeteria, 10 persons; 3rd floor, manufacturing wire, 90 persons; penthouse, training offices and maintenance, 45 persons, and proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, manufacturing wire and cafeteria, 120 persons; 3rd floor, manufacturing wire, 125 persons; penthouse, training offices and maintenance, 75 persons; that the building is equipped with a two source sprinkler system, a standpipe system and a fire alarm system; that there are five 48 in. wide reinforced concrete stairs leading directly to the street and three of which lead to the roof; and

WHEREAS, Certificate of Occupancy 8199, issued February 2, 1924, permits the use and occupancy as follows: 1st floor, garage and warehouse, 650 persons; 2nd floor, factory, 600 persons; 3rd floor, factory, 500 persons; penthouse, factory, 120 persons; and

WHEREAS, the applicant requests that appropriate smoking areas be designated in this plant; and

WHEREAS, the applicant contends that there are no areas now designated for smoking in the plant; that employees are not allowed to leave the building without special passes, due to plant protection purposes; that even if passes were issued, inclement weather would make any such arrangement practically impossible; that due to such restrictions, morale and production are suffering; that the product manufactured is field wire used by the U. S. Signal Corps.; that partitions are hollow tile construction; that fire extinguishers of the soda, pyrene and carbon dioxide types are located throughout the plant; that a well organized fire brigade is maintained; that a regular patrol system, consisting of 6 guards for each shift, is maintained at the plant.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* of the requirements of the Labor Law as cited in a decision of the fire commissioner dated February 21, 1945, and that the appeal be and it hereby is *granted on condition* that no smoking shall be carried on within the building, except in the enclosed office spaces and cafeteria on the 2nd floor, as indicated on plans filed with this appeal marked "Received March 5, 1945"; that this permission does not include smoking within the aisle space or the maintenance shop on the 4th floor; that such signs shall be posted as the fire commissioner shall direct, indicating spaces wherein smoking is hereby permitted; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 268-43-S; that the resolution previously adopted for the prior tenants under Cal. 505-43-S, shall be deemed superseded by this resolution; that this variance shall continue only during the term of the present emergency; that the two source sprinkler system and standpipe system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that a certificate of occupancy shall be obtained.

138-45-A

APPLICANT—Elias K. Herzog, for 215 East 37th Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—213 East 37th street, north side, 180 ft. east of Third avenue (Block 918, Lot 10), Borough of Manhattan.
APPEARANCES—
For Applicant: Elias K. Herzog.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (138-45-A)

WHEREAS, Elias K. Herzog, for 215 East 37th Street Corporation, owner, filed March 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 213 East 37th street, north side, 180 ft. east of Third avenue (Block 918, Lot 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 6, 1945, on amendment to Alt. Applic. 1847-44, reads:

"6. Fire escape shown cannot be accepted as building was erected after October 1, 1913. Two exits remote from each other are required from every floor area including cellar. Reconsideration denied."

and

WHEREAS, the applicant states the building is 8 stories (95 ft. 6 in.) in height; 29 ft. by 93 ft. in area at 1st floor; 29 ft. by 81 ft. in area at typical floor; of Class 1 construction; erected 1925, and located in an unrestricted use, B area, Class 1½ height district, now vacant; proposed to be used and occupied as follows: cellar, storage; 1st to 8th floors, factory, 50 persons each floor; that the building is equipped with a two source sprinkler system and that a standpipe system will be provided; that an interior fire alarm system will be provided and fire drills will be maintained; that the building is equipped with one interior stairs 3 ft. 8 in. wide of fireproof construction, leading from the roof bulkhead to the street and proposed to be equipped with one fire escape at the rear, extending to the roof by stairs and to the yard by a stair with egress from its termination through a fire passage to the street; that windows and door openings on the course of the fire escape will be fireproof, self-closing; that the building to the west is five stories and on the east there is no building; and

WHEREAS, the applicant contends that the building was erected in 1925, in accordance with the Labor Law and Certificate of Occupancy 10493 issued, permitting the use of the building throughout as a factory with 70 persons per floor; that in 1939, the Port Authority acquired part of the building in connection with the Midtown Tunnel Drive; that the portion acquired by the Tunnel Authority was demolished and it is now intended to alter the remainder for a useful occupancy; that the building is at present equipped with one 3 ft. 8 in. wide stairs, legal in every detail, and it is proposed to provide a fire escape in the rear as a secondary exit, with egress through a fire passage to the street; that the erection of additional stairs as required, would reduce the rentable area and due to the requirement for the use of more critical material and construction, it would jeopardize the chance of approval by the War Production Board for prosecution of the work.

Resolved, that the decision of the borough superintendent acting on amendment to Alt. Applic. 1847-44, Objection 6, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

141-45-A

APPLICANT—Sidney L. Strauss, for Mary Murphy, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—232 East 198th street, south side, 30.48 ft. east of Valentine avenue (1st floor); (Block 3301, Lot 51), Borough of The Bronx.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

THE RESOLUTION (141-45-A)

WHEREAS, Sidney L. Strauss, for Mary Murphy, owner, filed March 10, 1945, an appeal from a decision of the bor-

ough superintendent, affecting premises 232 East 198th street, south side, 30.48 ft. east of Valentine avenue (1st floor); (Block 3301, Lot 51), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated March 23, 1945 on amendment to Alt. Applic. 109-45, reads:

"1. No frame building may be used for business purposes. (Sec. 4.2.1). Reconsideration denied.

4. Lawful outer courts or side yards should be provided as per Article 4, Sec. 12a, zoning resolution. Rooms are not properly ventilated where marked. Reconsideration denied. Walls enclosing side yards used for ventilation of living rooms on 1st floor may not be extended. (Sec. 18 zoning resolution.)"

and

WHEREAS, the applicant states the building is 2½ stories (36 ft.) in height; 22 ft. by 73 ft. in area at 1st floor; 21 ft. by 60 ft. in area at typical floor; of Class 4 construction; erected 1905; located in a business use, B area, Class 1¼ height district and used and occupied since 1905 as follows: basement boiler and storage room; 1st floor, dwelling, one family; 2nd and attic, dwelling, one family; that the building is equipped with two 3 ft. wide interior wood stairs, enclosed in partitions of wood studs, lath and plaster, equipped with wood doors which are not self-closing and a ladder and scuttle to the roof are provided; and

WHEREAS, the applicant states that it is proposed to create a store in the front portion of the building, as indicated on plans filed with this appeal; that all new construction will be in accordance with requirements of law; that the entire business portion created will be separated from the dwelling portion with fire retarded walls and ceiling; and

WHEREAS, the applicant contends that in this district which is zoned for business use, a number of buildings have been improved in a similar fashion; it is therefore requested that the Board permit the alteration as proposed.

Resolved, that the decision of the borough superintendent, acting on amendment to Alt. Applic. 109-45, objections 1 and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing court shall be maintained; that the proposed extension shall be constructed of Class 3 construction and that the store may be extended within the present front portion of the building, provided the walls and ceilings of such portion used for business occupancy are fire-retarded with metal lath and one-inch cement plaster; that the cellar below shall be similarly fire-retarded; that the building shall not be further increased in height or area and that in all other respects, shall comply with all laws, rules and regulations applicable thereto; that the requirements of Sections 12a and 18 shall be complied with, as to any court for ventilation in connection with any living-room proposed in the proposed extension to the building.

164-45-A

APPLICANT—Western Electric Co., Inc., lessee, for Packard Motor Car Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—783-787 11th avenue, west side, between West 54th street and West 55th street, 617 West 54th street and 606-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan.

APPEARANCES—

For Applicant: George F. Knapp and Vincent McLean.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative: 0

THE RESOLUTION (164-45-A)

WHEREAS, Western Electric Company, Inc., lessee, for Packard Motor Car Co., owner, filed March 22, 1945, an appeal from a decision of the fire commissioner, affecting premises 783-787 11th avenue, west side, between West 54th and West 55th streets, 617 West 54th street, 604-614 West 55th street (1st, 3rd, 5th, 6th, 7th and 8th floors); (Block 1102, Lot 29), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated February 20, 1945 reads:

"In reply to your request for a permit to smoke in several non-factory areas in the above factory building, you are advised that it is not the practice of this Department to issue permits for smoking in any portion of a factory building except as provided for in the Smoking Rules of the Board of Standards and Appeals and which do not apply in these premises.

Your request must therefore be denied.

An appeal from this decision may be filed with the Board of Standards and Appeals within 30 days."

and

WHEREAS, the applicant states that the building is 8 stories (100 ft.) in height, 225 ft. by 200 ft. in area, of class 1 construction, erected in 1928, located in an unrestricted use, A area class 2 height district and used and occupied as follows: cellar—storage and service—50 persons; 1st floor—auto sales and service—office and shipping—40 persons; 2nd floor—auto sales and service—152 persons; 3rd floor—manufacturing electronic equipment and instrument assembly—376 persons; 4th floor—manufacturing electronic equipment and instrument assembly—520 persons; 5th floor—office, cafeteria, recreation and first aid—505 persons; 6th floor—manufacturing electronic equipment and assembly of instruments and offices—628 persons; 7th floor—manufacturing electronic equipment, instrument assembly and storage—330 persons; 8th floor—manufacturing electronic equipment, instrument assembly, packing and testing—393 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills are maintained; that there are three fireproof stairs from the roof to the street, 3 ft. 8 in. in width; and

WHEREAS, the applicant states that permission is requested to smoke in the employment office area on the first floor, the watch and fire headquarters on the 3rd floor, the dining room, recreation area, doctor's office, the private offices in the southeast corner and the private office and conference room in the southwest corner, all on the 5th floor, the four private offices along the south wall on the 6th floor, the private offices in the southeast corner of the 7th and 8th floors and the three private offices near the northeast corner of the 8th floor, all as indicated on the plans filed with this appeal; that the partitions separating the rooms proposed for smoking from the adjacent work spaces are 3 in. gypsum block, plastered both sides, or walls of superior fire rating, except that the southwest office and conference room on the 5th floor are enclosed by steel and glass office partitions to the ceiling; that the employee's dining room and recreation area are separated from adjacent general office space by fire-resistive walls; the employment offices on the 1st floor are isolated from the remainder of the building by fire-resistive walls; that ample fire extinguishers and waste receptacles are provided in the employee's dining room and recreation area; that the chairs, tables and other furniture in the dining room are of sturdy wood and metal construction and there are no flammable drapes in this room; that in the recreation area, the drapes are flameproofed; that in the event permission to smoke is granted, suitable receptacles for smoking waste will be provided and supervision maintained, to assure that smoking wastes are properly extinguished and are not carried out into other areas; that the lunch periods are of half hour duration and are supplemented by two 10 minute rest periods, which are staggered to assure ample space for employees in the dining room and recreation area; and

WHEREAS, the applicant contends that the plant operates 24 hours a day, six days a week, manufacturing electronic equipment, critically needed by the Armed forces; that as

the work involves both physical and mental strain, an opportunity should be afforded employees to smoke and relax in designated areas adequately protected against fire hazard; that where certain specific rooms are set aside for recreation and smoking, employees limit their smoking to those areas under responsible supervision; that as the areas for which permission to smoke is requested are equipped with an automatic sprinkler system and adequate fire extinguishers and are at all times safeguarded and supervised the granting of permission to smoke would not constitute a hazard; that present labor conditions are such that it is difficult to procure and obtain the maximum number of employees essential to full production; that if the permission to smoke as herein requested is denied, it is expected that production will be seriously curtailed, that employees may seek other employment and an actual stoppage of work may even occur.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated February 20, 1945, and that the appeal be and it hereby is *granted on condition* that no smoking shall be carried on throughout the building, except in the spaces as proposed and indicated on plans filed with this appeal, marked "Received March 22, 1945", and under such conditions in such spaces as are proposed; that such signs shall be posted as the fire commissioner shall direct, indicating spaces wherein smoking is hereby permitted; that this variance shall continue only during the term of the present emergency; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 51-29-S; that sprinkler and standpipe systems and other fire-fighting devices shall be maintained as the fire commissioner shall direct.

170-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: John P. Riley and Fred A. Severud.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

THE RESOLUTION (170-45-A)

WHEREAS, New York City Housing Authority, owner, filed February 26, 1945 an appeal from a decision of the borough superintendent affecting premises: Block bounded by East Houston street, East 6th street, Avenue D and East River Drive (Block 356, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 6, 1945, relating to N. B. Applications 214 to 230-44, reads:

"This refers to your letter of February 2, 1945, regarding the approval of incinerator hopper doors opening directly upon the public halls.

You are advised that this Department will not approve such an installation without the installation of a one hour door on the public hall in addition to the hopper door."

and

WHEREAS, the applicant states that the buildings in question will be class 1 construction, four of which will be ten stories and twelve 13 stories in height, occupied as multiple dwellings for 1805 families, located in a residence and retail use, D area class 1 height district; and

WHEREAS, the applicant contends that the incinerators are of non-fuel fired type and therefore not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that the incinerator openings will be provided with self-closing hopper doors and frames having a one hour fire test rating and therefore it is unnecessary to add any further protection; that in accordance with the code, any hopper service door placed a foot or more off the required lines of egress travel would be acceptable without the use of a protective door; that this could not, therefore, be construed to give any more protection to the egress enclosure in which most incinerator openings are located; that in buildings where such protective doors have been installed, said doors have not only been a continual nuisance to the tenants by interfering with the convenient operation of the hopper door but also have been the cause of people spilling refuse, thereby creating an unsanitary condition; that people's clothes become soiled every time they use the incinerator, as they must lean against the protective door to hold it open; that in general, this additional door is very impractical; that most buildings heretofore using this protective door have been of the nonfireproof construction, whereas all these buildings will be class 1 fireproof structures.

Resolved, that the decision of the borough superintendent, acting on N.B. Applications 214 to 230-44, inclusive, as to incinerator hopper doors, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed incinerator hopper assembly of the type approved by the Board, as meeting the requirements for one-hour rate may be installed.

171-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—Block bounded by East Houston street, to East 6th street and between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: John P. Riley and Fred A. Severud.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

THE RESOLUTION (171-45-A)

WHEREAS, New York City Housing Authority, owner, filed February 26, 1945 an appeal from a decision of the borough superintendent affecting premises: Block bounded by East Houston street, East 6th street, Avenue D and East River Drive (Block 356, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 6, 1945, on N. B. Applications 214 to 230-44, reads:

"This refers to your letter of February 2, 1945, regarding the use of a minimum total thickness of concrete columns of 11½ inches.

You are advised that this Department may not approve a reinforced concrete column less than 12 inches in minimum dimension."

and

WHEREAS, the applicant states that the buildings in question will be class 1 construction, four of which will be ten stories and twelve will be 13 stories in height, occupied as multiple dwellings for 1805 families, located in a residence and retail use, D area class 1 height district; and

WHEREAS, the applicant contends that the Building Code provides in Section 8.5.26, that principal reinforced concrete columns shall have a minimum total thickness of 12 inches; that the American Concrete Institute Regulations for Reinforced Concrete which were the result of a study made by

the Joint Committee of the American Concrete Institute, reflect later thinking in the field of concrete and reinforced concrete than the Building Code; that Section 1101 of the Regulations adopted by the American Concrete Institute states in part: "Principal columns in buildings shall have a minimum diameter of 12 inches, or in the case of rectangular columns, a minimum thickness of 10 inches, and a minimum gross area of 120 square inches."; that it is proposed to use principal columns having a minimum dimension of 11½ inches, square columns having, therefore, a gross area of 132 square inches; that the minimum dimension and minimum area proposed are above the minimum adopted by the American Concrete Institute; that the reinforcing design of the columns is based on the actual cross section area, thus providing adequate safety; that the use of 11½ inch columns will prove considerably more economical and practicable, because of the elimination of waste in the construction of the forms, and in addition by providing more available space; that in view of the fact that the recommended practices as adopted in 1941 by the American Concrete Institute are generally accepted in structural design, it is requested that this appeal be given favorable consideration; and

WHEREAS, the applicant proposes that the columns be 11½" square and that the proposed dimensions are within the limitations for rectangular columns as provided in Sec. 1101 of the American Concrete Institute's Building Regulations for Reinforced Concrete, ratified July 21, 1941 (AC1 318-41); and

WHEREAS, the columns in all other respects will be designed and proportioned for the loading and restraint conditions in accordance with the pertinent provisions and stresses of the Administrative Building Code.

Resolved, that the decision of the borough superintendent, acting on N.B. Applications 214 to 230-44, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction shall be substantially as proposed and shall be designed, in accordance with the foregoing clause.

262-44-A

APPLICANT—Irving M. Fenichel, for General Linen Supply and Laundry Co., owner (Cascade Laundry, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—557-575 Marcy avenue (553-563 displayed) and 86-102 Stockton street, southeast corner (Block 1747, Lots 1-7, inclusive and Lots 60-69, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (262-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 557-575 Marcy avenue (553-563 displayed) and 86-102 Stockton street, southeast corner (Block 1747, Lots 1-7, inclusive and Lots 60-69, inclusive), Borough of Brooklyn, was granted by the Board on May 23, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 23, 1944, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 102-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* to permit the installation of the additional one thousand (1,000) gallon tank, constructed and maintained as proposed, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the system shall comply in all other respects, with the approval of the Board under Cal. 1047-41-SA; and, *granted* only so long as the dry-cleaning is accessory to the main use as a laundry.

Resolved further, that the decision of the borough superintendent acting on Misc. Applic. 102-44, Objection of April 2, 1945, be and it hereby is *modified* so as to permit a tank of the capacity of 550 gallons to be installed and maintained in lieu of the 275 gallon tank covered under the resolution adopted by the Board under Cal. 1047-41-SA; that the additional tank hereinbefore permitted with a capacity of 1,000 gallons may be increased to 1500 gallons."

640-44-A

APPLICANT—Charles A. Levitt, for 114 North 4th Street Corporation, owner; Lewis Steel Products Corporation, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—76-116 North 4th street, south side, from Wythe avenue to Berry street, 203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4-13 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles A. Levitt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (640-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 76-116 North 4th street, south side, from Wythe avenue to Berry street, 203 Wythe avenue and 176-180 Berry street (Block 2350, Lots 4-13 inclusive), Borough of Brooklyn, was granted by the Board on March 13, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 13, 1945 by adding thereto:

"that a portion of the wall to the east of the proposed conveyor structure may be constructed of masonry instead of corrugated steel as proposed and as indicated on revised plans marked "Received April 3, 1945".

507-44-A

APPLICANT—F. P. Platt and Brother, for Belbad Realty Corp., owner (Mercer Doll Mfg. Corp., lessee).

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—62-64 Greene street, east side, 151.3 ft. north of Broome street (4th floor); (Block 485, Lots 3 and 4), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

MINUTES

ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

678-44-A

APPLICANT—Charles H. Richter, for Helene E. Hooten, owner (National Motor Rebuilding Corp., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1600-1606 Atlantic avenue, south side, 95 ft. east of Albany avenue (2nd floor); (Block 1334, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Charles H. Richter and John G. Turnbull.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn by applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

62-45-A

APPLICANT—Lama and Proskauer, for Morris Brothers Estates, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—9701-9709 Church avenue, northeast corner of Rockaway parkway (Block 4694, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

80-45-A

APPLICANT—Sidney L. Strauss, for Marvin Horowitz, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—409-411 East 154th street, north side, 70 ft. east of Melrose avenue (Block 2376, Lot 35), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

131-45-A

APPLICANT—Irving M. Fenichel, for Janet Blatman and Mildred Kramer, owners (Major Curtain Cleaners, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1573-1575 McDonald (Gravesend) avenue, east side. 140 ft. north of Avenue N (Block 6564, Lot 58), Borough of Brooklyn.
APPEARANCES—
For Applicant: Irving M. Fenichel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn by applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

177-45-A

APPLICANT—Sidney L. Warsawer & Son, for Irwin I. Schwartz, owner.
SUBJECT—Appeal from an order and decision of the fire commissioner.
PREMISES AFFECTED—321-325 East 3rd street, north side, 120 ft. west of Avenue D (Block 373, Lot 44), Borough of Manhattan.
APPEARANCES—
For Applicant: Louis M. Notkin.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

875-41-A

APPLICANT—Sam J. Glaberson, for Meyer Parodnek, owner; (College Nursery School, lessee).
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—134 Sterling street, south side, 143 ft. east of Bedford avenue (1st and 2nd floors); (Block 1319, Lot 13), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sam J. Glaberson, David Lapidus and Sydney I. Burger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

627-44-A

APPLICANT—Herman Goldman, for Kastenhuber and Lehrfeld, owners.
SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Andrew J. Arbuckle.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P.M. at request of applicant.

653-44-A

APPLICANT—Samuel Rosenblum, for Adon Realty Corporation, owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—80-84 Nassau street, east side, 99 ft. 9 in. North of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: None.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to April 17, 1945 at 2 P.M. at request of Board.

703-44-A

APPLICANT—American Safety Razor Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Maurice R. Roche and Clarence H. Higginson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P.M. Applicant to ask Bldg. Dept. to establish what the permitted occupancy would be allowed on the existing exit.

734-44-A

APPLICANT—Ellis L. Lavine, for National Cabinet Co., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Ellis L. Lavine.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 2 P.M., pending an inspection by a committee of the Board.

68-45-A

APPLICANT—Reginald S. Hardy, for Hayson Corporation, owner (Randall Cadillac Corp., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Reginald S. Hardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 2 P.M., pending an inspection by a committee of the Board.

116-45-A

APPLICANT—Walter M. Cory, for Delagart Realty Corporation, owner (Canada Dry Ginger Ale, Inc., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors); (Block 1367, part of Lot 6), Borough of Manhattan.
APPEARANCES—
For Applicant: David M. Kaufman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 2 P.M. at request of applicant's representative.

167-45-A

APPLICANT—William Sambur, for Samuel Litt, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (Under section 35, General City Law re bed of mapped street—127th street).
APPEARANCES—
For Applicant: William Sambur.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 17, 1945 at 2 P.M. for further consideration.

184-45-A

APPLICANT—Lama and Proskauer, for S. B. Mandell, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P.M., pending an inspection by a committee of the Board.

ZONING CASES

170-37-BZ

APPLICANT—Hermine Corliss, owner.
SUBJECT—Application for consideration—reopening and extension of time and permit—re Application (decision of the commissioner of buildings) previously granted on condition under section 21 of the zoning resolution permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary term of ten years.
PREMISES AFFECTED—79-05 Little Neck road, southeast corner of Union turnpike (Block 12, Lots 4, 5 and 6), Floral Park, Borough of Queens.
APPEARANCES—
For Applicant: Saul Stenlauf, William O. Staber, Hermine Corliss and Albert T. Kaufman.
For Opposition: Alfred Gross.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, time and permit extended.
THE VOTE TO REOPEN AND EXTEND TIME AND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (170-37-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, permitting in a business use district the erection and maintenance of a gasoline service station, affecting premises 79-05 Little Neck road, southeast corner of Union turnpike (Block 12, Lots 4, 5 and 6), Floral Park, Borough of Queens, was granted by the Board April 12, 1938, on certain conditions; and

WHEREAS, on October 11, 1938, plans were approved by the Board, in accordance with the resolution of April 12, 1938; and

WHEREAS, time was extended to obtain permits and complete the work, on October 3, 1939 and October 8, 1940; and

WHEREAS, on March 18, 1941, under section 7f of the

zoning resolution, the permit was extended for a term of ten (10) years; and

WHEREAS, a further extension of time to obtain permits and complete the work, was granted on May 5, 1942, June 8, 1943 and May 9, 1944; and

WHEREAS, the applicant requested a further extension of time and a further extension of the permit; and

WHEREAS, the Board deemed that the time to complete should be extended as well as the term of the variance, in view of the conditions that have prevailed under which no construction could be done, as to a building deemed unessential for the war effort.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of April 12, 1938, as amended through May 9, 1944, only in so far as it has reference to the term of the permit and the time within which permits are to be obtained and work completed, so that as amended, these portions of the resolution shall read:

"*Granted* under section 7f for a temporary term of ten (10) years from the date of this *amended* resolution; that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of April 12, 1938 and October 11, 1938, shall be complied with and that a certificate of occupancy shall be obtained (Permit 969-37)."

1015-41-BZ

APPLICANT—Socony-Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—1200 Victory boulevard and 1262 Clove road, southwest corner (Block 651, Lots 8 and 12), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Stanley L. Clarke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1015-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension and reconstruction of an existing gasoline service station, affecting premises 1200 Victory boulevard and 1262 Clove road, southwest corner (Block 651, Lots 8 and 12), West Brighton, Borough of Richmond, was granted by the Board on May 5, 1942, on certain conditions; and

WHEREAS, plans were filed with the Board by the applicant under the terms of the resolution and were approved on April 3, 1943; and

WHEREAS, on April 4, 1944, time was extended to obtain permits and complete the work and the applicant requested a further extension of time for the same purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 5, 1942, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of May 5, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

890-42-BZ

APPLICANT—Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the alteration and extension of an accessory building (used as office, lubritory, car washing, brakes and repairs) located upon a plot occupied as a gasoline service station and also upon the unrestricted use part of the plot used for parking more than five vehicles.

PREMISES AFFECTED—378-394 Coney Island avenue, 86-90 Kermit place, southwest corner and 843-849 Caton avenue, northwest corner (Block 5322, Lots 80 and 84); (Lot 84 was formerly Lots 84 and 85), Borough of Brooklyn.

APPEARANCES—

For Applicant: Stanley L. Clarke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (890-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the alteration and extension of an accessory building (used as office, lubritory, car washing, brakes and repairs) located upon a plot occupied as a gasoline service station and, also, upon the unrestricted use portion of the plot used for parking more than five (5) motor vehicles; premises 378-394 Coney Island avenue, 86-90 Kermit place, southwest corner and 843-849 Caton avenue, northwest corner (Block 5322, Lots 80 and 84); (Lot 84 was formerly Lots 84 and 85), Borough of Brooklyn, was granted by the Board on April 27, 1943, on certain conditions; and

WHEREAS, the plans required to be filed with the Board under the resolution adopted April 27, 1943, were duly approved on July 13, 1943; and

WHEREAS, on April 4, 1944, time was extended to obtain permits and complete the work and the applicant requested a further extension of time for the same purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 27, 1943, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of April 27, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

(Remaining minutes of the meeting of April 10, 1945 will be printed in the Bulletin of April 24, 1945.)

Adjourned: Wednesday, April 11, 1945 at 11:30 A. M.

JOSEPH J. DOYLE, Chief Clerk.

52.03
VIEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

The Hearing Calendar.

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Correction Affecting Calendar Number 288-44-A.

Minutes of Regular Meeting, April 17, 1945, at 10 A. M., Affecting Calendar Numbers 330-29-BZ, 660-44-BZ, 93-45-BZ, 136-45-BZ, 157-45-BZ, 57-45-BZ, 671-44-BZ, 94-45-A, 158-45-A, 213-45-A, 407-44-A, 692-44-A and 195-45-A.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to April 17, 1945.

Cal. No. Dept. Premises Affected.

215-45-A—H.B.Q.—38-61 11th street, east side, 175 ft. north of 40th avenue (street floor); (Block 473, Lot 558), Long Island City, Borough of Queens, Misc. 447-45.

216-45-A—H.B.M.—424-438 West 33rd street, south side, 268 ft. 9 in. west of 9th avenue (3rd floor); (Block 730, Lot 63), Borough of Manhattan, B.N. 299-45.

217-45-BZ—H.B.Bx.—516-518 Westchester avenue, south side, 56 ft. east of Brook avenue and 521-527 East 150th street, north side, 100 ft. east of Brook avenue (Block 2276, Lots 17, 86, 87 and 88), Borough of The Bronx, Alt. 163-45.

218-45-A—H.B.M.—18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan, Amendment to Alt. 305-45.

219-45-A—F.D.—2 West 122nd street, southwest corner of Mt. Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan, Decision.

220-45-A—H.B.B.—105 Pennsylvania avenue, east side, 125 ft. 1 in. south of Atlantic avenue (Block 3687, Lots 10 and 25), Borough of Brooklyn, Alt. 728-45.

221-45-A—H.B.M.—36 West 34th street, south side, 300 ft. east of Broadway and 41 West 33rd street (1st and 2nd floors); (Block 835, Lots 14 and 63), Borough of Manhattan, Misc. F.P. 434-45.

222-45-BZ—H.B.M.—461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan, Amendment to Alt. 1040-44.

223-45-BZ—H.B.Q.—523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grassmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens, Alt. 120-45.

224-45-A—H.B.Q.—523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grassmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens, Alt. 120-45.

225-45-BZ—H.B.M.—239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan, Amendment to Alt. 1492-44.

226-45-A—H.B.Bx.—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx, Amendment to Alt. 594-44.

227-45-BZ—H.B.Q.—146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens, Decision.

Restored to Calendar.

407-44-A—H.B.B.—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn, Alt. 3661-43.

290-40-A—H.B.R.—36 Haven Esplanade, northwest corner of Silver Lake road (Block 126, Lot 1), Silver Lake, Borough of Richmond, Alt. 17-45.

591-44-A—H.B.Q.—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens, Decision.

298-39-A—H.B.M. and F.D.—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, 32979-LF and Decision and Alt. 357-45.

278-24-BZ—H.B.M.—1 Jumel place and 441-451 West 167th street, northeast corner (Block 2112, Lot 58), Borough of Manhattan, Alt. 80-45.

1321-39-BZ—H.B.Q.—142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens, Misc. 7188-39.

624-39-BZ—H.B.Q.—177-08 to 177-12 Union turnpike, south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens, N.B. 25-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
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Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10

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Platform Trucks, Specifications for..	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply).	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of.....	Sept. 7, 1937—Vol. 22, No. 36
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Smoking in Factories, Rules for.....	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 50b of Industrial Code)..	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

APRIL 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, April* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

25-45-BZ—Application, January 17, 1945, under sections 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform; premises 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

106-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of James E. Casale, applicant, on behalf of 18 East 71st Corp., owner, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area; premises 18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

93-45-BZ—Application, February 24, 1945, under section 21 of the zoning resolution, of Seelig and Finkelstein, applicants, on behalf of A. Milder and Sons and Trustees of the Leake and Watts Orphan House in the City of New York, owners, to permit in a retail use and D area district, the change of occupancy of an existing residence building to a commercial building covering more than 55% of the area of the lot; premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

660-44-BZ—Application, November 21, 1944, under sections 7a and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Doris Gordon, owner, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores; premises 200 East Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard, premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

607-40-BZ—Application of John H. W. Krogmann, applicant, on behalf of Wells-Smith Corporation, owner (John F. Dubar, lessee), reopened March 27, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

23-45-BZ—Application, January 17, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Santa Fazzini, owner, to permit in a residence use D area district, the extension of a garage for more than five motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution; premises 107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens.

796-23-BZ—Application, of Lama and Proskauer, applicants, on behalf of 1507-1535 Coney Island Avenue Corporation, owner, reopened October 10, 1944, under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station (previously granted by the Board) to include a room for display and sale of new and used cars; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

123-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Benjamin H. Whinston, applicant, on behalf of Young Israel Synagogue of Claremont Parkway, Inc., owner, to permit in a B area district, the conversion and extension in area of a building now occupied as a two family dwelling into a synagogue without complying with the area requirements for a B area district; premises 1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

Appeals from Administrative Decisions

124-45-A—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

731-44-A—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.

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751-44-A—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.

708-44-A—27-01 Bridge Plaza North, north side, from 27th to 28th streets (5th floor); (Block 416, Lots 10 and 19), Long Island City, Borough of Queens.

111-45-A—27-01 Bridge Plaza North, north side, from 27th to 28th streets and 41-35 27th street (5th floor); (Block 416, Lot 10), Long Island City, Borough of Queens.

690-44-A—Re Transportation of Petroleum Oil in Tank Truck (capacity of tank not in conformity with Administrative Code requirements governing Tank Trucks) in New York City.

102-45-A—1631-1641 63rd street, north side, 250 ft. east of 16th avenue (1st floor); (Block 5531, Lot 20), Borough of Brooklyn.

153-45-A—35-18 37th street, west side, 165 ft. north of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens.

Materials for Approval.

53-45-SM—Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround.

497-44-SM—Thatcher Manufacturing Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

490-44-SM—Anchor Hocking Glass Corporation's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

492-44-SM—Ball Brothers Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

494-44-SM—Fairmount Glass Works, Inc., "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

491-44-SM—Armstrong Cork Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz., sizes.

495-44-SM—Owens-Illinois Glass Company's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz., and 32 oz., sizes.

HARRIS H. MURDOCK, *Chairman.*

APRIL 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, April* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

627-44-A—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.

219-45-A—2 West 122nd street, southwest corner of Mount Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan.

207-45-A—1236-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (ground floor, buildings 1, 2, 3, 4, 7 and 8); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn.

206-45-A—1171-1183 Atlantic avenue, northeast corner of Perry place (1st floor, Buildings 9 and 10); (Block 1866, Lots 1-7), Borough of Brooklyn.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

184-45-A—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

144-45-A—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.

732-44-A—200-202 East 116th street and 2121-2123 3rd avenue, southeast corner (2nd and 3rd floors); (Block 1665, Lot 48), Borough of Manhattan.

72-45-A—94-100 Varick street and 68 Watts street, northeast corner (Block 477, Lot 35), Borough of Manhattan.

100-45-A—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

187-45-A—137-143 West 108th street, north side, 300 ft. east of Amsterdam avenue (Block 1863, Lot 13), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 1, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

418-44-BZ—Application, July 5, 1944, under section 7c of the zoning resolution, of Bernard Shatkin, applicant, on behalf of Tilyou Realty Corp., owner, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user) to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

CALENDAR

Appeals from Administrative Decisions.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

213-45-A—745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn.

Materials for Approval.

156-43-SM—Monarch Panic Exit Devices (Panic Bolts), Models 4000, 4001 and 4002.

603-44-SM—Richards-Wilcox RW-1447 FyeR Wall Door, including 1303, 1304, sliding types and 1406, 1407, Swinging types.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 1, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

734-44-A—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

68-45-A—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brocklyn.

591-44-A—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens (reopened and restored to calendar, April 17, 1945; previously dismissed for lack of prosecution).

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

1321-39-BZ—Application, of P. J. Keating, applicant and lessee; reopened April 17, 1945 for consideration as to extension of permit.—Application previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting partly in a residence use and partly in a business use district, the parking and storaging of more than five motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens.

200-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of George G. Miller, applicant, on behalf of 1063 Madison Avenue Corporation, owner, to permit in a B area district, a two story extension out to the building line of a five story business and residential building; the area being in excess of the requirements for a B area and restricted retail use district; premises 1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan.

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

191-45-BZ—Application, March 28, 1945, under sections 7c, 7d and 21 of the zoning resolution, of Pomerance & Breines, applicants, on behalf of National Maritime Union of America, owner, to permit in a residence and partly in an unrestricted use district, the change of occupancy from garage building (previously granted by the Board) and Telephone Exchange Building to Union Headquarters with unemployment office and meeting room; premises 346-352, 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan.

60-45-BZ—Application, February 6, 1945, under section 7c of the zoning resolution of Lama & Proskauer, applicants, on behalf of General Linen Supply Co., Inc., owner, to permit in a residence use C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry; premises 449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of April 10, 1945.)

1223-25-BZ

APPLICANT—Kitzler and Nurick, for Rink Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) previously granted on condition under section 21 of the zoning resolution, permitting partly in a residence district and partly in a business district, the alteration of a garage for more than five (5) motor vehicles so as to include a gasoline service station (garage previously granted by the Board).

PREMISES AFFECTED—174-184 Vanderbilt avenue, west side, 124 ft. 7 in. north of Willoughby avenue (Block 2075, Lot 5), Borough of Brooklyn.

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APPEARANCES—
For Applicant: Henry J. Nurick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

220-44-BZ

APPLICANT—Anthony M. De Rose, for D'Abramo Realty Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition—under section 7f of the zoning resolution, permitting in a business use district the change of occupancy of an existing building from a stable and wagon storage and garage for 12 motor vehicles (in the cellar) to a garage for more than five motor vehicles and a motor vehicle repair shop, without complying with yard and area requirements for a new building.
PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.
APPEARANCES—
For Applicant: Francesco E. Felice.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Request to reopen denied.
THE VOTE TO REOPEN—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Adjourned: Wednesday, April 11, 1945 at 11:30 A. M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 20, 1944, as they appeared in Bulletin No. 26, Vol. 29, are hereby corrected to read as follows:

288-44-A

APPLICANT—Wabash Appliance Corporation, lessee, for Carroll Street Realty, Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—335 Carroll street, north side, 230 ft. east of Hoyt street (Block 444, part of Lot 18), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. Rosenblatt, Otto Foell and Louis J. Manganielo.
For Administration: Insp. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (288-44-A)

WHEREAS, Wabash Appliance Corporation, lessee, for Carroll Street Realty, Incorporated, owner, filed May 10, 1944, an appeal from an order of the fire commissioner, affecting premises 335 Carroll street, north side, 230 ft. east of Hoyt street (Block 444, part of Lot 18), Borough of Brooklyn; and

WHEREAS, Order 96877-LC, issued by the fire commissioner April 14, 1944, reads:

"You are hereby notified that an inspection of the above premises, used to store and use lacquers, thinners, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Discontinue delivery of lacquer from drums into dipping tanks under pressure and provide tanks of not more than 60 gallons individual capacity, designed, constructed and approved by the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 3 stories in height; 60 ft. by 100 ft. in area; of Class 3 construction; erected 1883; located in an unrestricted use, A area district and used as follows: cellar, manufacturing incandescent lamps and storage, 8 persons; 1st floor, manufacturing incandescent lamps, 30 persons; 2nd floor, same, 15 persons; 3rd floor, same, 80 persons; that the building is equipped with a one source sprinkler system; that the building is equipped with one 43 in. wide wood stairs with soffits protected by metal lath and cement plaster reinforced concrete backing, enclosed in brick partitions, equipped with metal self-closing doors and extending from roof bulkhead direct to street, and one fire escape extending from the top story to the yard by stairs with egress through the adjoining building; that windows on the course of the fire escape are glazed with wire glass and steel sash; and

WHEREAS, the applicant contends that it uses air pressure of not more than 7 lbs., which is introduced into 53 gallon lacquer drums for the purpose of sustaining a constant level of lacquers in an open dip tank; that the dip tank is an open shallow tank, 150 gallons capacity, constructed of stainless steel, 5 ft. by 8 ft. in area, and varying in depth from 8 in. in front to 2½ in. in back, with an exhaust system for lacquer fumes and equipped with a completely automatic CO_2 fire extinguishing system; that there are two or more conveniently placed hand operated CO_2 extinguishers maintained adjacent thereto; that from 50 to 100 gallons of lacquer are used per day; that two of the drums are connected to a common air line and a common lacquer line; that each drum is equipped with individual valves for air and lacquer; that in addition, there is a reducing valve and a master valve on the common air line and a master valve on the dip tank on the common lacquer line; that the drums are Underwriter's approved and capable of sustaining from 3 to 4 times the pressure used; that the air pump is not capable of supplying more than 10 lbs. pressure; that only one drum is in operation at a time, the valves to the 2nd drum being closed; that before opening the valves to the second drum, all valves to the first drum are closed; that the CO_2 tanks are kept loaded at all times and regularly checked for workability.

Resolved, that Order 96877-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that not more than two (2) drums shall be maintained as proposed and as indicated on plans filed with this appeal marked "Received May 13, 1944"; that a mechanical float or other device shall be maintained in the dipping tank to prevent overflow by stopping the flow of lacquer from the drums; that such overflow device and the entire equipment shall be maintained to the satisfaction of the fire commissioner; that the drums shall be constructed under specifications of the Interstate Commerce Commission; that approved fire doors shall be maintained at the passage indicated to the adjoining building; that the sprinkler sys-

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* Correction—The words "standpipe system and interior fire alarm system" omitted in the third preamble clause and also in the resolution.

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tem shall be maintained in accordance with the requirements and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

REGULAR MEETING

TUESDAY MORNING, APRIL 17, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, April 10, 1945, and Tuesday afternoon, April 10, 1945, were approved, as printed in Bulletin No. 16, Volume 30.

ZONING CASES

330-29-BZ

APPLICANT—Lama and Proskauer, for Hannah Harmon, owner.

SUBJECT—Application reopened January 23, 1945 (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station, beyond the temporary period granted by the Board of Standards and Appeals under Cal. 330-29-BZ.

PREMISES AFFECTED—70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh road, southwest corner (Block 6697, Lot 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., pending an inspection by a committee of the Board.

660-44-BZ

APPLICANT—Henry Nordheim, for Doris Gordon, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7a and 21 of the zoning resolution, to permit in a residence use district, the change of occupancy on first story of a store, office and residence building from store, apartment and garage to stores.

PREMISES AFFECTED—200 East Tremont avenue and 1884 Monroe avenue, southwest corner (Block 2804, Lot 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and A. B. Gordon.

For Opposition: Nicholas Falcone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., pending an inspection by a committee of the Board. No further argument.

93-45-BZ

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake & Watts Orphan House, in the City of New York, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use and D area district, the change of occupancy of an existing residence building covering more than 55% of the area of the lot.

PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., on written request of applicant.

136-45-BZ

APPLICANT—Paul Friedman, for William A. White, Jr. (as executor and trustee u/w of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7i and 7A of the zoning resolution, to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard.

PREMISES AFFECTED—224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Mrs. C. W. Laderburg, Regina F. Scott, Florence Finnell, Charmion Nuebling and Mr. Levigne.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., pending an inspection of a committee of the Board. No further argument.

157-45-BZ

APPLICANT—Charles M. Lobejager, for Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user).

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution.

PREMISES AFFECTED—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M., for further consideration.

57-45-BZ

APPLICANT—Ralph J. Gurfield, for Storch and Hirsche, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of the first story of an existing building to cover the entire lot.

PREMISES AFFECTED—733 Ninth avenue, west side, 117.13 ft. north of West 49th street (Block 1059, Lot 34), Borough of Manhattan.

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APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

671-44-BZ

APPLICANT—Charles H. Richter, for Terry and McMichael, Inc., owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for an existing smaller frame garage building.
PREMISES AFFECTED—424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn.
APPEARANCES—
For Applicant: Charles H. Richter, John F. Donnelly and Frank G. Terry.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (671-44-BZ)

WHEREAS, Charles H. Richter, for Terry & McMichael, Inc., owner, filed November 27, 1944, an application under section 7c of the zoning resolution, to permit in a residence use district, the erection of a one-story garage for eight (8) trucks used by the owner in the conduct of his business in substitution for a smaller frame garage building; affecting premises: 424 Weirfield street, east side, 100 ft. south of Wyckoff avenue (Block 3407, Lot 31), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Weirfield street is in a residence use, C area and Class 1 height district; Halsey street is in an unrestricted use, C area and Class 1 height district; Wyckoff avenue is in a business and unrestricted use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated November 10, 1944, re N. B. Applic. 211-44, reads:

"Construction.

1. The erection of a building to be used as a non-storage garage on premises located in a residential zone is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 40 ft. frontage by 100 ft. in depth, on which is located a one-story frame stable, 20 ft. by 75 ft. in area; that this plot is part of a larger plot 100 ft. by 100 ft., comprising lots 29 and 31, occupied as a coal yard with three coal pockets, an office and a railroad siding and that it is proposed to demolish this frame building and erect a Class 3 construction 40 ft. by 50 ft. non-storage garage for eight trucks; and

WHEREAS, the applicant contends that this appeal is brought under section 7c of the zoning resolution; that the frame stable on plot is in an unsafe condition and has been occupied continuously for many years previous to July 25, 1916, also occupied as a non-storage garage; that the premises across the street are occupied by lumber yards; that the owners will use this new brick garage for their own eight trucks and will not rent out any part; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the erection of the garage for storage of not over eight (8) trucks, used as accessory to the existing use on Lots 31 and 29 as a coal yard, *on condition* that the present frame building shall be demolished; that only trucks shall be stored in the proposed garage that are used in connection therewith; that no motor vehicle repairing shall be carried on; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

94-45-A

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake and Watts Orphan House in the City of New York, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 10 A. M., in conjunction with Cal. 93-45-BZ.

158-45-A

APPLICANT—Charles M. Lobejager, for Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (1st and 2nd floors); (Block 1337, Lot 23 and part of 48), Woodside, Borough of Queens.
APPEARANCES—
For Applicant: Charles M. Lobejager.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M., for further consideration.

213-45-A

APPLICANT—The Brooklyn Home for Aged Men, owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn.
APPEARANCES—
For Applicant: R. F. Greacen.
ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M., on request of applicant's representative.

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407-44-A

APPLICANT—Regal Chemical Corporation, lessee, for 115 Dobbin Street Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.
PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: None:
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

692-44-A

APPLICANT—Sheffield Farms Co., Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—130-05-B 94th avenue, north side, 65 ft. east of 130th street (1st floor); (Block 9375, Lot 261), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: H. McNabb.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (692-44-A)

WHEREAS, Sheffield Farms Co., Inc., owner, filed November 30, 1944, an appeal from an order of the fire commissioner, affecting premises 130-05-B 94th avenue, north side, 65 ft. east of 130th street (1st floor); (Block 9375, Lot 261), Jamaica, Borough of Queens; and

WHEREAS, Order 98105-LC, issued by the fire commissioner November 1, 1944, reads:

"You are hereby notified that an inspection of the above premises, used as a non-storage garage, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Separate boiler from remainder of building by unpierced wall of solid masonry at least 8" in thickness. Entrance to boiler room to be from exterior of building only. C19-72, Administrative Code."

and

WHEREAS, the applicant states that the building is 3 stories (44 ft. 6 in.) in height, 100 ft. by 151 ft. irregular in area, of class 1 construction, erected in 1923, located in an unrestricted use, A area class 1½ height district, and used and occupied since 1923 as follows: cellar—wagon storage—1 person; 1st floor—same—0 persons; 2nd floor—wagon works, paint shop and offices—46 persons; 3rd floor—stable and hay storage—3 persons; proposed to be used and occupied: cellar—same; 1st floor—car storage; 2nd floor—wagon works, paint shop, offices—46 persons; 3rd floor—stable and hay storage—3 persons; that the building is equipped with a one source sprinkler system on the 2nd floor and a standpipe system and that there are two 3 ft. 8 in. fireproof stairs from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that the boiler room in question is not in the garage building, but is in the basement of an adjoining building; that the first floor of Building No. 2 is connected to the boiler room in basement of Building No. 3 by a fireproof ramp, closed at both ends by fire doors; that the boiler room is sufficiently remote and protected from the garage portion by the ramp and fire doors; that the closing of the exit from the boiler room and the construction of an exit to the exterior of the building from the boiler room, would have certain disadvantages from the safety standpoint; that such an exit would open on the railroad platform and since it would not normally be used for ingress and egress, there is a possibility that it may be obstructed by the loading and unloading on the railroad platform; that there are a number of workmen in the boiler room and in case of hazard, the workmen would have greater difficulty in obtaining egress from the boiler room than by the present method; it is therefore requested that the Board permit the existing exit condition to remain.

Resolved, that order 98105-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the fire doors as shown shall be maintained to the satisfaction of the fire commissioner; that such doors shall be fireproof, self-closing and tight-fitting and the door in the wall between buildings 2 and 3 shall be kept closed; that no gasoline shall be stored within Building 2, except that contained in the tanks of the automobiles stored on the premises; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

195-45-A

APPLICANT—The Gilfred Corp., lessee, for Edmal Realty Co., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—26-32 West 17th street, south side, 403 ft. west of 5th avenue (12th floor); (Block 818, Lot 66), Borough of Manhattan.
APPEARANCES—
For Applicant: Lewis A. Pinkussohn, B. H. Whinston and Samuel Kanner.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (195-45-A)

WHEREAS, The Gilfred Corporation, lessee, for Edmal Realty Company, owner, filed April 2, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises: 26-32 West 17th street, south side, 403 ft. west of 5th avenue (12th floor); (Block 818, Lot 66), Borough of Manhattan; and

WHEREAS, Order 40670-C, issued by the fire commissioner February 28, 1945, and repeated in his decision of March 28, 1945, reads:

"Surrender to bearer your Fire Department permit numbered 221549 dated to expire November 18th, 1945, which is hereby revoked:

REASON: Premises lighted by fluorescent lights. C19-112.0.

YOU ARE THEREFORE ORDERED AND REQUIRED TO:

1. Forthwith discontinue the storage or use of nitrocellulose products on the above premises."

and

WHEREAS, the applicant states that the building is 12 stories (144 ft.) in height, 93 ft. 6 in. by 92 ft. in area at first floor; 93 ft. by 85 ft. in area at typical floor; Class 1 construction; located in an unrestricted use, Class 2 height district; erected in 1908; used and occupied since 1935 as follows: Cellar, furniture storage; 1st floor, furniture showroom, 5 persons on combined floors; 2nd floor, mfg. slippers and offices, 50 persons; 3rd floor, mfg. coat fronts, 40 persons; 4th floor, mfg. clothing, 8 persons; 5th floor, mfg. clothing, 102 persons; 6th floor, mfg. luggage, 29 persons; 7th floor, mfg. coats, 88 persons; 8th floor, mfg. sportswear, 75 persons; 9th floor, mfg. luggage, 12

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persons; 10th floor, mfg. ladies belts, 30 persons; 11th floor, mfg. sportswear, 50 persons; 12th floor, button mfg., 25 persons; mfg. leggings and spats, 20 persons; mfg. pens and pencils, 16 persons; that no change in use or occupancy is proposed; that the building is equipped with two 4 ft. wide steel and slate stairs, enclosed in terra cotta and plaster partitions, equipped with kalamein, self-closing doors and leading from the roof bulkhead directly to the street, and two fire escapes leading to the roof by ladder and to the street by ladder and to the yard by ladder, with egress from yard through court-yard and by 2nd floor; that windows on the course of the fire escapes are fireproof, but not self-closing; and

WHEREAS, the applicant contends that the lessee is engaged in contracts for the Army and Navy; that the building is equipped with an automatic sprinkler system and a standpipe system; that prior to December, 1944, incandescent lights had been used and permit granted for the storage and use of nitrocellulose; that in December, 1944, to improve working conditions due to close tolerances used in the manufacturing process, fluorescent lights were installed; that the fixtures are placed over the work benches at sufficient height, 4 ft. 7 in., to preclude the possibility of any celluloid articles coming in contact with fluorescent bulbs; that no portable lights on extension cords are used; that the nitrocellulose when stored, is placed in a metal, well-ventilated vault, equipped with a sprinkler head; that this vault is located away from the manufacturing operations; that all waste nitrocellulose is placed in metal receptacles, containing water and kept there until removal from the premises, which removal takes place once every 48 hours; that four windows provide ample natural ventilation; that there is a skylight through which a metal flue carries the dust from the polishing machine to the roof; that the installation of the fluorescent fixtures was inspected by the Department of Water Supply, Gas and Electricity and certificate issued; that the fixtures are equipped with a fibre disc and lock, in order to lock the lamp holders at each end of the fluorescent lamps, so that no vibration could occur; it is therefore requested the Board grant the variation, to permit the installation of the fluorescent lights to remain.

Resolved, that order 40670-C of the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the premises shall be maintained to the satisfaction of the fire commissioner; that the cutting of the nitro-cellulose products shall be carried on so as to preclude an accumulation of waste; that all waste nitro-cellulose material shall be immediatcly immersed in water and so maintained in metal receptacles until removed from the premises; that the amount of celluloid on the premises shall not exceed 200 pounds at any one time; that no other inflammable material shall be used near such nitro-cellulose products, unless protected to the satisfaction of the fire commissioner; that ample natural ventilation to the outer air shall be provided at all times; that no portable lights on extension cords shall be maintained in any room where nitro-cellulose products are handled or stored; that the lighting fixtures shall be equipped with a fibre disc and lock, to lock the lamp holders at each end of the fluorescent lamps, to protect same against vibration and to prevent the falling of lamps from sockets; that electrical lighting installation shall be approved by the Department of Water Supply, Gas and Electricity and the New York Board of Fire Underwriters; that the sprinkler system throughout the building shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Adjourned: 11:55 A. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 17, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

635-44-A

APPLICANT—Boro Hall Corporation, owner (Alfred J. and Caroline Giordano, lessees (d/b/a Paramount Recreation Center).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43 Debevoise place, east side, 100 ft. south of Lafayette street and 432 Hudson avenue (Block 2085, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred J. Giordano.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (635-44-A)

WHEREAS, Boro Hall Corporation, owner, for Alfred J. and Caroline Giordano, lessees (doing business as Paramount Recreation Center), filed November 1, 1944, an appeal from a decision of the borough superintendent, affecting premises 43 Debevoise place, east side, 100 ft. south of Lafayette street and 432 Hudson avenue (Block 2085, Lot 7), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 10, 1944, on Alt. Applic. 2860-44, reads:

"1. The stair capacity is insufficient to accommodate the number of persons under Section 6.4.1.1 of Building Code. (Section 6.1.10 not being applicable to bowling alleys.) The increase in occupancy of the 2nd floor materially changes the conditions under which the Board of Standards and Appeals approved the original application, therefore the proposition must be referred to the Board for approval."

and

WHEREAS, the applicant states the building is 3 stories (40 ft.) in height; 100 ft. by 100 ft. in area at 1st floor; 100 ft. by 90 ft. in area at 2nd floor; fireproof construction; located in an unrestricted use, B area, Class 2 height district and used and occupied since 1939 as follows: cellar, auto service and repair, 6 persons; 1st floor, automobile showroom; 2nd floor, bowling alleys, bar and restaurant, 75 persons; 3rd floor, bowling alleys, 75 persons; proposed to be used and occupied as follows: cellar, same, 20 persons; 1st floor, same, 20 persons; 2nd floor, same, 350 persons; 3rd floor, same, 200 persons; that Certificate of Occupancy 93506 was issued September 11, 1939, permitting the present use and occupancy; that the building is equipped with an interior fire alarm system, but that fire drills are not maintained; that there are two 3 ft. 6 in. wide fireproof stairs from the roof bulkhead directly to the street and one fire escape at the rear, extending by exterior stairs to the yard and egress thru the yard to the street; and

WHEREAS, the applicant contends that an application for a certificate of occupancy was filed, to increase the number of persons on the basement, 2nd and 3rd floors and denied by the borough superintendent, on the grounds that it should be referred to the Board of Standards and Appeals; that it is proposed to increase the occupancy as stated herein, as at the time of the previous appeal, the architect did not take into consideration the overlapping change of patrons on the 2nd and 3rd floors, which are used as bowling alleys, bar

and restaurant; that this overlapping change takes place during a period of about 30 minutes; that the architect only took into consideration the maximum number of persons who could bowl on the alleys at any one time; that when a group is finishing bowling, another group is waiting to take over the alleys; that no changes in the means of egress have been made since the Board acted under Cal. 344-39-A; that the building is 100% fireproof construction in concrete and brick including all fireproof doors and trim.

Resolved, that the decision of the borough superintendent on Alt. Applic. 2860-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy shall not exceed the number of persons per floor that would be permitted if the capacity of stairs were calculated under Section C26-281.0; that this resolution shall be deemed to modify the resolutions of the Board adopted under Cal. 344-39-A as to number of persons permitted per floor, but all the exits as proposed therein shall be maintained.

653-44-A

APPLICANT—Samuel Rosenblum, for Adon Realty Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—80-84 Nassau street, east side, 99 ft. 9 in. north of John street (cellar); (Block 78, Lot 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (653-44-A)

WHEREAS, Samuel Rosenblum, for Adon Realty Corporation, owner, filed November 17, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 80-84 Nassau street, east side, 99 ft. 9 in. north of John street (Cellar); (Block 78, Lot 38), Borough of Manhattan; and

WHEREAS, Order 14554-LF, issued by the fire commissioner May 16, 1942, and repeated in a decision of the fire commissioner dated October 20, 1944, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to:

1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactorily to the Fire Commissioner in cellar. Section C19-161.0 Administrative Code."

and

WHEREAS, the applicant states the building is 4 stories (55 ft.) in height; 85 ft. 10 in. by 102 ft. 7 in. in area at first floor; 85 ft. 10 in. by 92 ft. 3 in. in area at typical floor; of Class 1 construction; erected 1930, located in an unrestricted use, B area, Class 2½ height district, and used and occupied since 1936 as follows: cellar, kitchen and sales room, 100 persons; 1st floor, salesroom, 300 persons; 2nd, 3rd and 4th stories, jewelry manufacturing and repair and offices, 50 persons each story; that no change in use or occupancy is proposed; that the building is equipped with an interior fire alarm system and that fire drills are maintained; that there are two 3 ft.. 8 in. fireproof stairs leading directly to the street, one of which leads to the roof; and

WHEREAS, Certificate of Occupancy 22302 issued April 8, 1937, permits the use of the cellar for storage, kitchen, and sales store, 100 persons, 120 lbs. live load; 1st story, sales store and restaurant, 300 persons, 120 lbs. live load; 2nd to 4th stories, offices, 50 persons each, 75 lbs. live load each story; and

WHEREAS, the applicant contends that the first floor and cellar is occupied by the Woolworth Five and Ten cent store; that in addition to the building stairs, there is a wide accommodation stair from 1st floor to cellar, as granted by the Board under Cal. 390-36-S; that there is also a horizontal exit in the rear of the cellar, leading to the premises on Dutch street, under the same management; that this exit is protected by fireproof doors and it is proposed to install sprinkler equipment in the cellar of the Dutch street section, in accordance with the resolution adopted by the Board under Cal. 764-42-A; that the storage and shipping facilities of the tenants are in the Dutch street premises; that the portion of the premises, which is the subject of this appeal, is used as a sales and display room; that there is no storage of combustible merchandise in this area; that the basement is occupied for mercantile purposes similar to the first floor; that the cellar is accessible thru the wide accommodation stair at the front and the horizontal exit in the rear and is provided with ventilating louvres under the show windows at the front; that ample aisle space has been provided and housekeeping conditions are good; that the cellar sales room is easily reached from all sides and in view of the fact that all of the storage and shipping facilities will be protected, it is requested that the Board grant a variance, so that the owner will not be required to install a sprinkler system at 80 to 84 Nassau street; and

WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the decision of the fire commissioner as to Order 14554-LF, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that at least three (3) sprinkler heads shall be installed within the kitchen portion of the cellar, as indicated on revised plans filed with this appeal marked "Received March 19, 1945"; that such sprinkler heads may be attached to the domestic water supply; that the fire doors between the cellar and the rear building shall be maintained in good working condition, to the satisfaction of the fire commissioner and the Underwriters; that the sprinkler system in the rear building shall be maintained in accordance with the resolution adopted by the Board under Cal. 764-42-A; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

656-44-A

APPLICANT—Morris Whinston, for A. R. R. Realty Corp., owner.

SUBJECT—Application reopened and restored to calendar on March 6, 1945—Appeal from decisions of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (656-44-A)

WHEREAS, Morris Whinston, for A. R. R. Realty Corporation, owner, filed November 20, 1944, an appeal from decisions of the borough superintendent, affecting premises 24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 16, 1944, on Alt. Applic. 1338-44, reads:

"2. Two means of egress required for each floor remote from each other extending from cellar to roof and leading to street. Section 271 Labor Law.

5. Stairs should be adequate to accommodate the number of persons as computed under section 6.1.2.3dB.C.

6. Present fire-escape not acceptable as egress at bottom is thru principal means of egress for building at 2nd floor, and becomes a common means of egress to street. Section 271 Labor Law.

7. Elevator shaft should be enclosed in fireproof material, Section 271-2.

12. All windows should be fireproof. Sect. 246-66 Labor Law.

15. Required live load for manufacturing is 120 lbs. per sq. ft. Section 7.3.2.3B.C."

and

WHEREAS, said objections were repeated in a decision of the borough superintendent dated December 26, 1944; and

WHEREAS, the applicant stated that the building is nine stories (90 ft.) in height, 50 ft. by 110 ft. at first story, 50 by 100 ft. in area at typical floor; Class 1 construction; erected in 1903; located in an unrestricted use, B area, 2 times height district; and used and occupied as follows: Cellar, storage and boiler room, 1 person; 1st floor, stores, 10 persons per store; 2nd floor, offices and showrooms, 12 persons; 3rd floor, offices and manufacturing furs, 12 persons; 4th floor, offices and manufacturing chemicals, 12 persons; 5th floor, offices and manufacturing ties, 12 persons; 6th floor, offices and manufacturing wigs, 12 persons; 7th floor, offices and printing, 12 persons; 8th floor, offices and manufacturing leather, 12 persons; 9th floor, offices and manufacturing bags, 12 persons; that the building is equipped with a standpipe system, interior fire alarm system and that fire drills are maintained; that there is one 3 ft. wide fireproof stair from the top story directly to the street and leading to the roof by a scuttle and ladder; that the doors are fireproof and wood and are self-closing; that in addition, there is one fire escape in the west court, leading to the roof by a ladder and to the street, through a fireproof door at second floor and down to the street through the main corridor; that the windows and doors on the course of fire escape are fireproof, self-closing.

WHEREAS, the applicant contended as to objection 2, that there are two means of egress as remote as possible, both extending to the roof, the stair extending by a scuttle and iron ladder and the present fire escape by stair, and both leading to the street; as to objection 5, that the stair is 3 ft. wide and is sufficient to accommodate the small number of persons occupying the building; as to objection 6, that the egress from the fire escape at the 2nd floor main hall is the only place where persons can be discharged from the upper floors and the 2nd floor is the only floor where this common means of egress occurs; as to objection 7, that the elevator shafts are enclosed in three hour partitions and fireproof doors on 1st floor, with wrought iron enclosure and doors on the 2nd to 9th floors and basement; that it is now proposed to enclose the elevator shafts as described in this appeal; as to objection 12, that all windows are fireproof, self-closing, except in the front wall where windows are wood and plain glass; that these windows have been the same since the building was erected; as to objection 15, that the floors are designed for 75 lb. liveload from the 2nd to 9th floors inclusive, and 150 lbs. for the 1st floor; that these were the liveloads required under the 1903 Building Code; that assuming the dead load is about 50 lbs. per sq. ft., making a total of 125 lbs. and increasing this amount by ⅛ which is the increase in the stress under the present code, will allow an increase of about 15 lbs., making the present floor good for 90 lbs. per sq. ft.; and

WHEREAS, the applicant further contends that the building is equipped with a fire alarm system and standpipe system throughout and fireproof, self-closing doors in the public halls; that there is also a Labor Law fire escape in the west court from the 2nd floor to the roof; that the iron elevator enclosure has been in the building since its erection in 1903 and will now be enclosed from the 2nd floor to the roof and at the cellar with ¾ in. asbestos cement boards, on present wire mesh and the present elevator shaft doors to be similarly covered; and

WHEREAS, the applicant contends further, that the building has had a mixed occupancy of offices and light manufacturing since 1925, requiring the employment of a small number of persons for each tenant; that the floors are of ample strength for the superimposed liveloads, by reason of the light occupancy and the applicant requests that the Board grant relief from complying with the objections of the borough superintendent, due to the hardships involved; and

WHEREAS, the amendment filed with the borough superintendent indicates that it is proposed to extend the corridor leading to the fire escape and to extend the fire escape balcony as indicated on plans filed with this appeal marked "Received December 27, 1944"; and

WHEREAS, Order 3113-1F issued by the Fire Department December 14, 1914 required the owner to provide an enclosure of fire-retarding material about elevator shaft at all stories; and

WHEREAS, the report of the inspector of Fire Prevention dated November 20, 1916 filed with Cal. No. 966-17-A, indicates that the building is occupied as a factory building with 41 persons engaged in manufacturing throughout; and

WHEREAS, Labor Department record indicates that violation was issued July 13, 1916, to prohibit the operation of factories in the building above the 2nd floor until at least two legal means of exit have been provided, to provide additional means of exit from each floor remote from present exit and stating that a fire escape at west side of building will be accepted as an exit, to provide continuous safe unobstructed passageways on each floor leading directly to several means of egress including outside fire escape, to make all openings in interior stairway fire-resistive; and

WHEREAS, report of inspector of Fire Prevention dated June 12, 1917, indicated that the Labor Department order had not been complied with; and

WHEREAS, report of inspector dated October 27, 1923, filed in Fire Department folder 21E24.01, indicates that the manufacturing occupancy was limited to five persons; and

WHEREAS, on January 23, 1945, this appeal was withdrawn by the applicant, at which time the Board stated that the applicant may request reopening after approval of plans and compliance in all respects except floor loads, which the Board may then consider; and

WHEREAS, this appeal was reopened and restored to the calendar March 6, 1945 to consider floor loads (objection 15 of November 16, 1944); and

WHEREAS, the applicant has amended his appeal to indicate the building is 9 stories, 99 ft. 8 in. in height; and

WHEREAS, the applicant has amended his specification sheet filed with Alt. Applic. 1338-44, so as to indicate that it is proposed to use the 2nd and 9th floors for offices and manufacturing, 20 persons each floor; and

WHEREAS, the applicant has filed an amendment with the alteration application in the office of the borough superintendent dated March 15, 1945, wherein it is stated "to amend the plans so as to increase the number of persons on each floor to 20, to reconstruct the present fire escape in west court, so that it will comply with all provisions of the Labor Law and as shown now on plans, height of building changed from 85 ft. to 99 ft. 8 in.; height to highest floor level is 89 ft. 8 in."; and

WHEREAS, the amendment filed April 9, 1945, was to amend plans so as "to cut the 2nd floor floor beams and erect a new iron stair, marble treads, with fireproof partition around the stair on the easterly side of the building, extending from the 1st to 2nd floors, as shown on amended plans filed herewith;" and

WHEREAS, the decision of the borough superintendent dated March 26, 1945, on such amendment reads: "this amendment cannot be approved until application is approved;" and

WHEREAS, the premises were inspected by a committee of the Board.

MINUTES

Resolved, that the decision of the borough superintendent on Alt. Applic. 1338-44 be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to objection 15 of November 16, 1944, *on condition* that the liveload throughout shall be not less than 90 lbs. per superficial foot; that a new stair from the 2nd floor to the street shall be installed in accordance with the requirements therefor, in the location as indicated on revised plan marked "Received April 4, 1945"; that the fire escape in the interior court and stairway with brick entrance to such court leading to East 21st street shall comply with all the requirements of the Labor Law and rules of the Board and new door shall be constructed as indicated on such revised plans; that the windows on the front above the second story may be continued with present wood frames and sash, provided the glass is plate glass commonly considered as ¼ inch in thickness and with no light of glass exceeding 720 sq. in.; that all doors shall open in the direction of exit; that wood doors and trim from rooms to hall may be continued, provided they are of hard wood; that the elevators shall be enclosed as proposed; that the existing wrought iron grille shall be removed and ¾ inch transite, set in the present iron frame substituted; that the occupancy per floor shall not exceed the number of lawfully permitted, based on the primary means of exit not exceeding twenty persons per floor as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

685-44-A

APPLICANT—Kops Brothers, Inc., lessee, for Kops Brothers Realty Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—100-02 Rockaway boulevard, southwest corner of 101st street (1st floor); (Block 9539, Lot 1), Ozone Park, Borough of Queens.
APPEARANCES—
For Applicant: William E. Smith.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (685-44-A)

WHEREAS, Kops Brothers, Inc., lessee, for Kops Brothers Realty Corp., owner, filed November 8, 1944, an appeal from an order of the fire commissioner, affecting premises 100-02 Rockaway boulevard, southwest corner of 101st street (1st floor); (Block 9539, Lot 1), Ozone Park, Borough of Queens; and

WHEREAS, Order 13675-LF, issued by the fire commissioner October 21, 1944, reads:

"1. Arrange iron screens on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress, as per Section 272 of the Labor Law."

and

WHEREAS, the applicant states the building is two stories (30 ft.) in height, 200 ft. by 65 ft. in area; Class 1 construction; located in an unrestricted use, A area, Class 1 height district; erected in 1922 and used and occupied since 1922, as follows: Cellar, boilerroom and storage, 10 persons; 1st floor, office, stock and shipping, 87 persons; 2nd floor, stock and manufacturing corsets, girdles, parachutes and sleeping bag cases, 270 persons; that the building is equipped with a two-source sprinkler system, a standpipe system and three interior iron and concrete stairs, enclosed in steel and concrete, equipped with iron and steel, self-closing doors and extending from the roof bulkhead directly to the street; that two stairs are 48 in. in width and one is 72 in. in width; and

WHEREAS, Certificate of Occupancy Q31020, issued May 22, 1944, permits the present use and occupancy; and

WHEREAS, the applicant states that 28 windows are affected on the street side of the building; that means of egress from the first story affected are five double exit doors, equipped with panic bolts; and

WHEREAS, the applicant contends that the wire screens were arranged upon recommendation of the Plant Security Division of the United States Army and that the screens cover only a small part of the windows on the first story only on the street side; and

WHEREAS, the applicant has filed copy of the recommendation of the Second Service Command, Plant Security Division, requiring the installation of wire screens in all basement and 1st story clear glass windows opening on the streets.

Resolved, that the Board of Standards and Appeals does hereby make a *variation* in the requirements of the Labor Law as cited in a decision of the fire commissioner as to Order 13675-LF and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that screens shall be installed only on such windows as are indicated on plans filed with this appeal marked "Received November 8, 1944" (one sheet) and "Received April 12, 1945" (one sheet); that all existing exits indicated thereon shall be maintained; that the sprinkler system and standpipe system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 705-42-S; that this variance shall continue only during the term of the present emergency and for six (6) months thereafter.

722-44-A

APPLICANT—Dominick Salvati, for Harold W. Holcombe, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—91 Marlborough road (East 15th street), east side, 107 ft. 5 in. south of Church avenue (2nd and 3rd floors); (Block 5096, Lot 60), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (722-44-A)

WHEREAS, Dominick Salvati, for Harold W. Holcombe, owner, filed December 12, 1944, an appeal from a decision of the borough superintendent, affecting premises 91 Marlborough road (East 15th street), east side, 107 ft. 5 in. south of Church avenue (2nd and 3rd floors); (Block 5096, Lot 60), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated December 7, 1944, on Alt. Applic. 1365-44, reads:

"1. Increase in height of attic and area devoted to living purposes contrary to Sec. 8.7.2.1 (C26-536.0) of the Bldg. Code."

and

WHEREAS, the applicant states that the building is 2½ stories (34 ft.) in height, 38 ft. by 56 ft. at 1st floor, 38 ft. by 51 ft. at 2nd floor; Class 4 construction; located in residence use, F area, Class 1 height district; erected about 40 years ago; and occupied since erection as a one family dwelling and proposed to be occupied as follows: Cellar, household storage; 1st floor and part of second floor, dwelling, one family; 2nd floor and attic, dwelling, one family. that the building is equipped with two wood stairs, enclosed in lath and plaster partitions, equipped with wood doors,

which are not self-closing; one stair is 2 ft. 8 in. wide and the other 3 ft. wide; and

WHEREAS, the applicant states it is proposed to re-locate bath-rooom in attic; that the two attic rooms will be squared out, as indicated on plans filed with this appeal; that a multiple dwelling law type of fire escape will be installed; that the stairs to the attic will be widened and the side entrance created as shown; that no cooking will be done in the attic, as the kitchen will be installed on the 2nd floor; and

WHEREAS, the applicant contends that in view of the nature of the alterations involved and in view of the improvements in exits as proposed, it is requested that this appeal be granted.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1365-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the alterations as proposed, shall be carried out as shown on plans filed with this appeal marked "Received December 12, 1944" including the proposed exterior fire escape, as indicated thereon, from the third story; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable to a two family dwelling; that at no time shall this building be occupied for more than two (2) families and no cooking shall be permitted in the attic story.

81-45-A

APPLICANT—Kolb and Miller, for A. Schrader's Son, Division of Scovill Manufacturing Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (basement and 1st floor); (Block 2008, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (81-45-A)

WHEREAS, Kolb and Miller, for A. Schrader's Son, Division of Scoville Manufacturing Company, Inc., owner, filed on February 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (basement and 1st floor); (Block 2008, Lot 9), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1468-44, dated January 31, 1945, reads:

"Means of egress do not comply with Section C26-273.o-b(3) Bldg. Code Section 6.1.2.2.3, as ramp does not constitute a means of egress unless it complies with Section C26-273.o-a(3). Bldg. Code Section 6.1.2.1."

and

WHEREAS, the applicant states the building is 1 story and basement (23 ft.) in height; 101 ft. by 100 ft. in area; of Class 3 construction; erected 1931; located in an unrestricted use, B area, Class 1½ height district and used and occupied since April, 1944, as follows: cellar, boiler room; basement, garage for more than five cars, 5 persons; 1st floor, garage for more than 5 cars, 6 persons, for which certificate of occupancy 6286 was issued January 15, 1931, upon completion of work under Permit 9277-30, and the building is proposed to be occupied as follows: cellar, boiler room; basement, garage for more than 5 cars and warehouse, 5 persons; 1st floor, warehouse, 6 persons; that the building is equipped with one 4 ft. wide iron stairs, enclosed in 8 in. brick, equipped with metal covered self-closing doors and extending from the roof bulkhead directly to the street and one 11 ft. 9 in. wide concrete ramp, brick enclosed on the basement story, having a grade of 12½%; and

WHEREAS, the applicant contends that it is proposed to use the 1st floor for warehouse and basement floor as warehouse and garage; that the borough superintendent objects to the use of the ramp as a second means of egress; that the basement floor is 5 in. concrete on ground; the 1st floor and basement columns are steel fireproofed and with cinder concrete arches having a 1 inch cement finish; that the roof is steel frame with wood joists, covered on the underside with half-inch plaster boards and 26 gauge metal; that the basement is 2 ft. 6 in. below street level and the 1st floor is 12 ft. above; that there is a boiler room below ground level, accessible to the street; that the ramp has a level section where grade changes and is closed off from the basement story by an 8 in. brick wall and has a slope of 1 ft. in 8 ft.; that the ramp does not comply with the Code, in that it is not closed off from the 1st story; that it is requested the Board accept the ramp as a secondary means of egress, as it is less than 100 ft. from any part of the first floor to either the stairway or the ramp and in view of the light occupancy, the Board is requested to grant this appeal.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1468-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no materials shall be stored in the basement except metal; that such material shall not be in combustible cases or crates; that the ramp leading to the first floor from grade shall be separated from the basement story at all points with fireproof construction; that this variance shall continue only so long as the building is occupied as proposed and no manufacturing is carried on therein and the stairway as indicated on plans filed with this appeal marked "Received February 19, 1945" is maintained in accordance with the requirements; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

89-45-A

APPLICANT—Joseph Kleinberger, for Atlantic Leasing Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1580-1590 Broadway, 200 West 48th street, southeast corner and 710-720 7th avenue (Block 1019, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Cash and Joseph Kleinberger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (89-45-A)

WHEREAS, Joseph Kleinberger, for Atlantic Leasing Co., Inc., owner, filed February 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 1580-1590 Broadway, 200 West 48th street, southeast corner and 710-720 7th avenue (Block 1019, Lot 36), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated January 23, 1945, on B.N. Applic. 2338-44, reads:

"You are hereby advised that the approval of the subject Building Notice and permission to build under the approval is hereby revoked as the approval was granted in error."

and

WHEREAS, the applicant states that the building is 2 stories and mezzanine (40 ft.) in height, 93 ft. 9⅛ in. by 125 ft. 5 in. in area, of class 1 construction, erected in 1912, located in a retail use, B area class 2 height district and used and occupied as follows: cellar—storage and restaurant—500 persons; 1st floor—stores—100 persons; 2nd floor—restaurant and cabaret—650 persons; mezzanine—kitchen—20 persons; and

WHEREAS, the decision of the borough superintendent, dated April 5, 1945 addressed to the applicant, reads as follows:

"This refers to your letter of April 5, 1945 in which you ask the specific section under which the approval of the subject application was revoked by our letter of January 23, 1945.

You are advised that this action was taken as the sign is neither a flat nor right angle sign.

A similar condition under Sec. C26-220.0, was reviewed by the Board of Standards and Appeals under Cal. 1183-38-A and was denied."

and

WHEREAS, the applicant states that the proposed signs will be closed faced with the advertising matter painted thereon and illuminated by reflectors; and

WHEREAS, plans filed with this appeal indicate the proposed construction of four signs which will project from 1 ft. 3 in. to 7 ft. 10 in. beyond the walls of the building in question; and

WHEREAS, the applicant contends that plans were filed November 10, 1944, for the erection of the signs in question; that shortly thereafter, the erection of these signs was discussed with the Department Engineer, who stated he would accept all but one item which referred to the use of removable sign panels; that the matter was then submitted to the Chief Engineer of the Department of Housing and Buildings, who instructed the examiner to accept the construction of the signs; that being assured of obtaining a permit, contracts were prepared and signed and shop work was to start at once and erection of steel members to start at the earliest possible date; that plans were approved and permit issued on January 19, 1945; that shop work had progressed so that the contractor was able to start erection January 22, 1945 and in a few days, had erected most of the steel brackets on the Broadway side of the building; that on January 26th, notice of revocation was received; that the applicant assumed that when the examiner and the Chief Engineer of the Department raised no question, there would be no question as to the legality of the signs; that signs of like projection, exist in almost every prominent location in Manhattan, Brooklyn, Flushing and Sunnyside; that the borough superintendent informed the applicant that signs of like projection have not been permitted since 1938, but apparently not all of the engineers in the Department were aware of any such order; that a memorandum was sent to the engineers subsequent to the decision herein appealed, that they shall not accept illuminated signs coming under the provisions of B26-13.0 of the Administrative Code, unless such signs are perpendicular to the building line; that there has been no change in the law regarding signs which has been in effect since 1916 and as late as 1930, the Corporation Counsel rendered an opinion that signs projecting as much as 8 ft. could be triangular, parallel or V shaped beyond the building line; that if all the engineers in the Department did not know of the Department's policy how were those on the outside supposed to know about it; that the applicant, not knowing about this departmental change, had a right to rely upon the practice which was prevalent in all boroughs; that there are many examples of similar projecting signs in the area of the building in question; that the borough superintendent did not establish a rule so as to charge prospective sign applicants with a notice of the departmental change in policy; that the applicant should not be adversely affected by this serious departmental omission; and

WHEREAS, the applicant further contends that he cannot agree with the borough superintendent's statement that the approval was granted in error; that there was no error on the part of the Department's engineer in approving the signs, as they followed the precedent adopted in the Department back in 1930, when the Corporation Counsel gave an opinion that such signs were legal; that the signs in question are not "electric signs"; and

WHEREAS, the applicant has submitted a list containing the locations of signs of similar projection, accompanied by drawings illustrating the extent of projection; and

WHEREAS, the plans and applications filed with the borough superintendent do not indicate that the signs will be constructed entirely of metal or other incombustible material; that amendment filed December 22, 1944, not approved, but recommended for approval, indicates the proposed use of combustible materials; that plans filed with the borough superintendent do not indicate whether the signs will cover windows, thus interfering with ingress and egress under Section B26-15.0 of the Administrative Code; and

WHEREAS, it is proposed to extend the parapet walls in height at the location of the corner signs; and

WHEREAS, plans filed with the borough superintendent do not indicate the method of illumination of the proposed signs; and

WHEREAS, on January 24, 1939, under Cal. 1183-38-A, the Board in acting on an appeal relating to the proposed erection of a V shaped illuminated sign 10 ft. above grade having three panels consisting of a panel 3 ft. wide by 7 ft. high and two side panels 10 ft. 9 in. by 4 ft. high extending 7 ft. outside the building line, held that a study of the Administrative Code does not indicate that a sign as proposed is specifically permitted and that the proposed sign should not be permitted to extend beyond the building line in the form and for the distance proposed; and

WHEREAS, the applicant contended that the manufacturer acted in good faith, not knowing of any new rules relating to same; that the sign had been built and ready for erection and that failure to permit the erection would result in great hardship to the manufacturer; and

WHEREAS, the Board deemed, after study of the records and the provisions of law and a public hearing, that the action of the Borough Superintendent in revoking the approval of the Building Notice filed and the permission to construct the sign, should be sustained; and

WHEREAS, it also appears that no compensation insurance policy has been exhibited, as required before construction is started.

Resolved, that the decision of the borough superintendent on B. N. Applic. 2338-44 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

149-45-A

APPLICANT—Harry P. Jaenike, for Guaranty Trust Company (trustee u/w of Theodore Roosevelt), owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—186 William street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry P. Jaenike.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (149-45-A)

WHEREAS, Harry P. Jaenike, for Guaranty Trust Company of New York (trustee u/w of Theodore Roosevelt), owner, filed March 14, 1945, an appeal from a decision of the borough superintendent, affecting premises 186 William

street, east side, 48 ft. 4½ in. north of Spruce street (2nd, 3rd and 4th floors); (Block 103, Lot 3), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 251-45, dated March 5, 1945, reads:

"1. As this building was structurally altered and extended in 1920, the proposal to convert the building into a factory would classify it as a building erected after October 1, 1913 and the exits therefore should comply with Sec. 270 of the Labor Law.

2. All floors to be used for manufacturing should be good for 120 lbs. per sq. ft. 7.3.2.3. B.C."

and

WHEREAS, the applicant contends that the building is four stories (45 ft.) in height; 30 ft. 11 in. by 101 ft. 10¼ in. in area at first floor; 30 ft. 11 in. by 45 ft. in area at typical floor; of Class 3 construction; located in an unrestricted use, B area, Class 2½ height district, and used and occupied since 1920 as follows: cellar, storage, 2 persons; 1st floor, store, 6 persons; 2nd to 4th floors, offices, 7 persons each floor, and proposed to be used and occupied—cellar, storage and boiler room, 6 persons; 1st floor, store, 20 persons; 2nd to 4th floors, office, showroom and manufacturing, 15 persons each floor; that the building is equipped with one 3 ft. wide wood stairs, enclosed in partitions of wood studs, wire lath and Portland cement plaster, equipped with kalamein self-closing doors and leading from the roof to the street; and

WHEREAS, the building to the north is 42 ft. in height, and to the south 45 ft. in height and to the east 40 ft. in height; and

WHEREAS, the applicant contends that the character of the neighborhood has changed to such an extent that it is almost impossible to rent space for office purposes; that the building is in an unrestricted use district; that when the building was erected, manufacturing was permitted and when the building was extended, it was changed to an office building; that this alteration consisted of less than ⅓ of the volume of the building; that the size and the layout of the building is such that to run an additional stairway would cause a hardship; that an additional stairway would reduce the percentage of floor area to such an extent as to render the space undesirable; that the existing stairway is of sufficient size to take care of the complete occupancy of the building; that it is proposed to install a factory type fire escape on the front, as a secondary means of egress; that this is in line with the buildings adjacent to it; that the present floor construction, walls and columns other than girders are of sufficient strength to permit a liveload of 100 lbs. and it would be a difficult and expensive construction job to reinforce the floors to carry the additional 20 lb. liveload; that the cutting down of the spaces by the introduction of additional girders and columns would render this space undesirable; it is therefore proposed to reinforce the girders where necessary, to carry 100 lb. liveload above the first floor; and

WHEREAS, the premises was inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 251-45, and that the appeal be and it hereby is *granted*, as to objection 1, *on condition* that the primary means of exit shall be maintained as proposed and as indicated on plans filed with this appeal marked "Received March 14, 1945", and that in addition, a fire escape, complying with the requirements of the Labor Law, shall be constructed on the front of the building as proposed, so as to provide a second means of exit; that such fire escape shall have a gooseneck ladder to the roof; that the stair furnishing the primary means of exit shall be maintained to the roof as shown; and as to objection 2, that all the floors used for manufacturing shall be reinforced, as required by the borough superintendent, so as to sustain a liveload of not less than 100 lbs. per superficial foot; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

167-45-A

APPLICANT—William Sambur, for Samuel Litt, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—126-18 Liberty avenue, southwest corner of 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens (Under section 35, General City Law re bed of mapped street—127th street).
APPEARANCES—
For Applicant: William Sambur.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative: Commissioner Savage..... 1

THE RESOLUTION (167-45-A)

WHEREAS, William Sambur, for Samuel Litt, owner, filed March 23, 1945, an appeal from a decision of the borough superintendent and an application pursuant to Section 35 of the General City Law, to permit the extension of a building into the bed of a mapped street (127th street), as cited in a decision of the borough superintendent, affecting premises 126-18 Liberty avenue, southwest corner 127th street (Block 9580, Lot 4), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated March 14, 1945, on Alt. Applic. 312-45, reads:

"1. The increase in area of a frame business building is contrary to Sec. 4.2.1 of the Building Code.

2. The extension of a building into the bed of a mapped street, is contrary to Sec. 35 of the General City Law."

and

WHEREAS, the applicant states the building is 1 and 2 stories (23 ft.) in height; 51 ft. by 87 ft. 6 in. in area; of Class 3 and Class 4 construction; erected 1934; located in a business use, D area, Class 1 height district, and used and occupied since 1934 as a lumber yard and offices and proposed to be used and occupied as follows: 1st floor, lumber yard and offices, 10 persons; 2nd floor, trim storage, 2 persons; that the building will be equipped with one 44 in. wide iron stairs, enclosed in 4 in. fireproof blocks, equipped with kalamein, self-closing doors and leading indirectly to the street; that a ladder and scuttle to the roof will be provided; and

WHEREAS, the applicant contends that the existing building is Class 4 construction; that the proposed extension will be of Class 3 construction, with the exception that the existing frame exterior wall is to be used for the support of one end of the extension roof beams; that the owner agrees to furnish a letter to the Board to the effect that no reimbursement will be expected from the City for the structure to be erected in the bed of the mapped street in the event of an actual street widening; and

WHEREAS, the Borough Superintendent has ruled that the premises should not be classified under the Zoning Resolution as a lumber yard, which is a prohibited use in a business use district under Article 2, Section 4 (a) (31) and the Board is not passing on this question.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 312-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to objection 1, *on condition* that the extension as proposed, toward 127th street, shall be constructed of masonry exterior walls, as proposed and indicated on plans filed with this appeal marked "Received March 23, 1945"; that such extension shall be used for offices and display show room, as proposed; and as to objection 2, *granted* under the powers vested in the Board under section 35 of the General City Law, permitting the extension of the proposed building into the bed of the mapped street, as proposed and

shown on plans filed with this appeal, *on condition* that in the event the street widening is carried through, the buildings within the bed of the street shall be removed at the owner's expense and no claim made for condemnation thereof, other than for the value of the land itself; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

183-45-A

APPLICANT—Max Horn, for Maxel Holding Corporation, owner (Spatz Furniture Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1037-1041 Beach 20th street, west side, 204 ft. 8 in. south of Mott avenue (1st and 2nd floors); (Block 212, Lot 60), Far Rockaway, Borough of Queens.
APPEARANCES—
For Applicant: Max Horn and Samuel Spatz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative: Commissioner Savage..... 1

THE RESOLUTION (183-45-A)

WHEREAS, Max Horn, for Maxel Holding Corporation, owner (Spatz Furniture Co., lessee), filed March 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 1037-1041 Beach 20th street, west side, 204 ft. 8 in. south of Mott avenue (1st and 2nd floors); (Block 212, Lot 60), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated March 20, 1945, on Alt. Applic. 287-45, reads:

"1. Exit facilities for the number of occupants in accordance with Sec. 6.1.2.3 (d) does not comply with Art. 6 of the Building Code."

and

WHEREAS, the applicant states that the building is 3 stories (33 ft.) in height, 122 ft. by 60 ft. in area, of class 3 construction, erected in 1881, located in a business use, C area, class 1 height district and used and occupied: cellar—boiler room—no persons; 1st floor—stores—3 persons; 2nd floor—apartment (vacant); 3rd floor—apartment (vacant); proposed to be used and occupied as follows: cellar—same; 1st floor—same; 2nd floor—display room—10 persons; 3rd floor—apartment (vacant); that the building is equipped with one 3 ft. 1 in. wide wood stair, enclosed in partitions of stud and plaster, equipped with one hour test self-closing doors and leading to the street and is provided with a ladder and a scuttle to the roof; that there is also one fire escape at the rear, extending to the roof by a ladder and to the yard by a drop ladder, with egress from the termination through the hall and store to the street; and

WHEREAS, the applicant contends that the building is divided by brick walls into three units; that the 1st floor is occupied by stores; that the 2nd floor in 1041-43 is occupied by a restaurant and the third floor in 1041-3 is occupied by the restaurant owner; that the 2nd and 3rd floors of the balance of the building originally were occupied as dwellings, but have been vacant for many years; that the lessee of ½ of the 1st floor of 1041-43 proposes to use the 2nd floor of 1037-1039 for display of light furniture; that a brick wall with a self-closing fire door separates the store from the 2nd floor display room; that the third floor will remain unoccupied and will be closed off except for an access door; that the 2nd floor showroom will be used only by an attendant who will take occasional customers to that floor; that the objection is based on the assumption that every 25 sq. ft. shall accommodate one person; that this should not be made to apply in this case, as furniture will take up much of the floor space, so that the actual occupancy will be small; that exits from the second floor consist of a 3 ft. wide stair leading to the street, a horizontal exit through the brick wall, equipped with a 3 ft. 8 in. wide fire-door and stairs to the store and an existing fire escape to the yard at the rear; that it is proposed to fire-retard the 2nd floor hall on both sides with ½ in. plaster board and plaster and to fire retard the 1st floor stud partition only on the hall side; that the 3rd floor will be closed off with a stud partition and a small access door; that in view of these facts and the small number of occupants proposed and the three existing exits, plus the fire retarding on top of present plaster, it is requested that the Board accept the conditions as proposed.

Resolved, that the decision of the borough superintendent as to Alt. Applic. 287-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy of the second floor shall be substantially as proposed; that all of the exits as proposed and as indicated on plans filed with this appeal marked "Received March 28, 1945" from such second floor shall be maintained; that egress shall also be provided by means of the exterior windows from the 2nd floor, leading to the roof of the existing one story buildings, so as to permit exit by means of an exterior fire stair leading to Mott avenue as shown; that the floor load of the 2nd floor shall not be less than 70 lbs. per superficial foot and so posted; that the occupancy of the 2nd floor shall be used only as a display room as proposed for household furniture and that at no time shall the floor loading be exceeded; that the third floor shall remain vacant; that the access door thereto as proposed may be retained; that the building shall not be increased in height or area.

193-45-A

APPLICANT—Michael Glick, for Jennie Lapin, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1074 Franklin avenue, south side, 249.70 ft. east of 3rd avenue (1st and 2nd floors); (Block 2607, Lot 37), Borough of The Bronx.
APPEARANCES—
For Applicant: Michael Glick and Stanley Lapin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (193-45-A)

WHEREAS, Michael Glick, for Jennie Lapin, owner, filed March 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 1074 Franklin avenue, south side, 249.70 ft. east of 3rd avenue (1st and 2nd floors); (Block 2607, Lot 37), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 134-45, dated March 20, 1945, reads:

"2. Exits must comply with Section 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is two stories (25 ft.) in height; 27 ft. 8 in. by 125 ft. in area; of Class 3 construction; erected in 1922 and located in a business use, B area, Class 1¼ height district; equipped with one 3 ft. 6 in. wide wood interior stairs to be enclosed in fire retarded partitions and equipped with fireproof, self-closing doors and leading directly to the street and provided with a ladder and scuttle to the roof, and proposed to be provided with a fire escape at the front, with a counter-balanced ladder leading to the street; that windows and doors on the course of the fire escape will be made fireproof, self-closing; and

MINUTES

WHEREAS, Certificate of Occupancy 344, issued May 26, 1922, permits the use of the building as a one family dwelling and garage with 40 lbs. live load on the 2nd floor; and

WHEREAS, the applicant contends the building is used for the manufacture of airplane kits on the 1st floor with an occupancy of 10 persons and with offices on the 2nd floor with an occupancy of 3 persons; that to be required to construct an additional stairway in conformance with Section 270 of the Labor Law for this narrow building would be a severe hardship, as sufficient space is required at the front of the building for deliveries and shipments; that there is a 75 ft. deep yard and large rear door leading thereto; that there is a door from the rear on the 2nd floor, opening to the extension of the 1st floor roof, permitting employees to leave the premises on short notice; that the applicant requests the Board to permit the erection of a counter-balanced ladder at the front and to allow the present stairway of 3 ft. 6 in. and the front exit door of 2 ft. 6 in., as these conditions exist and cannot be easily altered; it is requested that present wood partitions be permitted to remain around the stair enclosure, as it is proposed to fire retard them with wire lath and Portland cement mortar from the 1st floor to ceiling of the 2nd floor; that these partitions were previously approved for garage use and the proposed use is less hazardous.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 134-45, objection 2, and that the appeal be and it hereby is *granted on condition* that the primary means of exit shall be fire-retarded as proposed and a second means of exit from the second floor shall be provided by means of a balcony and counter-balanced stair to the street, as indicated on plans filed with this appeal, marked "Received March 26, 1945;" that the main door at the foot of the stairs, comprising the primary means of exit, may be continued if not less than 2 ft. 6 in. in width; that a gooseneck ladder shall be provided from the roof of the first story extension, leading to the rear yard; that the occupancy of the second floor shall not exceed five persons and for office work only; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 314-24-A; that a new certificate of occupancy shall be obtained.

216-45-A

APPLICANT—Abraham Schwartz, for National Railway Publishing Co., owner (Kraft Products Corp., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—424-438 West 33rd street, south side, 268 ft. 9 in. west of 9th avenue (3rd floor); (Block 730, Lot 63), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Schwartz and Sol Ader.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (216-45-A)

WHEREAS, Abraham Schwartz, for National Railway Publishing Company, owner (Kraft Products Corporation, lessee), filed April 11, 1945, an appeal from a decision of the borough superintendent, affecting premises 424-438 West 33rd street, south side, 268 ft. 9 in. west of 9th avenue (3rd floor); (Block 730, Lot 63), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 16, 1945, on B. N. Applics. 298-45 and 299-45, reads:

"1. Ventilation of storage room not in accordance with Rule 4.2.1. of Rules of the Board of Standards and Appeals, which calls for a 'window opening to the outer air, etc.'"

and

WHEREAS, this appeal relates only to BN. Applic. 299-45; and

WHEREAS, the applicant states the building is 13 stories (175 ft.) in height; 131 ft. 3 in. by 98 ft. 9 in. in area; of Class 1 construction; erected 1912; located in an unrestricted use, A area, Class 1½ height district and used and occupied since 1921 as follows: cellar, repair and sale of paper cutting machines; 1st floor, same; 95 persons; 2nd floor, printing, 50 persons; 3rd floor, electroplating, 45 persons; 4th floor, printing, 41 persons; 5th floor, radio manufacturing, 50 persons; 6th floor, lithographing and printing, 45 persons; 7th floor, radio manufacturing, 30 persons; 8th floor, engraving, 50 persons; 9th floor, printing, 40 persons; 10th floor, printing, 40 persons; 11th floor, offices, 52 persons; 12th floor, printing, 63 persons; 13th floor, radio manufacturing, 33 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills are maintained; that there are four 3 ft. 2 in. wide steel stairs from the roof to the street, enclosed in 6 in. terra cotta partitions, plastered both sides and equipped with fireproof, self-closing doors; and

WHEREAS, the applicant contends that the lessee of the 3rd floor is engaged in electroplating almost exclusively on war work; that in lieu of the window to the outer air as required by Rule 4.2.1, it is proposed to install a 8 in. round galvanized iron duct, extending from the rear wall of the paint storage room (at a point 12 in. above the floor), to a window facing the rear yard; that this will give adequate ventilation, as the room is small and holds only 500 gallons of paint; that the paint is removed as required and placed in small metal paint container located in spray room; that the paint storage room is constructed to comply in all respects with the Rules of the Board; that the floor and ceiling are of concrete; that the walls are 4 in. cinder concrete blocks, plastered on two sides and the door is an Underwriters label 3 hour test door; that the room is equipped with a sprinkler head and that all the windows on the 3rd floor are 7 ft. 9 in. from the rear lot line and there is no other building within 20 ft. of the exhaust duct.

Resolved, that the decision of the borough superintendent, acting on B. N. Applic. 299-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the paint storage room shall be constructed substantially as proposed and as indicated on plans filed with this appeal marked "Received April 11, 1945"; that the 8 in. duct shall be not less than 20 gauge; that an electric fan shall be provided at the outer terminus; that the duct from the spray booth, as shown passing through the paint storage room, shall be wrapped with metal fabric and asbestos plaster, so as to render it substantially leakproof; that the sprinkler system, standpipe system, fire alarm system and fire drills shall be maintained to the satisfaction of the fire commissioner; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

407-42-A

APPLICANT—Raymond Irrera, for 28th Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block 678, Lot 9), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (407-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 31-81 Steinway street, east side, 100 ft. north of Broadway (Block 678, Lot 9), Astoria, Borough of Queens, was granted by the Board on April 6, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 6, 1943, only so far as it has reference to the requirement that the side walls of the 3-story building shall be brick-filled, so that as amended, resolution shall read:

"*Resolved,* that the decision of the borough superintendent acting on Alt. Applic. 564-42, Objs. 1 and 2 of February 2, 1943, be and it hereby is *modified* and that the appeal be and it here is *granted on condition* that the building shall not be increased in height or area, that this variance shall continue only while the occupancy is retail sale and display of household furniture; that the side walls of the three-story building shall be brick-filled; that no new opening in the sidewalls shall be constructed; that the floors in the three-story building shall be reinforced in a manner similar to that proposed and to the satisfaction of the borough superintendent, so as to provide a floor loading per superficial foot of 75 lbs., except for the office space on the second floor over the show windows, which may have a floor loading of 50 lbs. per superficial foot; that the main interior stairs shall be enclosed as proposed on the basement, first, second and third floors, and the rear stairs from the second story to the underside of roof beams on the third story with a 1-hour enclosure with fireproof self-closing doors; that the existing fire escape shall be provided with a gooseneck ladder to roof of third story; that a loose iron ladder shall be provided on the roof of the one-story extension of sufficient length to reach the rear yard; that a scuttle and ladder shall be provided within the main stairway enclosure at third story to provide access to roof; that at least one window at rear of 1st story shall be changed to a door to provide access to rear yard from which access shall be provided through adjoining premises, and the consent of the adjoining owner for such access through fence shall be filed with the borough superintendent; that trap doors in sidewalk now in front of the main entrance shall be relocated southerly as proposed and shown; that not less than three well holes shall be constructed at intervals of 25 feet in the first floor with removable covers not less than 1 foot square, located substantially in line with the center of building for Fire Department use in the event of a cellar fire, and maintained unobstructed; that the number of occupants employed throughout the building shall not exceed ten (10); that such portable fire fighting appliances shall be maintained as the fire commissioner shall require; that in all other respects, the building and its use and occupancy shall comply with all laws, ordinances and regulations applicable thereto.

Resolved further, that any side walls of any portion of the building that are not masonry or brick-filled between studs shall be filled in between studs for the full height, with Vermiculite concrete or Vermiculite plaster."

236-43-A

APPLICANT—Schuman and Liebenstein, for American Heat Treating Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—517 West 47th street, north side, 250 ft. west of Tenth avenue (Block 1073, Lot 22), Borough of Manhattan.
APPEARANCES—
For Applicant: Sidney Schuman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (236-43-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent, affecting premises 517 West 47th street, north side, 250 ft. west of Tenth avenue (Block 1073, Lot 22), Borough of Manhattan, was granted by the Board on September 28, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted September 28, 1943, so that as amended, the resolution shall read:

"*Resolved,* that the order of the fire commissioner, Order 33951-LC, and the decision of the borough superintendent, Misc. Applic. 615-43, Objection 1, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that not more than 4,000 gallons of lubricating oil shall be stored on the premises; that such oil shall have a flash point of not less than 350 degrees F. and shall be stored in steel containers on the first floor as indicated on plan filed with this appeal marked "Received May 18, 1943"; that such oil shall be used only for the purpose as proposed; that such foamite or other portable extinguishers shall be maintained as the fire commissioner shall direct; that such oil shall be delivered to the premises only in approved 55-gallon drums; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only during the term of the present emergency.

Resolved further, that in the event these premises are operated by the Zenith HeatTreating Corporation in the same line of business, the variance as herein granted shall apply."

290-40-A

APPLICANT—Theresa E. Di Crocco, for Mrs. F. McWilliams, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent of buildings (previously granted on condition).
PREMISES AFFECTED—36 Haven Esplanade, northwest corner of Silver Lake road (Block 126, Lot 1), Silver Lake, Borough of Richmond.
APPEARANCES—
For Applicant: Theresa E. Di Crocco and Clara H. Brooks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

MINUTES

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

298-39-A

APPLICANT—C. H. Simmons, Jr., for The Corp. of the Brick Presbyterian Church in the City of New York, owner.
SUBJECT—Application for consideration—reopening and consideration of new objections to a proposed use—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—62-70 East 92nd street (Block 1503, Lots 43 and 44), Borough of Manhattan.
APPEARANCES—
For Applicant: C. H. Simmons, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

591-44-A

APPLICANT—Harry A. Zuch, for Caroline Rauh, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent—re Revocation of Certificate of Occupancy #12423 (previously dismissed for lack of prosecution).
PREMISES AFFECTED—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197, Lot 29), Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Harry A. Zuch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened, restored to the calendar and set for hearing on May 1, 1945 at 2 P. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

14-45-A

APPLICANT—Joseph A. Dimino, for Raffaela Galiano, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—85 North Railroad avenue, northeast corner of Seaview avenue (Block 3320, Lot 38), Dongan Hills, Borough of Richmond (Under section 35, General City Law re bed of mapped street—proposed widening of North Railroad avenue).
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

715-44-A

APPLICANT—Robert Teichman, for George F. Corlis, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.
APPEARANCES—
For Applicant: Robert Teichman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M. at request of applicant.

732-44-A

APPLICANT—Max Wechsler, for Margeret A. Jackson, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—200-202 East 116th street and 2121-2123 3rd avenue, southeast corner (2nd and 3rd floors); (Block 1665, Lot 48), Borough of Manhattan.
APPEARANCES—
For Applicant: Max Wechsler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M., pending an inspection by a committee of the Board.

144-45-A

APPLICANT—Abraham Landow, for Fannie Edelman, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M., pending an inspection by a committee of the Board.

219-45-A

APPLICANT—Sidney L. Strauss, for The Church Extension Committee of The Presbytery of New York, Inc., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—2 West 122nd street, southwest corner of Mt. Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to April 24, 1945 at 2 P. M., pending an inspection by a committee of the Board.

ZONING CASES

683-29-BZ

APPLICANT—Wanda Verplaetse, for Estate of Caroline Rodgers, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the superintendent of buildings) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a temporary period, the maintenance of a gasoline service station.

PREMISES AFFECTED—56 Sand lane, southwest corner of Hylan boulevard (Block 3266, Lot 30), Arrochar, Borough of Richmond.
APPEARANCES—
For Applicant: Wanda Verplaetse.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

THE RESOLUTION (683-29-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, for a term of two years, affecting premises 56 Sand lane, southwest corner of Hylan boulevard (Block 3266, Lot 30), Arrochar, Borough of Richmond, was granted by the Board on April 7, 1931, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on April 6, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 7, 1931, as amended through April 6, 1943, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*Granted* under section 7f for a term of two years from the date of this *amended* resolution, to permit the premises to be used as a gasoline service station *on condition* * * * and other than as herein *amended,* the conditions of the resolution of April 7, 1931 shall be complied with and that a new certificate of occupancy shall be obtained."

105-37-BZ

APPLICANT—Renander and Miller, for Nunley Holding Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles for a temporary period.
PREMISES AFFECTED—89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block 836, Lots 16 and 18), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Arthur W. Renander.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative: 0

THE RESOLUTION (105-37-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district the parking of more than five motor vehicles for a term of two years, affecting premises 89-47 to 89-55 162nd street, east side, 300 ft. north of Jamaica avenue (Block 836, Lots 16 and 18), Jamaica, Borough of Queens, was granted by the Board November 9, 1937, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on March 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted November 9, 1937, as amended through March 16, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of November 9, 1937, shall be complied with and that a new Certificate of Occupancy shall be obtained (Misc. 4880-40)".

1053-38-BZ

APPLICANT—Irving Friedman, for Brooklyn Development Company, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—2503-2537 65th street, northwest corner of McDonald avenue (Block 6607, Lots 34 and 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Irving Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1053-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 2503-2537 65th street, northwest corner of McDonald avenue (Block 6607, Lots 34 and 42), Borough of Brooklyn, was granted by the Board April 4, 1939, on certain conditions; and

WHEREAS, the permit was extended on March 25, 1941 and May 4, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 4, 1939, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this *amended* resolution, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 4, 1939, shall be complied with and that a certificate of occupancy shall be obtained."

402-40-BZ

APPLICANT—A. A. Forman, for Emma Degen, new owner.
SUBJECT—Application for consideration—reopening and time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use, F area district, the erection and maintenance of a building to be used as auto laundry, lubritorium, office and boiler-room in conjunction with a gasoline service station on a plot previously occupied as a gasoline service station.

MINUTES

PREMISES AFFECTED—144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block 4517, Lot 1 and part of Lot 3), Springfield, Borough of Queens.

APPEARANCES—
For Applicant: Alexander A. Forman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (402-40-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting in a residence use F area district, the erection and maintenance of a building to be used as auto laundry, lubritorium, office and boiler-room in conjunction with a gasoline service station on a plot of ground previously occupied as a gasoline service station, affecting premises 144-39 to 144-47 Farmers boulevard, southeast corner of South Conduit avenue (Block 4517, Lot 1 and part of Lot 3), Springfield, Borough of Queens, was granted by the Board December 10, 1940, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on May 12, 1942, May 11, 1943 and May 9, 1944 and the application requested a further extension of time for such purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted December 10, 1940, as amended by resolutions adopted through May 9, 1944, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of December 10, 1940, shall be complied with and that a certificate of occupancy shall be obtained (N.B. 9509-40)."

1070-40-BZ

APPLICANT—Renander and Miller, for Henry Fuld and Jamaica Lodge No. 546 Free and Accepted Masons, owners (James Kloeter, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—89-39 to 89-45 162nd street, east side, 384 ft. north of Jamaica avenue (Block 9761, Lots 21 and 23), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Arthur W. Renander.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1070-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles for a temporary term of two years, affecting premises 89-39 to 89-45 162nd street, east side, 384 ft. north of Jamaica avenue (Block 9761, Lots 21 and 23), Jamaica, Borough of Queens, was granted by the Board on April 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on March 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 15, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion shall read:

"* * * *granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 15, 1941, shall be complied with and that a new Certificate of Occupancy shall be obtained (Misc. 4878-40)."

1071-40-BZ

APPLICANT—John J. McNamara, for Philip Ruxton, Inc., owner (Inter-chemical Corporation, lessee).

SUBJECT—Application for consideration—reopening and extension of variance re Application (decision of the borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting in a residence use district, for a temporary period, the additional use of a one-story building, approximately 13 ft. by 22 ft. in area (for the storage of chemicals used in an abutting factory) as well as parking of more than five motor vehicles.

PREMISES AFFECTED—428 West 45th street, south side, 400 ft. east of Tenth avenue (Block 1054, Lot 48), Borough of Manhattan.

APPEARANCES—
For Applicant: John J. McNamara.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1071-40-BZ)

WHEREAS, his application under section 7h of the zoning resolution, permitting in a residence use district for a term of two years, the parking of more than five motor vehicles, affecting premises 428 West 45th street, south side, 400 ft. east of Tenth avenue (Block 1054, Lot 48), Borough of Manhattan, was granted by the Board on April 15, 1941, on certain conditions and the permit extended on April 6, 1943; and

WHEREAS, the applicant requested an amendment of the resolution, under section 7e of the zoning resolution, to permit the additional use of a one-story building, for the storage of chemicals used in an abutting factory; and

WHEREAS, on April 25, 1944, the resolution was amended and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 15, 1941, as amended through April 25, 1944, only so far as it has reference to the term of the permit, so that as amended this portion of the resolutioin shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the lot to be occupied as a private parking space for more than five (5) motor vehicles of the pleasure-car type only, and limited to such cars owned by the employees and customers of the Interchemical Corporation and its subsidiaries, located on the adjoining premises on Lot Nos. 49 and 50 to the west and *granted* under section 7e, for a term of two (2) years from the date of this *amended* resolution, to permit continuation of the building for the storage of chemical solvents on the rear of the lot, *on condition* * * * and that

other than as herein *amended,* the conditions of the resolutions of April 15, 1941, as amended April 25, 1944 shall be complied with and that a certificate of occupancy shall be obtained."

91-41-BZ

APPLICANT—Metropolitan Television, Inc., for Getty Realty Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting on the top story and roof of an existing hotel located in a residence usc district, the erection and maintenance of a radio-telcvision broadcast transmitting station and antenna.
PREMISES AFFECTED—2-6 East 61st street and 795 Fifth avenue, southeast corner (Block 1375, Lot 67), Borough of Manhattan.
APPEARANCES—
For Applicant: L. L. Thompson and A. L. Solodar.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (91-41-BZ)

WHEREAS, this application, under section 7e of the zoning resolution, permitting on the top story and roof of an existing hotel located in a residence use district, the erection and maintenance of a radio-television broadcast transmitting station and antenna, affecting premises 2-6 East 61st street and 795 Fifth avenue, southeast corner (Block 1375, Lot 67), Borough of Manhattan, was granted by the Board June 24, 1941, on certain conditions, resolution amended and time to complete work extended on April 28, 1942 and time further extended on April 27, 1943; and

WHEREAS, the permit was extended on April 4, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 24, 1941, as amended through April 4, 1944, only so far as it has reference to the time to obtain permits and complete the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by applicant that the work is partially completed, that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of June 24, 1941 and April 28, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

278-24-BZ

APPLICANT—Robert Teichman, for Guardian Life Insurance Co. of America, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re change of use from public garage and auto repair shop in the basement to a public garage and repair shop in basement and factory on first and 2nd floors for manufacturing surgical dressings.
PREMISES AFFECTED—1 Jumel place and 441-451 West 167th street, northeast corner (Block 2112, Lot 58), Borough of Manhattan.
APPEARANCES—
For Applicant: Robert Teichman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

624-39-BZ

APPLICANT—Lama and Proskauer, for John J. Smith, owner.
SUBJECT—Application for consideration—reopening and consideration of new proposal—previously withdrawn—rc Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of auto sales room, show room, servicing of autos, bowling alley and a gasoline service station, upon a site now occupied as a stable.
PREMISES AFFECTED—177-08 to 177-12 Union Turnpike, south side, 345 ft. west of Utopia Parkway (Block 7727, Lot 24), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

1321-39-BZ

APPLICANT—Mrs. P. J. Keating, lessee, for Bernard Flood, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Mrs. Patrick J. Keating.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on May 8, 1945 at 10 A. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

APPLIANCE FOR APPROVAL

575-43-SA

APPLICANT—Metropolitan Refining Co., Inc., owner.
SUBJECT—Coolidge Type Feeder, 5 gallon size, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 13, 1945, as they appeared in Bulletin No. 12, Vol. 30, are hereby corrected to read as follows:

21-45-A

APPLICANT—Samuel Rosenblum, for Jessie Ridley, owner (Abbott Glass Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (21-45-A)

WHEREAS, Samuel Rosenblum, for Jessie Ridley, owner (Abbott Glass Company, lessee), filed January 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 154-164 East 120th street, south side, 111 ft. 9 in. east of Lexington avenue (1st and 2nd floors); (Block 1768, Lot 46), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated March 2, 1945, on amendment to Alt. Applic. 1227-44, reads:

"2. The means of egress shall conform with Section 270 Sub. 3, 4 and 5, Labor Law.

5. The subdividing partitions shall conform with C26-637 also C26-667, Sub. 10.9.2.5 B. Code."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 100 ft. by 100 ft. 11 in. in area, of class 1 construction; erected in 1913, located in a business use, B area, class 1½ height district and used and occupied since 1944 as follows: cellar—boiler room—no persons; 1st floor—office, glass cutting *and non-storage garage for five cars*—12 persons; mezzanine—office—3 persons; 2nd floor—storage and cutting of glass, polishing and mirror silvering—24 persons; one tenant throughout the building; that the building is equipped with one interior fireproof stairs, 3 ft. 8 in. wide, fireproof enclosed, equipped with fireproof, self-closing doors and extending from the roof bulkhead, directly to the street at the center of the building, and a secondary stairs, 2 ft. 8 in. and 3 ft. 4 in. wide at easterly side of the building, extending from the 1st story to the 2nd story; that there is also one fire escape at the rear, extending to the roof by a ladder and to the yard by stair with egress proposed through the adjoining premises to the south; that the windows and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that plans for the new building were filed subsequent to October 1, 1913; that the building was formerly used for garage purposes and is now being used by one tenant for the cutting of glass, polishing and silvering of mirrors, with a maximum occupancy not to exceed 24 persons above the grade floor; that the interior fireproof stairs conforms to the Labor Law; that the secondary stairs, which is fireproof, is enclosed on the 2nd and mezzanine floors in fireproof partitions; that it does not conform to Section 270 of the Labor Law; that the stair from the mezzanine to the 2nd floor is 2 ft. 8 in. wide, enclosed on top and bottom with fireproof, self-closing doors; that from the mezzanine, there is a 3 ft. 4 in. iron stair leading to the grade floor; that in addition to these two means of egress, there is an iron stair in the rear court, terminating in the court, but proposed to be provided with a fireproof door to the adjoining premises to the south under the same ownership; that as the proposed occupancy will not exceed the capacity of the primary means of egress, it is requested that this appeal be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1227-44, and that the appeal be and it hereby is *granted,* as to objection 2, *on condition* that the means of egress shall be maintained as indicated on plans filed with this appeal marked "Received March 8, 1945"; that the fireproof door, in the lot line wall of the adjoining garage building to the south, shall be maintained so long as the adjoining premises are under the same ownership and free access shall be possible at all times through such building to East 119th street; that the means of access to the roof as indicated, shall be maintained; as to Objection 5, that the temporary partitions indicated on first floor and second floor, may be continued for a term of two years, provided such partitions are covered on both sides with approved plaster board; that the building shall not be increased in height or area; that the occupancy throughout shall be by one tenant; that the boiler room shall be separated from the balance of the building by fireproof construction; that any gasoline storage system previously used, shall be sealed to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws and rules applicable thereto.

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* Correction—The words *"and non-storage garage for five cars"* inserted in line 20 of resolution.

NOTICE

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31. 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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NEW

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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JOSEPH J. DOYLE, *Chief Clerk*

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, April 24, 1945, at 10 A. M., Affecting Calendar Numbers 330-29-BZ, 109-43-BZ, 136-45-BZ, 93-45-BZ, 106-45-BZ, 123-45-BZ, 796-23-BZ, 607-40-BZ, 660-44-BZ, 23-45-BZ, 25-45-BZ, 690-44-A, 731-44-A, 94-45-A, 107-45-A, 124-45-A, 708-44-A, 751-44-A, 102-45-A, 111-45-A, 153-45-A, 490-44-SM, 491-44-SM, 492-44-SM, 494-44-SM, 495-44-SM, 497-44-SM and 53-45-SM.

Minutes of Regular Meeting, April 24, 1945, at 2 P. M., Affecting Calendar Numbers 627-44-A, 732-44-A, 72-45-A, 144-45-A, 187-45-A, 206-45-A, 207-45-A, 219-45-A, 45-43-A, 282-44-A, 645-44-A, 184-45-A, 189-45-A, 647-44-A, 657-44-A, 703-44-A, 715-44-A, 100-45-A, 608-29-BZ, 678-30-BZ and 272-36-BZ.

(Remaining minutes of the meeting of April 24, 1945 will be printed in the Bulletin of May 8, 1945.)

COURT DECISION.

Matter of Pinchot v. Murdock—On May 16, 1944, the Board affirmed the decision of the Borough Superintendent, acting on Alt. Applic. 99-43, Objection 11, and denied appeal re manufacturing use on 1st and basement floors; Cal. No. 433-43-A; premises 387-393 Fourth Avenue and 101-113 East 27th Street, Borough of Manhattan.

Mr. Justice Hammer, Supreme Court, Special Term, sustained the Board and dismissed certiorari without prejudice to petitioner making an application for a variance, as suggested by Board. Following is the full decision, as printed in N. Y. Law Journal, Page 1503, April 20, 1945:

Matter of Pinchot (Murdock)—The record is capable of but one interpretation. The twelve-story building in question, according to the building department records, was erected under an approved new building application filed in 1909 for lofts, and was so occupied until 1911 when, under an approved alteration application 1,003, the occupancy on the first floor was changed to that of store. In 1926, an owner's application, which was approved, permitted use for offices and alteration application 801-32 approved about May 31, 1932, showed an office building and stores. An approved alteration application No. 99 of 1943, showed the use of the building as that of factory from second to twelfth floors and store on the first floor. The inspector's report of February 16, 1943, showed the occupancy as stores and offices on first floor, lofts and offices on the remaining floors. The Labor Law as interpreted by the labor department and accepted by the building department is that old lofts by implication mean used for factory work. The record shows the building was designed for and then approved by the building department for manufacturing and factory occupancy in its entirety and the construction in accordance therewith was completed in 1910. In 1909 the owners leased the building to the Manufacturers Building Company for a ten-year term. The lessee sublet various floors to subtenants who were with a few exceptions manufacturers who carried on factory work in the building. About 1911, on approval obtained from the building department, the first floor was changed to store occupancy. On July 25, 1916, except for the basement and the first or store floor and some office space on the upper floors, the building was occupied by manufacturers for factory work. While the first floor and basement, since 1911, were not occupied for manufacturing purposes, such portions and in fact the entire building was designed and constructed for such use.

From the foregoing it is clear that the determination of the board of standards and appeals was warranted by the evidence. The suggestion made by the chairman that a building zone application be filed for use of the store floor and basement for the purposes now pursued therein stated the appropriate remedy, which should have been followed, and it is assumed will be granted. Section 6, subdivision b, of Article 2 of the Building Zone Resolution originally provided any use existing in any building or premises on July 25, 1916, and not conforming to the regulations of the use district in which it is maintained may be changed, and such use may be extended throughout the building provided no structural alterations shall be made, &c.

The building in this matter is in a business district. By amendments of July 18, 1940, the words "and such use may be extended throughout the building" were omitted. The previous permission allowed by the resolution to extend an existing use throughout the building was thus withdrawn.

The extension, even if previously it was a matter of right, has ceased to exist as such. Although this may seem harsh in the present case, the court must accept the legislation as it is written. Upon this application we see no clear abuse or disregard of plain duty by the board in its determination. The order of certiorari is dismissed, and the determination of the board of standards and appeals is sustained, without prejudice to petitioners to present a building zone application for use variance as suggested by the board's chairman, or to pursue such other remedy as they may be advised.

Order signed.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases filed up to April 24, 1945.

Cal. No. Dept. Premises Affected

228-45-A—H.B.Bx.—1921 Colden avenue, west side, 215 ft. north of Rhinelander avenue (cellar); (Block 4267, Lot 53), Borough of The Bronx, Amendment to Alt. 438-44.

229-45-A—F.D.—302-322 Butler street, south side, 150 ft. east of 3rd avenue (3rd floor); (Block 413, Lot 15), Borough of Brooklyn, 99079-C and Decision.

230-45-SA—Steiner-Ives Indirect Gas-Fired Industrial Baking Oven, Appliance.

231-45-A—H.B.M.—2 East 64th street, southeast corner of 5th avenue (Block 1378, Lot 69), Borough of Manhattan, Amendment to Alt. 448-45.

232-45-BZ—H.B.Bx.—681-683 East Fordham road, northeast corner of Cambreling avenue (Block 3273, part of Lot 177), Borough of The Bronx, Amendment to Alt. 125-45.

233-45-A—H.B.M.—120-134 Park avenue, 76-82 East 42nd street, southwest corner and 57-63 East 41st street (1st floor); (Block 1276, Lot 33), Borough of Manhattan, Amendment to P.A. 973-43.

234-45-A—H.B.B.—6201-6223 15th avenue, east side, between 62nd and 63rd streets (3rd floor); (Block 5530, Lot 1), Borough of Brooklyn, Amendment to N.B. 21-42.

235-45-A—F.D.—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue (2nd floor); (Block 1040, Lot 14), Borough of Manhattan, Decision.

236-45-BZ—H.B.M.—1421-1429 6th avenue, 101-107 West 58th street, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan, Alt. 423-45.

237-45-A—H.B.B.—1407 Rockaway parkway, east side, 144 ft. 3 in. north of Glenwood road (2nd floor); (Block 8166, Lot 16), Borough of Brooklyn, Alt. 829-45.

Restored to Calendar.

262-37-BZ—H.B.Q.—21-11 Menahan street, north side, 101 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens, Amendment to B.N. 85-39.

645-44-A—H.B.B.—534-538 Eastern parkway, southwest corner of Nostrand avenue (2nd floor); (Block 1268, part of Lot 38), Borough of Brooklyn, Alt. 3181-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerger Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

MAY 1, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 1, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

50-41-BZ—Application of John C. Wandell, applicant, on behalf of Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31), reopened April 11, 1944, under sections 7b and 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

418-44-BZ—Application, July 5, 1944, under section 7c of the zoning resolution, of Bernard Shatkin, applicant, on

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behalf of Tilyou Realty Corp., owner, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan.

157-45-BZ—Application, March 19, 1945, under section 21 of the zoning resolution, of Charles M. Lobejager, applicant, on behalf of Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user) to permit in a residence use B area district, the erection of a lunch and rest room for disabled War veterans without providing the rear yard required by the zoning resolution; premises 40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

Appeals from Administrative Decisions.

158-45-A—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

213-45-A—745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

94-45-A—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

Materials for Approval.

156-43-SM—Monarch Panic Exit Devices (Panic Bolts), Models 4000, 4001 and 4002.

603-44-SM—Richards-Wilcox RW-1447 FyeR Wall Door, including 1303, 1304, sliding types and 1406, 1407, Swinging types.

HARRIS H. MURDOCK, *Chairman.*

MAY 1, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 1, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

591-44-A—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens (reopened and restored to calendar, April 17, 1945; previously dismissed for lack of prosecution).

739-44-A—11 East 17th street, north side, 225 ft. east of 5th avenue (Block 846, Lot 11), Borough of Manhattan.

154-45-A—110-112 West 40th street, south side, 175 ft. west of 8th avenue (Block 815, Lot 39), Borough of Manhattan.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

116-45-A—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors, inclusive); (Block 1367, part of Lot 6), Borough of Manhattan.

734-44-A—21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

68-45-A—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brocklyn.

208-45-A—Block bounded by north side of East 14th street to south side of East 20th street, between 1st avenue, Avenue C East River drive (Blocks 946-951 inclusive, 972-977 inclusive and 982-987 inclusive, Lot 1), Borough of Manhattan (Stuyvesant Town Housing).

231-45-A—2 East 64th street, southeast corner of 5th avenue (Block 1378, Lot 69), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

1321-39-BZ—Application, of P. J. Keating, applicant and lessee; reopened April 17, 1945 for consideration as to extension of permit.—Application previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting partly in a residence use and partly in a business use district, the parking and storaging of more than five motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens.

200-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of George G. Miller, applicant, on behalf of 1063 Madison Avenue Corporation, owner, to permit in a B area district, a two story extension out to the building line of a five story business and residential building; the area being in excess of the requirements for a B area and restricted retail use district; premises 1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan.

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

191-45-BZ—Application, March 28, 1945, under sections 7c, 7d and 21 of the zoning resolution, of Pomerance & Breines, applicants, on behalf of National Maritime Union of America, owner, to permit in a residence and partly in an unrestricted use district, the change of occupancy from garage building (previously granted by the Board) and Telephone Exchange Building to Union Headquarters with unemployment office and meeting room; premises 346-352, 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan.

60-45-BZ—Application, February 6, 1945, under section 7c of the zoning resolution of Lama & Proskauer, applicants, on behalf of General Linen Supply Co., Inc., owner, to per-

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mit in a residence use C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry; premises 449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

Appeal from Administrative Decision.

690-44-A—Re Transportation of Petroleum Oil in Tank Truck (capacity of tank not in conformity with Administrative Code requirements governing Tank Trucks) in New York City.

Material for Approval.

604-44-SM—Alpha Hi-Early Strength Portland Cement.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 8, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

262-37-BZ—Application of Henry W. Schober, applicant, on behalf of Herbert H. Peters, owner, reopened April 24, 1945 for consideration as to extension of permit—Application previously granted on condition under section 7h of the zoning resolution for a temporary term of two years, permitting that portion in the business use district to be used for the storage and parking of more than five motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens.

Appeals from Administrative Decisions.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

100-45-A—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 15, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard, premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 15, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 5, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, APRIL 24, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, April 17, 1945, and Tuesday afternoon, April 17, 1945, were approved as printed in Bulletin No. 17, Volume 30.

ZONING CASES

330-29-BZ

APPLICANT—Lama and Proskauer, for Hannah Harmon, owner.

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SUBJECT—Application reopened January 23, 1945 (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station, beyond the temporary period granted by the Board of Standards and Appeals under Cal. 330-29-BZ.

PREMISES AFFECTED—70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh road, southwest corner (Block 6697, Lot 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 15, 1945 at 10 A. M., for further consideration. Applicant to file revised plans.

109-43-BZ

APPLICANT—Lama and Proskauer, for Samuel Sym, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension in area of a building used as a wet wash laundry.

PREMISES AFFECTED—64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945 at 10 A. M., for further consideration.

136-45-BZ

APPLICANT—Paul Friedman, for William A. White, Jr. (as executor and trustee u/w of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7i and 7A of the zoning resolution, to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard.

PREMISES AFFECTED—224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 15, 1945 at 10 A. M., for further consideration.

93-45-BZ

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake & Watts Orphan House, in the City of New York, owners.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use and D area district, the change of occupancy of an existing residence building covering more than 55% of the area of the lot.

PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

106-45-BZ

APPLICANT—James E. Casale, for 18 East 71st street Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a restricted retail use B area district, the change of occupancy of a residence building to a private hospital, the building occupying more than 65 per cent of the lot area.

PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

APPEARANCES—

For Applicant: James E. Casale.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

123-45-BZ

APPLICANT—Benjamin H. Whinston, for Young Israel Synagogue of Claremont Parkway, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a B area district, the conversion and extension in area of a building now occupied as a two family dwelling into a synagogue without complying with the area requirements for a B area district.

PREMISES AFFECTED—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

APPEARANCES—

For Applicant: B. H. Whinston, Daniel Pressner and Frank Lustig.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

796-23-BZ

APPLICANT—Lama and Proskauer, for 1507-1535 Coney Island Avenue Corp., owner.

SUBJECT—Application reopened October 10, 1944 (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station (previously granted by the Board) to include a room for display and sale of new and used cars.

MINUTES

PREMISES AFFECTED—1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: Pini Halper.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (796-23-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn, was granted by the Board on July 24, 1923, on certain conditions; and

WHEREAS, on November 18, 1932, the resolution was amended, to permit the inclusion of a gasoline service station; and

WHEREAS, the applicant requested a further amendment of the resolution, to include a room for display and sale of new and used cars; and

WHEREAS, this case was reopened by vote of the Board on October 10, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Coney Island avenue is in a business use, C area and Class 1¼ times height district; East 10th street and East 12th street are in a residence use, C area and Class 1¼ height district; and Avenue L is in a residence and business use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated August 30, 1944 on Alt. Applic. 2478-44, reads:

"1. Proposed change of occupancy to include room for display and sales of new and used cars must be considered by Board of Standards and Appeals under their Cal. 796-23-BZ."

and

WHEREAS, the applicant states the premises consist of a plot, 275 ft. frontage by 100 ft. in depth; on which is located a one story, Class 3 constructed building, 100 ft. by 275 ft. irregular in area, occupied as a garage for more than five motor vehicles on one-half the front at the Avenue L end of the plot and that it is proposed to alter the building by erecting a showroom at the southerly end of the northerly half of the building; and

WHEREAS, the applicant contends that the premises in question has a frontage of 275 ft. on Coney Island avenue, 100 ft. on Avenue L, 275 ft. on the easterly lot line and 100 ft. on the northerly lot line; that it is improved with a one story masonry building used as a public garage and a gasoline service station, that these uses were granted by the Board under Cal. 796-23-BZ; that it is the desire of the owner to construct an automobile showroom in the present building, approximately 34 ft. by 56 ft.; also to remove a portion of the brick wall facing Coney Island avenue for show windows, also enlarge the present toilet facilities; that it is also proposed to construct a room of glass brick; to remove the present parapet of the northerly portion of the existing building, same to be constructed as shown on the plan marked proposed; that this additional use will in no way affect the general surroundings; that an automobile showroom is permissible in a business zone and it is therefore respectfully requested that this application be granted.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on July 24, 1923, as amended by resolution adopted November 18, 1932, by adding thereto:

"* * * that in the event the owner desires an additional use, namely, the sale of new and used automobiles, and to construct a showroom substantially as indicated on revised plans marked 'Received September 26, 1944', such additional use may be permitted and the building may be constructed as shown on such plans, provided the illuminated tower as indicated does not extend in height more than 12 feet above the roof of the building; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, except as permitted under the resolution adopted by the Board under Cal. 796-43-BZ and in all other respects such resolution shall be complied with; and that all permits required shall be obtained and all work completed within one year from the day of this *amended* resolution."

607-40-BZ

APPLICANT—John H. W. Krogmann, for Wells-Smith Corp., owner (John F. Dubar, lessee).

SUBJECT—Application reopened March 27, 1945, for consideration as to extension of variance—Application previously granted on condition (decision of the borough superintendent) under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (607-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 89-16 to 89-32 Sutphin boulevard, west side, 384.11 ft. north of Jamaica avenue (Block 9676, Lot 13), Jamaica, Borough of Queens, was granted by the Board on January 14, 1941, on certain conditions; and

WHEREAS, the permit was extended on January 19, 1943 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on March 27, 1945, restored to the calendar and set for hearing on April 24, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on April 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 14, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended*, the conditions of the resolution of January 14, 1941, shall be complied with and that a Certificate of Occupancy shall be obtained (Misc. Applic. 3289-40)."

MINUTES

660-44-BZ

APPLICANT—Henry Nordheim, for Doris Gordon, owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7a and 21 of the zoning resolution, to permit in a residence use district, the change of occupancy on first story of a store and office and residence building from store, apartment and garage to stores.
PREMISES AFFECTED—200 East Tremont avenue and 1884 Monroe avenue, southeast corner (Block 2804, Lot 7), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim and A. B. Gordon.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (660-44-BZ)

WHEREAS, Henry Nordheim, for Doris Gordon, owner, filed November 11, 1944, an application under sections 7a and 21 of the zoning resolution, to permit in a residence use district, the change of occupancy on the first story (of a 3-story dwelling and stores) from store, apartment and garage to stores; affecting premises 200 East Tremont avenue and 1884 Monroe avenue, southeast corner (Block 2804, Lot 7), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Grand Concourse and Monroe avenue are in a residence use, B area and Class 1¼ height district; East Tremont avenue is in a business and residence use, B area and Class 1¼ height district; Mount Hope Place is in a residence use, B area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent dated January 26, 1945, re amendment to Alt. Applic. 537-44, reads:

"1. The change from an apartment and accessory use to stores in a residence district is contrary to Art. 2, Section 3 Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 110.25 ft. frontage by 100 ft. in depth, on which is located a 3-story apartment and stores building 24.5 ft. by 110.25 ft. with a one-story garage portion at the rear, 50 ft. in depth on the 1st story and 24.5 ft. by 61 ft. in area above, occupied as apartments, dentist's office, stores and garage (5 cars); that it is proposed to reconstruct the 1st story, so as to occupy this entire story for stores; and

WHEREAS, the applicant contends that this garage on subject plot is 20 ft. by 50 ft., one story high and has been vacant since present owner took title to the property; that it is therefore a non-producing unit on this land and yet subject to taxation; that on the same lot is a 3-story building with a store on the first story; that the second floor is occupied as a dental office and in the extension between the 3-story building and the garage, a day nursery is conducted, thus about three-quarters of the lot area is presently occupied by business use; that under these circumstances, a request to convert the balance of the structure would seem reasonable; that the garage size is sufficient to contain six cars and by eliminating that use, the danger of driving cars across the sidewalk is also eliminated in a residential district; that garage doors are to be removed and replaced by show windows and would present a better aspect along this front; that the rear lot line of this site abuts the business area of the Tremont avenue frontage east of Monroe avenue and in the very next building to this corner on the Tremont avenue side, is a store, 202 Tremont avenue, also in the residential area; that the building on the west side of Monroe avenue on Block 2801, Lot 31, was originally erected as an apartment house, but is now occupied almost exclusively by physicians, and while that occupancy is not in conflict with the zoning provisions, it is nevertheless a business use and brings a great many cars to the neighborhood, as shown in photograph No. 1, filed with this application; that the valuation placed on this parcel by the Tax Department is $34,000 with but one store, two apartments and a nursery to cover the carrying charges; that the income from such present occupancy makes it impossible for the owner to hold the property unless some relief is granted; that this site is an ugly shaped affair, L-shaped, with a lot of land inaccessible at the rear, which perhaps adds to the valuation in the opinion of an assessor, but from the standpoint of revenue producing is a liability; that with the above-mentioned conditions and the fact the premises are partly given over to business use already, it is asked the Board grant favorable action on the relief sought; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision a of the zoning resolution, and that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent in acting on Alt. Applic. 537-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

23-45-BZ

APPLICANT—M. Martin Elkind, for Santa Fazzini, owner.
SUBJECT—Application (decision of the acting borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use D area district, the extension of a garage for more than five motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution.
PREMISES AFFECTED—107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: M. Martin Elkind.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (23-45-BZ)

WHEREAS, M. Martin Elkin, for Santa Fazzini, owner, filed January 17, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a residence use D area district, the extension of a garage for more than 5 motor vehicles (trucks of the owner) without providing the rear yard required by the zoning resolution; affecting premises 107-28 157th street, west side, 250 ft. south of 107th avenue (Block 10135, Lots 39, 41, 42 and 43), South Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 107th avenue and 108th avenue, 156th and 157th streets are in a residence use, D area and Class 1½ height district, and

WHEREAS, the decision of the borough superintendent, dated January 12, 1945, re Alt. Applic. 1185-44, reads:

"1. The extension of an existing garage for use of more than five (5) motor vehicles, in a residence district, is contrary to Section 3 of the Zone Law.

2. The erection of extension without providing the required rear yard in a residence use, "D" area district is contrary to Section 14 of the Zone Law. Not further considered."

and

WHEREAS, the applicant states the premises consist of a plot, 125 ft. frontage by 100 ft. in depth; on which is located a one story frame dwelling, a private garage, a gasoline pump, a two story frame dwelling and at the rear of the lot, a one story, Class 3 construction building, 50 ft. by 35 ft. in area, occupied for five commercical vehicles for the owner's contracting business, 1 ft. 6 in. from the rear lot line; that it is proposed to extend this garage, so that the area will be 90 ft. by 35 ft. and to occupy the building for 7 commercial cars of the owner; and

WHEREAS, the applicant contends that the proposed work consists of altering the existing one story garage at the rear of the property, by removing the southerly wall and erecting an extension 40 ft. by 35 ft.; that as to objection 1, a variance is requested, to permit the extension of the existing garage, in accordance with the powers of the Board to grant such variance under Section 7c; that the extension of this existing garage will not adversely affect the character of the district; that although the use was changed from unrestricted use to residence use in 1941, there can be no possible expectation that a residential development will take place in this district; that vacant property in this area amounts to only about 10%; that the character of the buildings on the improved properties consist in general of frame dwellings, about 25 years old or more, on narrow lots, many in poor repair, with a good sprinkling of rickety old buildings and frame private garages; that by no virtue of desirability of location, transportation or other favorable factors, does this area invite residential improvement; that it is further submitted that the trucks stored in this garage leave early in the morning and return at the end of the day; that there is no traffic at all hours of the day; that a further safeguard exists, in that the owner and his family occupy the two story dwelling on the same lot; that as to objection 2, a variance is requested to permit the proposed extension to be erected close to the rear lot line and in line with the existing garage, on the ground of practical difficulty and unnecessary hardship; that the existing garage was erected in 1935 by the present owner, for the purpose of storing his own trucks used in his business, the S & S Carting Company and has been so used ever since; that in 1935, the number of trucks consisted of four and were average size dump trucks; that expansion of business has resulted in an increase in the number of trucks and, furthermore, successful operation has demanded that improved and larger truck bodies be used; that as a result, it has become very difficult to maneuver the trucks in the limited space and there is continual damage to the truck bodies by collision, scraping, etc. due to this condition; that a new truck has been ordered and will be delivered shortly and it will be impossible to store this without expanding the garage; that it would therefore be a great hardship to require a 15 ft. yard behind the extension, creating an offset from the present garage and also creating a practical difficulty in maneuvering the vehicles into storage position; and

WHEREAS, the applicant further contends in support of the appeal as to objection 2, that the total area of the buildings as proposed on the property, will only occupy about 45% of the lot area; that the proposed extension being only one story in height, will not materially affect the light or ventilation of adjoining properties and that the properties adjoining the rear of subject premises as well as those on either side of same, have garage buildings located along the respective rear property lines; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7c of the zoning resolution as to extension of use and that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship as to area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under sections 7c and 21 thereof, *on condition* that the building shall be constructed of the size described and indicated on plans filed with this application marked "Received January 17, 1945;" that the building shall not be increased further in height and area; that no additional building shall be erected on the premises, other than those shown on such plans; that this garage shall be a private garage, to be occupied solely for the trucks of the owner engaged in the contracting business; that the building shall be a non-storage garage; that there shall be no openings in the rear wall of the proposed extension; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

25-45-BZ

APPLICANT—Paul Friedman, for Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc. lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating and roofing materials and indoor loading platform.

PREMISES AFFECTED—211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (25-45-BZ)

WHEREAS, Paul Friedman, for Tuscan Dairy Farms, Inc., owner (Lakewood Farms, Inc., lessee), filed January 17, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy from existing garage, milk distribution station and office to garage for more than five motor vehicles, offices, storage of insulating material and indoor loading platform; affecting premises: 211-213 (205-213 displayed) Highland place, east side, 260 ft. north of Atlantic avenue (Block 3959, Lot 7), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue is in a residence use, C area and Class 1 height district; Highland place and Hale avenue are in a residence use, C area and Class 1 height district; Fulton street is in a business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated January 15, 1945 and as amended February 27, 1945, re Alt. Applic. 3826-44, reads:

"1. Proposed change of occupancy of one-story structure of Class 3 construction, from public garage for

more than five motor vehicles to a combination of uses, partly as a garage for more than five motor vehicles and partly for offices, storage of insulating and roofing materials, and indoor loading platforms, violates Art. II, Sec. 3 and Art. II, Sec. 6a Zoning Resolution, since this structure is located in a residence use district."

and

WHEREAS, the applicant states the premises consist of a plot 50 feet frontage by 100 ft. in depth, on which is located a one-story, Class 3 constructed building, occupied as a garage, milk distributing station and office; that it is proposed to occupy the building as a garage for more than five motor vehicles, one indoor loading platform, office and storage of insulating and roofing materials; and

WHEREAS, the applicant contends that an amendment dated May 15, 1941, changed Atlantic avenue from an unrestricted use district to residence use and changed Highland place and Hale avenue from a line 100 feet south of Fulton street, from unrestricted use to residence use; that the building on the site under appeal was completed in 1926 and Certificate of Occupancy 37776 was issued January 28, 1926, for public garage and Certificate of Occupancy 92289 was issued June 14, 1939, for garage and milk distribution station, on Alt. Applic. 2044-39, which was approved to include "office"; that it is proposed to:

1. Replace existing wood and glass sash and door with new steel sash, new glass blocks, new office door and new face brick;
2. Replace existing projecting sign with new flat sign;
3. Install at southern wall two ¾ hour fireproof, self-closing, wire glass windows, 5 ft. by 4 ft. with flush sills, to provide supplementary light and air for offices and lavatory;
4. Install new ventilating skylights over new offices and lavatory;
5. Install a new tile lavatory and new tool room;
6. Remove dwarf partitions for offices at the rear and install new fire-retarded partitions with metal lath and ¾ inch Portland cement plaster outside and two coats of gypsum mortar on rock lath inside;
7. Install new wooden floors for offices on 2 in. by 4 in. sleepers over present concrete;
8. Remove existing refrigerators at the rear and use said area for storage and as part of indoor loading platform; and

WHEREAS, the applicant contends further that the Board has jurisdiction to grant an application "to permit, where premises are devoted to a nonconforming use, the extension of a use into a district restricted against the proposed use under such conditions as will safeguard the neighborhood"; that this is an appropriate case for the Board to grant relief, because the proposed use will decrease the automobile storage from 30 motor vehicles to an actual occupancy of less than ten; that the proposed materials to be stored on the premises will be non-hazardous in nature and not required to be excluded from a storage garage by C19-65 of the Administrative Code; that the appearance of the building will be substantially more attractive by the use of new glass blocks, a new office door and new face brick, and by the replacement of the existing projecting sign with a flat sign; that the character of the district will be safeguarded, as the proposed uses are more desirable than the present use, because the proposed additional uses are of a class permitted in a business district, while the present use is permitted as a conforming use only in an unrestricted district; that the proposed use would not be inharmonious, because the existing building is already used as a garage, milk distribution station and office and many nonconforming uses exist in the neighborhood and within the area of notification; that it is therefore requested that this application be granted, subject to such conditions as the Board may deem necessary in the public interest: and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e of the zoning resolution, for a term of five years from the date of this resolution, to permit the premises to be occupied as proposed as a private garage for the storage of not more than eight (8) cars and for the storage of building materials and offices as proposed, *on condition* that such cars shall be used solely by the occupant in connection with his business; that the existing gasoline storage system may be continued for use in connection with such owner's cars; that the sign on the front of the building, advertising the garage use, shall be removed; that any new sign constructed shall be erected in the sign space, as indicated, advertising the use of the building as proposed; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all loading and unloading shall take place within the building; that the work of loading and unloading shall be done only between the hours of 8 A. M. and 6 P. M.; that the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a new certificate of occupancy shall be obtained; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

690-44-A

APPLICANT—John J. Beatty, for Atco Tank Service, Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner re Transportation of Petroleum oil in tank truck (capacity of tank not in conformity with Administrative Code requirements covering Tank Trucks) in New York City.
APPEARANCES—
For Applicant: John J. Beatty.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to May 8, 1945 at 10 A. M., for further consideration.

731-44-A

APPLICANT—Franklin W. Gilman, for Loft Candy Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th avenue (Freeman avenue); 2nd and 3rd floors (Block 476, Lot 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: F. W. Gilman and Lillian Kaltman.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Removed from calendar for further examination. New date for hearing to be set.

94-45-A

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake and Watts Orphan House in the City of New York, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry Finkelstein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M. Applicant to file revised plans.

MINUTES

107-45-A

APPLICANT—James E. Casale, for 18 East 71st Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.
APPEARANCES—
For Applicant: James E. Casale.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 1, 1945 at 10 A. M. Applicant to file revised plans.

124-45-A

APPLICANT—Benjamin H. Whinston, for Young Israel Synagogue of Claremont Parkway, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.
APPEARANCES—
For Applicant: B. H. Whinston, Daniel Pressner and Frank Lustig.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

708-44-A

APPLICANT—Lanova Corp., lessee, for Jacob Freidus and Samuel Aaron, owners.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—27-01 Bridge Plaza North, north side, from 27th to 28th streets (5th floor); (Block 416, Lots 10 and 19), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William Hamilton.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (708-44-A)

WHEREAS, Lanova Corporation, lessee, for Jacob Freidus and Samuel E. Aaron, owners, filed November 30, 1944, an appeal from an order of the fire commissioner, affecting premises 27-01 Bridge Plaza North, north side, from 27th to 28th streets (5th floor); (Block 416, Lots 10 and 19), Long Island City, Borough of Queens; and

WHEREAS, order 98109-C issued by the fire commissioner, November 6, 1944, reads:

"2. Reduce the storage of furnace oil to 10 gallons and provide a safety can for its storage or provide an approved buried storage system for the 8 drums of Diesel oil. C19-51.0, Administrative Code."

and

WHEREAS, the applicant states that the building is 6 stories and basement (90 ft.) in height, 199 ft. 9 in. by 352 ft. 4½ in. in area, of class 1 construction, erected in 1910, located in an unrestricted use, B area class 1½ height district and used and occupied as follows: basement—storage and boiler room—75 persons; 1st floor—storage, garage and manufacturing of airplane accessories—200 persons; 2nd floor—manufacturing of lighting fixtures—350 persons; 3rd floor—manufacturing of electrical instruments—550 persons; 4th floor—same—350 persons; 5th floor—manufacturing and engine testing—400 persons; 6th floor—manufacturing electrical instruments—250 persons; that the building is equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system, but that fire drills are not maintained; that the building is equipped with five interior stairs, one of which is not in use, of fireproof construction, leading from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that it is impossible to comply with the Fire Department order and requests the Board to grant a variance for the following reason: that during test work, Diesel fuel is consumed in excess of ten gallons per hour; that to comply with the order would necessitate refilling small containers at short intervals and would seriously interfere with normal test procedure; that since the plant is located on the fifth floor, unreasonable expenses would be incurred in purchasing and installing pumping equipment to pump the fuel oil from an underground tank and an additional fire hazard would be involved, because of the possibility of leakage in the pipe lines; that the equipment required to comply with the order is difficult to obtain under wartime restrictions; that the oil used is #2; that the oil is pumped to a 15 gallon overhead tank, from which it feeds by gravity to the individual tank being tested; that the laboratory is well ventilated by five windows and two exhaust fans in the outside wall and no open flames are permitted in the laboratory; it is therefore requested that the order be modified and the applicant be permitted to store fuel oil in a quantity not to exceed 400 gallons in steel drums on the premises as follows: maximum of three drums to be kept on hand in the laboratory for engine testing; a maximum of seven drums to be stored in the first floor garage and the total number of full drums both in the laboratory and in storage shall be limited to eight drums.

Resolved, that the decision of the fire commissioner as to Order 98109-C be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than eight 55 gallon drums of #2 fuel oil shall be maintained on the premises; that not more than three such drums shall be maintained within the laboratory on the fifth floor, in the location as indicated on plans filed with this appeal marked "Received March 22, 1945"; that the other five drums may be stored elsewhere within the fireproof portion of the building as proposed; that the oil shall be used only for testing the Diesel engines as proposed and as arranged provided same is maintained to the satisfaction of the fire commissioner; that the sprinkler system, standpipe system and interior fire alarm system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner.

751-44-A

APPLICANT—Abe Rothenberg, lessee, for J. Stern, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abe Rothenberg.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (751-44-A)

WHEREAS, Abe Rothenberg, lessee, for J. Stern, owner, filed December 29, 1944, an appeal from an order of the fire commissioner, affecting premises: 1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn; and

WHEREAS, Order 98343-LC, issued by the fire commissioner, December 4, 1944, reads:

"You are hereby notified that an inspection of the above premises used to store and use oxygen, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH:

2. Have each operator supervising the operation of a blow-pipe or other similar device or apparatus for heating, melting or welding, apply for and secure a Certificate of Fitness. Examinations every day 9 A.M. to 3 P.M. Saturdays 9 to 11 A.M. Each applicant must file two unmounted photographs of himself at least 2 x 3 inches. C19-93.0-b, Admin. Code.

3. Discontinue use of blow torches not approved for such use by Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is two stories (25 ft.) in height, 40 ft. by 50 ft. in area at first floor, 40 by 40 ft. in area at 2nd floor; Class 3 construction; erected in 1930; located in business use, C area, Class 1 height district; used and occupied since June, 1944, as follows: 1681 McDonald Avenue:

Cellar, storage of glass—no persons
1st floor, glass, specialties factory, 15 persons
2nd floor—dwelling, one family.
1683 McDonald Avenue:
1st floor—Glass specialties factory—20 persons
2nd floor—dwelling, two families.

that the building is equipped with one 3 ft. 10 in. wide wood stair leading directly to the street and a ladder to a scuttle in the roof is provided; and

WHEREAS, the applicant contends as to item 2 of the Fire Commissioner's order, that the Labor Law permits the employment of persons 16 years of age and over; that the Fire Department will issue certificates of fitness only to persons 19 years of age and over; that at least half of the number of persons employed are not qualified, because they have not yet reached the minimum required age; that all the employees have been trained in their respective duties and it is difficult to find and train new employees; it is better that those who have reached qualifying age and have certificates of fitness, be permitted to be in direct responsible charge of the operation of apparatus and to permit the other employees not so qualified, to operate under their supervision; and contends as to item 3 of the order, that the same conditions exist today as existed at the time the Board acted on Cal. 573-42-A, relating to premises 983 McDonald avenue, previously occupied by this tenant; that there is no apparatus which has ever been approved for the specific type of blow torch used in the work involved; that a diligent effort has been made to have the manufacturer of the present burner submit their apparatus for approval; that the burners have been in continuous use for more than seven years without mishap and every precaution is taken to assure the safety of employees and property: it is therefore requested the Board permit the continuance of the use of the present burners until such time as approved burners are obtainable.

Resolved, that the decision of the fire commissioner as to Order 98343-LC, item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that on each manifold at each tank, there shall be at least three operators holding Certificates of Fitness and not over two operators not holding Certificates of Fitness; that such operators holding Certificates of Fitness shall be in attendance at such manifolds at all times during working hours; as to item 3, that the blow torches permitted under Cal. 573-42-A for this same lessee when located at 983 McDonald avenue, may be used on these premises under the same terms as previously permitted under such appeal; that all equipment shall be maintained to the satisfaction of the fire commissioner; that such portable fire extinguishers shall be maintained as the fire commissioner shall direct; that this variance shall continue only during the term of the present war emergency.

102-45-A

APPLICANT—Emil Koeppel, for Alvis Speaker Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1631-1641 63rd street, north side, 250 ft. east of 16th avenue (1st floor); (Block 5531, Lot 20), Borough of Brooklyn.
APPEARANCES—
For Applicant: Emil Koeppel.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (102-45-A)

WHEREAS, Emil Koeppel, for Alvis Speaker Corporation, owner, filed March 2, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 1631-1641 63d Street, north side, 250 ft. east of 16th avenue (1st floor); (Block 5531, Lot 20), Borough of Brooklyn; and

WHEREAS, Order 98439-LC issued by the Fire Commissioner December 18, 1944, and repeated in his decision of March 2, 1945, reads:

"Pursuant to the requirements of the rules governing the use of equipment for spraying of paints, varnishes, lacquers and other flammable surface coatings, adopted by the Board of Standards and Appeals, the following must be done:

4. Provide that the gas fired drying ovens shall be of a type as approved by the Board of Standards and Appeals. Rule 4.3.1 Spray Rules."

and

WHEREAS, the applicant states that the building is one story (13 ft.) in height, 100 ft. by 200 ft. in area; Class 3 construction, located in an unrestricted use, C area, Class 1 height district; erected in 1928 and used and occupied since 1944 as follows: Cellar, boiler room; 1st floor, manufacture of radio parts, 60 persons; that no change of use or occupancy is proposed; that Certificate of Occupancy 53502 issued November 5, 1928, permits the use of the building as a public garage for more than 5 cars; that the building is equipped with a one source sprinkler system; and

WHEREAS, the applicant contends that the Board is requested to accept the installation of the gas-fired baking oven, which was constructed by the lessees for this specific installation; that the oven is properly ventilated, constructed of 2 in. x 2 in. angle iron, 2 ft. on centers, covered with 24 gauge sheet metal on both sides and provided with 8 inches of insulation between walls, as indicated on diagram filed with this appeal.

Resolved, that the decision of the fire commissioner as to Order 98439-LC, Item 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no additional ovens shall be constructed or used unless of a type approved by this Board; that the oven involved in this appeal shall be constructed and maintained in accordance with the requirements of the Spray Rules of the Board in all respects.

111-45-A

APPLICANT—B. H. Aircraft Co., Inc., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—27-01 Bridge Plaza North, north side, from 27th to 28th street and 41-35 27th street (5th floor); (Block 416, Lot 10), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Frank A. Nichol.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal dismissed, improperly before the Board.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (111-45-A)

WHEREAS, B. H. Aircraft Co., Inc., owner, filed March 2, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 27-01 Bridge Plaza North, north side, from 27th to 28th street and 41-35 27th street (5th floor); (Block 416, Lot 10), Long Island City, Borough of Queens; and

WHEREAS, order 13845-LF, issued by the fire commissioner November 21, 1944 and referred to in a decision of the fire commissioner dated March 1, 1945, reads:

"2. Have gas fired ovens thermostatic controls for saltpetre tanks conform to Spray and Dipping Rules Board of Standards and Appeals, and Section C19-10.0 Administrative Code, and also comply with the following: A. Provide an extra switch to permit the operation of the fans when the gas supply is off. Each oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when the ignition fails or the gas supply pressure drops to 2 inches of water."

and

WHEREAS, the applicant states that the building is 6 stories (96 ft.) in height, 201 ft. by 353 ft. in area, of class 1 construction, erected in 1910, located in an unrestricted use, B area, Class 1½ height district and used and occupied as follows: cellar—storage and boiler room—50 persons; 1st floor—garage and manufacturing aviation parts—160 persons; 2nd floor—manufacturing aviation parts—150 persons; 3rd floor—manufacturing electrical instruments—575 persons; 4th floor—same—225 persons; 5th floor—manufacturing aviation parts—450 persons; 6th floor—manufacturing electrical instruments—160 persons; that the building is equipped with a one source sprinkler system, a standpipe system, an interior fire alarm system, but that fire drills are not maintained; that there are four interior fireproof stairs from the roof to the street; and

WHEREAS, the applicant contends that each saltpetre tank is supplied by an individual gas compressor, to compress the city gas from line pressure to four pounds per square inch; that the gas at four pounds, supplies ten individual inspirators and burner nozzles on each furnace; that the air required for the combustion of the gas is furnished through the inspirator located close to the burner nozzle, so that the only combustible air gas mixture is between the inspirator and the burner nozzle; that each saltpetre tank is equipped with an electric automatic temperature control for maintaining constant temperature in the tank; that each saltpetre tank has a partlow limit switch, set at 965 degrees (50 degrees over pyrometer setting), to prevent overheating and will operate and shut off the current from the tank in case of any current failure; that this switch has manual re-set; that each tank has a Maxon gas valve 1½ in. and this will close when current goes off and shut off the gas from the compressors and tank; that this valve has manual re-set; that the saltpetre tanks and equipment are under constant supervision of operators and maintenance men on all three shifts and careful inspection of the underside or bottom of the tanks are made daily, to check for signs of burning out; that no trouble of any kind has been experienced since December 1942; that two spare tanks are on hand for emergencies; that a special concrete floor 15 ft. x 18 ft., six inches thick above the original floor with a concrete curbing or dike at least 4 in. thick and 6 in. to 15 in. high encloses the tank area, any leaking would be confined here; and

WHEREAS, in the opinion of the Board this order is not properly based on the Spray and Dipping Rules of the Board of Standards and Appeals nor on Section C19-10.0 of the Administrative Code.

Resolved, that the appeal be and it hereby is *dismissed* as being improperly before the Board.

153-45-A

APPLICANT—Saul Goldsmith, for 35-18 37th Street Corporation, owner (Kurman Electric Co., lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—35-18 37th street, west side, 165 ft. south of 35th avenue (cellar); (Block 640, Lot 31), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Saul Goldsmith and N. Kurman.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (153-45-A)

WHEREAS, Saul Goldsmith, for 35-18 37th Street Corporation, owner (Kurman Electric Company, lessee), filed March 16, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 35-18 37th street, west side, 165 ft. south of 35th avenue (Cellar); (Block 640, Lot 31), Long Island City, Borough of Queens; and

WHEREAS, Order 97639-LC, issued by the fire commissioner August 15, 1944, and repeated in a decision of the fire commissioner dated March 8, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use paints, etc. shows that the following must be done before the permit requested by you may be issued.

2. Discontinue storage and use of hydrogen gas as such use creates a grave fire hazard, and is against the interest of public safety. C19-11.0, Administrative Code."

and

WHEREAS, the applicant states the building is 2 and 3 stories (45 ft.) in height; 95 ft. by 90 ft. in area; of Class 3 construction; erected 1925; located in an unrestricted use, B area, Class 1½ height district and used and occupied since 1943 for the manufacture of electrical timing devices and electrical relays, 100 persons in the cellar, 140 persons on the 1st floor; 80 persons on the 2nd floor and 40 persons on the 3rd floor; that the building is equipped with a one source sprinkler system, two interior stairs, complying with Section 270 of the Labor Law and leading from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that hydrogen gas is used in connection with a hydrogen furnace in order to process and heat treat magnetic materials; that it is of the utmost importance to carry out the operation in this manner; that the hydrogen furnace is manufactured by the Hoskins Manufacturing Company; that they have been advised of the necessity of securing Board of Standards and Appeals approval for the furnace; that they have already taken steps to secure such approval; that two cylinders of hydrogen gas are attached to the furnace and two drums of hydrogen gas are kept in reserve; that the furnace and gas are now used and stored in the cellar of the building; that an amendment has been filed in the Department of Housing & Buildings under Alt. 3086-41, in order to construct a new fireproof cellar extension at the rear yard level; that the plans indicate the entire construction with the two cylinders of hydrogen located within the furnace room and two cylinders of hydrogen located outside of the furnace room; that the plant is engaged in 100% war work with many secret and restricted devices being manufactured and developed; that electrical relays and timing devices are manufactured for Communications, Signal Corp and Radar Division; that the sprinkler system is hooked up to Central station alarm and is patrolled by watchman service 24 hours a day; that the building is owned and occupied by the same principals; that the Board is requested to grant a modification for the use and storage of hydrogen gas as proposed, outside of the building proper and located in a separate building at the rear yard cellar level.

Resolved, that the decision of the fire commissioner as to Order 97639-LC, Item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than four (4) cylinders of hydrogen shall be stored on the premises as proposed, two of which are to be spare and located in the outer air under the roof, as indicated on plans filed with this appeal marked "Received March 28, 1945" and two in use within the furnace room attached to a manifold, all maintained in a rigid position to the satisfaction of the fire commissioner; that in addition to the ventilation shown on such plan, a wind-driven ventilator shall also be installed in the roof directly over the point where the live cylinders are stored; that such approved regulating devices shall be installed and maintained as the fire commissioner shall direct; that the person in charge shall hold a Certificate of Fitness; that the sprinkler system shall be maintained within the furnace room as proposed.

MATERIALS SUBMITTED FOR APPROVAL

490-44-SM

APPLICANT—Anchor Hocking Glass Corporation, owner.
SUBJECT—Anchor Hocking Glass Corporation's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz. and 32 oz. sizes, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (490-44-SM)

WHEREAS, the Anchor Hocking Glass Corporation, owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Anchor Hocking Glass Corporation's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz. and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 490-44-SM
Subject: Anchor Hocking Glass Corporation "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, approval of.

March 16, 1945.

The Glass Container Association of America, New York, New York, filed an application in behalf of the Anchor Hocking Glass Corporation, for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively of Chapter 19 of the Administrative Code.

Manufacture of Glass Containers

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a predetermined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

Tests

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

Identification of Samples Tested

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00, of the War Production Board Order L-103, filed with this application.

The Serial Numbers for the samples tested are listed in the Table Below.

WPB Serial Numbers

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
80-75*	80-50*	82-25*	80-19*	80-13*

Samples marked with an asterisk (*) were amber in color; all other were colorless glass.

1. ASTM Hydrostatic Pressure Test, ASTM C147-43 (Simulating internal pressure of vapors produced by accidental heating of a sealed container.) The test was started at the 100 psi. level for the 32 oz. size and increased in 25 psi. increments until the bottle broke. For the 16, 8, 6 and 4 oz. sizes the starting pressures were 150, 200, 225 and 250 psi., respectively. The bursting pressures for each of the three bottles tested of each type are recorded in the following table:

Bursting Pressure in p.s.i.

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
175	200	250	250	350
125	200	250	300	325
125	200	250	300	250

2. ASTM Polariscope Examination ASTM C148-43. (Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quality with respect to inherent resistance to all types of applied mechanical and thermal shock stresses.)

Annealing Grades (Temper Numbers)

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
2	2	1	1	2
2	2	1	1	2
3	2	1	1	2

3. ASTM Thermal Shock Test, ASTM C149-43 (*Supplementary tests February 5, 1945; 3 bottle samples.) Three bottles of each type were tested, unless otherwise indicated. Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figure that best represents the relative strength.

Differential °F.	32 oz.# broken	total	16 oz. broken	total	8 oz. broken	total	6 oz. broken	total	4 oz. broken	total
75	0	0	—	—	—	—	—	—	—	—
75*	—	—	0	0	0	0	0	0	0	0
80	0	0	—	—	—	—	—	—	—	—
80*	—	—	0	0	0	0	0	0	0	0
85	0	0	—	—	—	—	—	—	—	—
85*	—	—	0	0	0	0	0	0	0	0
90	0	0	0	0	0	0	0	0	0	0
90*	—	—	0	0	0	0	0	0	0	0
95	1	1	—	—	—	—	—	—	—	—
95*	—	—	0	0	0	0	0	0	0	0
100	2	3	0	0	0	0	0	0	0	0
100*	—	—	0	0	0	0	1	1	1	1
105*	1	4	0	0	0	0	1	1	1	1
105*	—	—	0	0	0	0	0	1	0	1
110*	1	5	0	0	1	1	0	1	0	1
110*	—	—	0	0	0	0	1	2	0	1
115*	0	5	0	0	0	1	0	1	1	2
115*	—	—	2	2	1	1	1	3	0	1
120*	1	6	0	0	0	1	0	1	0	2
120*	—	—	0	2	2	3	—	3	1	2
Pass Level	90		110		105		95		95	
Initial breakage	95		115		110		100		100	
50% "	100		over 120		117		110		115	
100% "	120		over 120		over 120		over 120		over 120	
(6 bottles)										

4. Impact Test: Preston Automatic Ball Dropper. One inch diameter steel balls (weight .1465 lb.) are dropped from a given height onto the sidewall of the empty bottle, laid on sidewall, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12" height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10" to 14" corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16	8	6	4
Number of Balls....	44	36	30	24	20

Three bottles of each type were tested at 12", then 14" and finally 16" height.

Breakage is recorded in the following table:

Impact Breakage

(*) denotes new bottle; X denotes breakage.

Height	32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
12"	OK OK OK	OK OK X	OK X X	X OK X	X OK X
14"	OK OK OK	X OK OK*			
16"	X OK OK	X* X X*			
Minimum Thickness	.078"	.096"	.070"	.085"	.085"
Initial Breakage	16"	12"	12"	12"	13½"

5. Drop Test: Individual Bottles Filled With Water. Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6 feet free fall using the same bottles. One was dropped from an upright position—usually striking at the bottom. The second was dropped from an inverted position—usually striking on the cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table:

Breakage Height in Drop Test in Feet

denotes bottle struck plank on shoulder.

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
Base Top	Base Top	Base Top	Base Top	Base Top
4 OK	OK 6##	OK OK	OK OK	OK OK

General

The manufacture of all glass containers including the "Boston Rounds", the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, as manufactured by the Anchor Hocking Glass Corporation of Lancaster, Ohio, when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboard or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 4, 6, 8, 16 and 32 oz., as specified in C19-62.0, be as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these

containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Anchor Hocking Glass Corporation's "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

491-44-SM

APPLICANT—Armstrong Cork Company, owner.
SUBJECT—Armstrong Cork Company's "Boston Round" Glass Bottles in 16 oz. and 32 oz. sizes, approval of.
APPEARANCES—
For Applicant: V. A. Tomason.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (491-44-SM)

WHEREAS, the Armstrong Cork Company, owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Armstrong Cork Company's "Boston Round" Glass Bottles in 16 oz. and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

April 3, 1945.

Re: Cal. 491-44-SM
Subject: Armstrong Cork Company "Boston Round" Glass Bottles in 16 and 32 oz. sizes, approval of.

The Glass Container Association of America, New York, New York, filed an application in behalf of the Armstrong Cork Company for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively, of Chapter 19 of the Administrative Code.

MANUFACTURE OF GLASS CONTAINERS.

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a predetermined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

TESTS.

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

Identification of Samples Tested.

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00, of the War Production Board Order L-103, filed with this application.

The Serial Numbers for the samples tested are listed in the table below:

WPB Serial Numbers

32 oz.	16 oz.
80-76*	80-50

Samples marked with an asterisk (*) were amber in color; all others were colorless glass.

1. ASTM Hydrostatic Pressure Test, ASTM C147-43 (Simulating internal pressure of vapors produced by accidental heating of a sealed container). The test was started at the 100 p.s.i. level for the 32 oz. size and increased in 25 p.s.i. increments until the bottle broke. For the 16 oz. size the starting pressure was 150 p.s.i., respectively. The bursting pressures for each of the three bottles tested of each type are recorded in the following table:

Bursting Pressures in p.s.i.

32 oz.	16 oz.
150	175
150	175
175	250

2. ASTM Polariscope Examination ASTMC 148-43 (Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quality with respect to inherent resistance to all types of applied mechanical and thermal shock stresses).

Annealing Grades (Temper numbers)

32 oz.	16 oz.
1	3
1	3
1	3

3. ASTM Thermal Shock Test ASTM C149-43 (*Supplementary tests February 5, 1945; 3 bottle samples).

Three bottles of each type were tested, unless otherwise indicated. #Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figure that best represents the relative strength.

Differential °F.	32 oz.# broken	total	16 oz. broken	total
75	0	0	—	—
75*	—	—	0	0
80	0	0	—	—
80*	—	—	0	0
85	0	0	—	—
85*	—	—	0	0
90	0	0	0	0
90*	—	—	0	0
100	1	1	0	0
100*	—	—	0	0
105*	1	2	0	0
105*	—	—	0	1
110*	1	3	0	0
110*	—	—	0	1
115*	0	3	0	0
115*	—	—	0	1
120*	1	4	0	0
120*	—	—	0	1
Pass Level	95		100	
Initial Breakage	100		105	
50% "	110		over 120	
100% "	over 120		over 120	
(6 bottles)				

4. Impact Test. Preston Automatic Ball Dropper.

One inch diameter steel balls (weight .1465 lb.) are dropped from a given height onto the sidewall of the empty bottle, laid on sidewall, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12" height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10" to 14" corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16
Number of Balls	44	36

Three bottles of each type were tested at 12", then 14" and finally 16" height.

Breakage is recorded in the following table:

Impact Breakage

x denotes breakage.

Height	32 oz.			16 oz.	
12"	OK	OK	OK	OK	x x
14"	x	OK	x		
16"					
Minimum thickness	.100"			.085"	
Initial Breakage	14"			12"	

5. Drop Test: Individual Bottles Filled with Water.

Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6 feet free fall using the same bottles. One was dropped from an upright position—usually striking on the bottom. The second was dropped from an inverted position—usually striking on the cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table.

Breakage Height in Drop Test in Feet.

(##) Struck plank on shoulder.

32 oz.		16 oz.	
Base	Top	Base	Top
3	5##	OK	5##

General

The manufacture of all glass containers including the "Boston Rounds" the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 16 and 32 oz. sizes, as manufactured by the Armstrong Cork Company of Lancaster, Pa., when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboard or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 16 and 32 oz., as specified in C19-62.0, b as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Armstrong Cork Company's "Boston Round" Glass Bottles in 16 and 32 oz. sizes, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

492-44-SM

APPLICANT—Ball Brothers Company, owner.

SUBJECT—Ball Brothers Company's "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz. sizes, approval of.

APPEARANCES—

For Applicant: None.

MINUTES

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (492-44-SM)

WHEREAS, the Ball Brothers Company, owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Ball Brothers Company's "Boston Round" Glass Bottles in 8 oz., 16 oz. and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 492-44-SM
Subject: Ball Brothers Company's "Boston Round" Glass Bottles in 8, 16 and 32 oz. sizes, approval of.
March 16, 1945

The Glass Container Association of America, New York, New York, filed an application in behalf of the Ball Brothers Company for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively of Chapter 19 of the Administrative Code.

Manufacture of Glass Containers

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a pre-determined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

Tests

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

Identification of Samples Tested

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00 of the War Production Board Order L-103, filed with this application.

The Serial Numbers for the samples tested are listed in the table below:

WPB Serial Numbers

32 oz.	16 oz.	8 oz.
80-76	80-50	80-25

Samples marked with an asterisk (*) were amber in color; all others were colorless glass.

1. ASTM Hydrostatic Pressure Test, ASTM C147-43. (Simulating internal pressure of vapors produced by accidental heating of a sealed container.) The test was started at the 100 psi. level for the 32 oz. size and increased in 25 psi. increments until the bottle broke. For the 16 and 8 oz. sizes, the starting pressures were 150 and 200, psi., respectively. The bursting pressure for each of the three bottles tested of each type are recorded in the following table.

Bursting Pressure in p.s.i.

32 oz.	16 oz.	8 oz.
150	150	300
150	250	300
225	250	375

2. ASTM Polariscope Examination ASTM C148-43. (Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quality with respect to inherent resistance to all types of applied mechanical and thermal shock stresses.)

Annealing Grades (Temper Numbers)

32 oz.	16 oz.	8 oz.
2	1	1
2	1	1
2	1	2

3. ASTM Thermal Shock Test ASTM C149-43. (*Supplementary tests February 5, 1945; 3 bottle samples.) Three bottles of each type were tested, unless otherwise indicated. # = Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figures that best represents the relative strength.

Differential °F.	32 oz.# broken	32 oz.# total	16 oz. broken	16 oz. total	8 oz. broken	8 oz. total
75	0	0	—	—	—	—
75*	—	—	0	0	0	0
80	0	0	—	—	—	—
80*	—	—	0	0	0	0
85	0	0	—	—	—	—
85*	—	—	0	0	0	0
90	0	0	0	0	0	0
90*	—	—	0	0	0	0
95	0	0	—	—	—	—
95*	—	—	0	0	0	0
100	0	0	0	0	0	0
100*	0	0	0	0	0	0
105*	0	0	0	0	0	0
105*	—	—	0	0	0	0
110*	1	1	0	0	0	0
110*	—	—	0	0	0	0
115*	1	2	0	0	0	0
115*	—	—	0	0	1	1
120*	1	3	1	1	0	0
120*	—	—	0	0	0	1
Pass Level	105 °F.		115		110	
Initial Breakage	110		120		115	
50% "	120		over 120		over 120	
100% " (6 bottles)	over 120		over 120		over 120	

4. Impact Test: Preston Automatic Ball Dropper. One inch diameter steel balls (weight: 1465 lb.) are dropped from a given height onto the sidewall of the empty bottle, laid on sidewall, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12" height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10" to 14" corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16	8
Number of Balls	44	36	30

Three bottles of each type were tested at 12", then 14" and finally 16" height.

Breakage is recorded in the following table:

Impact Breakage

(*) denotes new bottle; X denotes breakage.

Height	32 oz.	16 oz.	8 oz.
12"	X OK X	OK OK X	X X X
14"	— — —	OK X X*	— — —
16"	— — —	— — —	— — —
Minimum Thickness	.113"	.112"	.100"
Initial Breakage	12"	12"	12"

5. Drop Test: Individual Bottles Filled with Water. Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6 feet free fall using the same bottles. One was dropped from an upright position—usually striking on the bottom. The second was dropped from an inverted position,—usually striking on the cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table:

Breakage Height in Drop Test in Feet

##—Struck plank on shoulder.

32 oz.		16 oz.		8 oz.	
Base	Top	Base	Top	Base	Top
6	6##	OK	OK	OK	OK

General

The manufacture of all glass containers including the "Boston Rounds" the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 8, 16 and 32 oz. sizes, as manufactured by the Ball Brothers Company of Muncie, Indiana, when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboard or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 8, 16 and 32 oz., as specified in C19-62.0, b as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Ball Brothers Company's "Boston Round" Glass Bottles in 8, 16 and 32 oz. sizes, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

494-44-SM

APPLICANT—Fairmount Glass Works, Inc., owner.

SUBJECT—Fairmount Glass Works, Inc. "Boston Round" Glass Bottles in 8 oz., 16 oz. and 32 oz. sizes, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (494-44-SM)

WHEREAS, the Fairmount Glass Works, Inc., owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Fairmount Glass Works, Inc., "Boston Round" Glass Bottles in 8 oz., 16 oz., and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 494-44-SM

Subject: Fairmount Glass Works, Inc., "Boston Round" Glass Bottles in 8, 16 and 32 oz. sizes, approval of

March 16, 1945

The Glass Container Association of America, New York, New York, filed an application in behalf of the Fairmount Glass Works, Inc., for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively, of Chapter 19 of the Administrative Code.

Manufacture of Glass Containers

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely

broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a predetermined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

Tests

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

Identification of Samples Tested

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00, of the War Production Board Order L-103, filed with this application.

The Serial Numbers for the samples tested are listed in the Table below.

W.P.B. Serial Numbers

32 oz.	16 oz.	8 oz.
80-76*	80-50	80-25*

Samples marked with an asterisk(*) were amber in color; all others were colorless glass.

1. ASTM Hydrostatic Pressure Test, ASTM, C147-43. (Simulating internal pressure of vapors produced by accidental heating of a sealed container.) The test was started at the 100 psi. level for the 32 oz. size and increased in 25 psi. increments until the bottle broke. For the 16 and 8 oz. sizes, the starting pressures were 150 and 200 psi., respectively. The bursting pressure for each of the three bottles tested of each type are recorded in the following table:

Bursting Pressure in psi.

32 oz.	16 oz.	8 oz.
125	200	400
125	175	325
125	200	200

2. ASTM Polariscope Examination ASTM C148-43. (Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quality with respect to inherent resistance to all types of applied mechanical and thermal shock stresses.)

Annealing Grades (Temper Numbers)

32 oz.	16 oz.	8 oz.
3	1	1
3	1	1
4	2	1

3. ASTM Thermal Shock Test ASTM C149-43. (* Supplementary tests February 5, 1945; 3 bottle samples.) Three bottles of each type were tested, unless otherwise indicated. # Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figure that best represents the relative strength.

Differential °F.	32 oz.# broken	32 oz.# total	16 oz. broken	16 oz. total	8 oz. broken	8 oz. total
75	0	0	—	—	—	—
75*	—	—	0	0	0	0
80	0	0	—	—	—	—
80*	—	—	0	0	0	0
85	0	0	—	—	—	—
85*	—	—	0	0	0	0
90	0	0	1	1	2	2
90*	—	—	0	0	2	2
95	0	0	—	—	—	—
95*	—	—	1	1	0	2
100	2	2	1	2	0	2
100*	—	—	1	2	0	2
105*	0	2	0	2	0	2
105*	—	—	1	3	0	2
110*	0	2	0	2	0	2
110*	—	—	—	3	0	2
115*	1	3	0	2	0	2
115*	—	—	—	3	0	2
120*	1	4	0	2	0	2
120*	—	—	—	3	0	2
Pass Level		95 °F		85		85
Initial Breakage		100		90		90
50% "		115		97		90
100% "		over 120		over 120		over 120

(6 bottles)

4. Impact Test: Preston Automatic Ball Dropper. One inch diameter steel balls (weight .1465 lb.) are dropped from a given height onto the sidewall of the empty bottle, laid on sidewall, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12" height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10" to 14" corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16	8
Number of balls	44	36	30

Three bottles of each type were tested at 12", then 14" and finally at 16" height.

Breakage is recorded in the following table:

Impact Breakage

(*) denotes new bottle; X denotes breakage.

Height	32 oz.	16 oz.	8 oz.
12"	XXX	XXX	XXX
14"	—	—	—
16"	—	—	—
Minimum thickness	.070"	.087"	.071"
Initial Breakage	12"	12"	12"

5. Drop Test: Individual Bottles filled with water. Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6 feet free fall using the same bottles. One was dropped from an upright position—usually striking on the bottom. The second was dropped from an inverted position—usually striking on the cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table:

Breakage Height in Drop Test in Feet

* Struck concrete and broke on bounce from plank.
** Struck plank on shoulder.

32 oz. Base	32 oz. Top	16 oz. Base	16 oz. Top	8 oz. Base	8 oz. Top
.5*	5**	OK	OK	OK	5**

MINUTES

General

The manufacture of all glass containers including the "Boston Rounds" the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 8, 16 and 32 oz. sizes, as manufactured by the Fairmount Glass Works, Inc., of Indianapolis, Ind., when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboards or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 8, 16 and 32 oz., as specified in C19-62.0, b as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Fairmount Glass Works, Inc., "Boston Round" Glass bottles in 8, 16 and 32 oz. sizes. *on condition* that the material be manufactured, used and labelled in accordance with the above report.

495-44-SM

APPLICANT—Owens-Illinois Glass Company, owner.

SUBJECT—Owens-Illinois Glass Company's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz. and 32 oz. sizes, approval of.

APPEARANCES—
For Applicant: J. D. Laird.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (495-44-SM)

WHEREAS, the Owens-Illinois Glass Company, owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Owens-Illinois Glass Company's "Boston Round" Glass Bottles in 4 oz., 6 oz., 8 oz., 16 oz. and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 495-44-SM
Subject: Owens-Illinois Glass Company "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, approval of.

March 16, 1945

The Glass Container Association of America, New York, New York, filed an application in behalf of the Owens-Illinois Glass Company for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively of Chapter 19 of the Administrative Code.

Manufacture of Glass Containers

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a pre-determined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

Tests

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

MINUTES

Identification of Samples Tested

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00, of the War Production Board Order L-103, filed with this application.

The Serial Numbers for the samples tested are listed in the table below.

WPB Serial Numbers

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
80-76*	80-50	80-25	80-19	80-13

Samples marked with an asterisk (*) were amber in color; all others were colorless glass.

1. ASTM Hydrostatic Pressure Test, ASTM C147-43

(Simulating internal pressure of vapors produced by accidental heating of a sealed container.) The test was started at the 100 psi. level for the 32 oz. size and increased in 25 psi. increments until the bottle broke. For the 16, 8, 6 and 4 oz. sizes the starting pressures were 150, 200, 225 and 250 psi., respectively. The bursting pressures for each of the three bottles tested of each type are recorded in the following table.

Bursting Pressures in psi.

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
125	175	250	225	300
175	225	250	300	400
125	200	300	250	250

2. ASTM Polariscope Examination ASTM C148-43

(Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quality with respect to inherent resistance to all types of applied mechanical and thermal shock stresses.)

Annealing Grades (Temper Numbers)

32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
2	2	1	1	2
2	2	1	1	2
3	2	1	1	2

3. ASTM Thermal Shock Test ASTM C149-43

(*Supplementary tests February 5, 1945; 3 bottle samples.) Three bottles of each type were tested, unless otherwise indicated. #Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figure that best represents the relative strength.

Differential °F.	32 oz. # broken	total	16 oz. broken	total	8 oz. broken	total	6 oz. broken	total	4 oz. broken	total
75	0	0	—	—	—	—	—	—	—	—
75*	—	—	0	0	0	0	0	0	0	0
80	0	0	—	—	—	—	—	—	—	—
80*	—	—	2	2	0	0	0	0	0	0
85	1	1	—	—	—	—	—	—	—	—
85*	—	—	0	2	1	1	0	0	0	0
90	3	4	3	3	2	2	2	2	0	0
90*	—	—	1	3	2	3	2	2	0	0
95	1	5	—	—	—	—	—	—	—	—
95*	—	—	—	3	—	3	0	2	0	0
100	1	6	—	3	1	3	1	3	0	0
100*	—	—	—	3	—	3	1	3	1	1
105*	—	—	—	3	—	3	—	3	1	1
105*	—	—	—	3	—	3	—	3	2	3
110*	—	—	—	3	—	3	—	3	0	1
110*	—	—	—	3	—	3	—	3	—	3
115*	—	—	—	3	—	3	—	3	1	2
115*	—	—	—	3	—	3	—	3	—	3
120*	—	—	—	3	—	3	—	3	1	3
120*	—	—	—	3	—	3	—	3	—	3

Pass Level	80°F.	75	80	85	95
Initial breakage	85	80**	85	90	100
50% breakage	88	85**	87	90**	103
100% breakage (6 bottles)	100	90	95	100	120

**Approx.

4. Impact: Preston Automatic Ball Dropper.

One inch diameter steel balls (weight .1465 lb.) are dropped from a given height onto the sidewall of the empty bottle, laid on sidewall, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12″ height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10″ to 14″ corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16	8	6	4
Number of Balls	44	36	30	24	20

Three bottles of each type were tested at 12″, then 14″ and finally 16″ height.

Breakage is recorded in the following table:

Impact Breakage

(*) denotes new bottle; X denotes breakage.
(#) all tests at 13½″ instead of 12″ height.

Height	32 oz.	16 oz.	8 oz.	6 oz.	4 oz.
12″	OK X OK	X OK OK	X X X	X X X	X X X
14″	OK X*OK	OK *OK X			
Minimum Thickness	.067	.088	.055	.068	.075
Initial Breakage	12″	12″	12″	12″	13½″

5. Drop Test; Individual Bottles Filled with Water.

Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6

feet free fall using the same bottles. One was dropped from an upright position—usually striking on the bottom. The second was dropped from an inverted position—usually striking on the cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table:

Breakage Height in Drop Test in Feet

* Struck concrete and broke on bounce from plank.
\# Struck plank flat on sidewall.
\# \# Struck plank on shoulder.

32 oz.		16 oz.		8 oz.		6 oz.		4 oz.	
Base	Top	Base	Top	Base	Top	Base	Top	Base	Top
6#	3#	OK	5	OK	OK	OK	OK	OK	OK

General

The manufacture of all glass containers including the "Boston Rounds", the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, as manufactured by the Owens-Illinois Glass Company of Toledo, Ohio, when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboard or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 4, 6, 8, 16 and 32 oz., as specified in C19-62.0, b as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Owens-Illinois Glass Company's "Boston Round" Glass Bottles in 4, 6, 8, 16 and 32 oz. sizes, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

497-44-SM

APPLICANT—Thatcher Manufacturing Company, owner.
SUBJECT—Thatcher Manufacturing Company's "Boston Round" Glass Bottles in 4 oz., 16 oz. and 32 oz. sizes, approval of.
APPEARANCES—
For Applicant: C. Van Inwegen.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (497-44-SM)

WHEREAS, the Thatcher Manufacturing Company, owner, filed on August 14, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Thatcher Manufacturing Company's "Boston Round" Glass Bottles in 4 oz., 16 oz. and 32 oz. sizes; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 497-44-SM
Subject: Thatcher Manufacturing Company "Boston Round" Glass Bottles in 4 oz., 16 oz. and 32 oz. sizes, approval of.

March 16, 1945.

The Glass Container Association of America, New York, New York, filed an application in behalf of the Thatcher Manufacturing Company for approval of glass containers as herein described for the packaging of combustible and inflammable mixtures as prescribed in C19-2.0, subd. 11 and C19-2.0, subd. 22, respectively of Chapter 19 of the Administrative Code.

Manufacture of Glass Containers

The basic materials are silica, sodium oxide and calcium oxide, purchased by specification. The materials are carefully weighed in batches and checked for purity and constancy of composition. A proportion of finely broken glass called Cullet derived from used glass constitutes from 15 to 25% of each batch. After the material is weighed out and mixed in batches for a pre-determined period of time, they are charged into a continuous type of melting furnace and subjected to a temperature of approximately 2700 deg. F. for a period of not less than 15 hours. In the molten stage the glass is drawn from the furnace and conveyed to the fabricating machine. The appropriate amount of glass is delivered into the parison mold which forms the inner and outer surfaces of the neck and forms a small cavity into the glass mass. From there it is transferred to a blow mold in which the cavity is expanded to conform to the contours of the mold wall. The bottle is now in its final shape and is inspected at the forming machine for color spots and wall thickness. The bottles then proceed to the annealing leer where they are cooled under a graduation of controlled temperatures. In this leer the containers are permitted to cool gradually so as to control the stresses remaining in the final bottle. At the leer the bottles are further examined under a special light for defects affecting mechanical strength, chinks or cracks, inclusions and fabrication irregularities.

MINUTES

Tests

Chapter 19 of the Administrative Code specifies the capacity of glass containers for the packaging of inflammables and combustibles in domestic and general use. Samples of the applicant's bottles were subjected to physical tests as herein below specified to develop integrity of these bottles for the purpose of packaging these materials. The results of these tests are as follows:

Identification of Samples Tested

All samples were received late in 1944 or in January 1945 and correspond to the specifications for Boston Rounds, Drawing No. 16, September 20, 1943, Exhibit Series 80-00, of the War Production Board Order L-103, filed with this application.

The serial numbers for the samples tested are listed in the table below.

WPB Serial Numbers

32 oz.	16 oz.	4 oz.
80-75	80-50	80-13

1. ASTM Hydrostatic Pressure Test, ASTM C147-43 (Simulating internal pressure of vapors produced by accidental heating of a sealed container.) The test was started at the 100 psi. increments until the bottle broke. For the 16 and 4 oz. sizes the starting pressures were 150 and 250 psi., respectively. The bursting pressure for each of the three bottles tested of each type is recorded in the following table:

Bursting Pressure in psi.

32 oz.	16 oz.	4 oz.
150	150	275
100	150	275
150	150	300

2. ASTM Polariscope Examination ASTM C148-43 (Quality of Annealing as Manufactured; Temper #1 through #5 are excellent commercial quantity with respect to inherent resistance to all types of applied mechanical and thermal shock stresses.)

Annealing Grades (Temper Numbers)

32 oz.	16 oz.	4 oz.
3	1	1
3	1	1
2	2	1

3. ASTM Thermal Shock Test ASTM C149-43 (*Supplementary tests February 5, 1945; 3 bottle samples.) Three bottles of each type were tested, unless otherwise indicated, # — Six bottles tested in original test. The 50% breakage level near the bottom of the table is the single figure that best represents the relative strength.

Differential °F.	32 oz. # broken	total	16 oz. broken	total	4 oz. broken	total
75	0	0	—	—	—	—
75*	—	—	0	0	0	0
80	0	0	—	—	—	—
80*	—	—	0	0	0	0
85	0	0	—	—	—	—
85*	0	0	—	—	—	—
90	0	0	0	0	—	—
90*	—	—	0	0	0	0
95	0	0	—	—	—	—
95*	—	—	0	0	0	0
100	1	1	0	0	—	—
100*	—	—	0	0	—	—
105*	1	2	0	0	—	—
105*	—	—	0	0	0	0
110*	1	3	1	1	—	—
110*	—	—	0	0	0	0
115*	2	5	0	1	—	—
115*	—	—	0	0	0	0
120*	1	6	1	2	—	—
120*	—	—	0	0	1	1

Pass Level	95°F.	105	115
Initial Breakage	100	110	120
50% "	110	over 120	over 120
100% "	over 120	over 120	over 120
(6 bottles)			

4. Impact Test: Preston Automatic Ball Dropper. One inch diameter steel balls (weight .1465 lbs.) are dropped from a given height onto the sidewall of the bottle, rotated and shoved along on two rollers, so that the impacted points are in a spiral extending from the bottom to the shoulder. A 12" height corresponds to 1.76 inch pounds. Glassware, in this repeated impact, normally stands 10" to 14" corresponding to 1.5 to 2.0 inch pounds.

The number of balls dropped onto the various sized bottles at each height is as follows:

Size, ozs.	32	16	4
Number of Balls	44	36	20

Three bottles of each type were tested at 12", then 14", and finally 16" height.

Breakage is recorded in the following table:

Impact Breakage

*Denotes new bottle; X denotes breakage

Height	32 oz.	16 oz.	4 oz.
12"	X X X	X X X	OK. X X
14"	— — —	— — —	— — —
16"	— — —	— — —	— — —
Minimum thickness	.086"	.082"	.048"
Initial Breakage	12"	12"	13½"

5. Drop Test: Individual Bottles Filled with Water. Two filled and capped bottles of each type were dropped on wooden planks lying flat on the floor from a height of three feet. This was repeated at 4, 5 and 6 feet free fall, using the same bottles. One was dropped from an upright position, usually striking on the bottom. The second was dropped from an inverted position —usually striking on cap or shoulder. Survivors of the 6 foot drop are indicated as "OK" in the following table:

Breakage Height in Drop Test in Feet

denotes bottle struck plank or shoulder

32 oz.		16 oz.		4 oz.	
Base	Top	Base	Top	Base	Top
3	6##	6	OK	OK	OK

General

The manufacture of all glass containers including the "Boston Rounds", the subject of this application, are controlled by WPB order L-103 as amended September 20, 1943 and the bottles offered for approval are glass meeting all the requirements of this specification. While the applicant may have offered sizes of glass bottles exceeding the permissive sizes for the packaging of inflammables and combustibles, the data covering the physical tests of these bottles are included in this report so that, should a specific action arise, where the Board may desire to consider a variation of any pertinent provision of the Administrative Code, the data to form a basis for such variation will be available in this record.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of "Boston Round" Glass Bottles in 4, 16 and 32 oz. sizes, as manufactured by the Thatcher Manufacturing Co. of Elmira, N. Y., when manufactured of the properties and specifications as contained herein and when furnished with a metal or plastic closure provided with a suitable gasket to insure the bottle from venting and when packaged in cartons in a manner so that each bottle is separated from the adjoining bottle by a layer of corrugated cardboard or equivalent separation for uses and in sizes as follows:

Inflammable Mixtures

For the packaging of inflammable mixtures for domestic

or household use, approval is recommended for use of the applicant's glass bottles of a capacity not exceeding 4 oz. as specified in C19-59.0c. Bottles of a size not exceeding 12 oz. may be used for other than domestic and household use as permitted in C19-58.0. Bottles of a larger size shall not be permitted to be filled with inflammable mixtures unless specifically authorized by the Board.

Combustible Mixtures

For the packaging of combustible mixtures for commercial or business use, approval is recommended for use of the applicant's glass bottles in sizes of 4, 16 and 32 oz., as specified in C19-62.0, b as amended November 28, 1940. Bottles of larger sizes than 32 oz. shall not be permitted sizes to be filled with combustible mixtures unless specifically authorized by the Board.

Each mixture packaged in these containers shall procure the required permits as specified in C19-58.0 of the Administrative Code, when the filling operation of these containers is performed within New York City. When the filling operation is performed outside the confines of New York City, the certificate of approval as specified in C19-59.0 shall be applied for and obtained from the Fire Department, prior to their being offered for sale in New York City.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Thatcher Manufacturing Company's "Boston Round" Glass Bottles in 4, 16 and 32 oz. sizes, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

53-45-SM

APPLICANT—Interborough Engineering Co., for Alpha Tank Co., Inc., owner.

SUBJECT—Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround, approval of.

APPEARANCES—
For Applicant: Ribelle Perotto.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (53-45-SM)

WHEREAS, the Interborough Engineering Co., for the Alpha Tank Co., Inc., owner, filed on February 5, 1945, an application with the Board of Standards and Appeals for approval of the material known as the Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 53-45-SM
Subject: Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround—Approval of.

March 30, 1945.

The Alpha Tank Co., Inc. of 8840—77th Avenue, Brooklyn 27, New York, filed an approval of the Alpha 275 Gallon Fuel Oil Storage Tank, Cylindrical and Obround, under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

Description

The obround tanks are made with long diameter, either vertical or horizontal, both obround and cylindrical are constructed of #10 U. S. Gauge commercial grade hot rolled sheet steel in two sheets with one lateral seam welded. The heads are convex of 7 gauge steel for cylindrical tank and 10 gauge for obround tanks with weld offset two inches.

The tanks are provided with standard pressed steel pipe support lugs. Total weight without legs 400 pounds each for obround tanks and 450 pounds for cylindrical tanks.

TEST

Three sample tanks, one cylindrical, one obround horizontal and one obround vertical, were subjected to a pressure test at the applicant's plant in the presence of the Committee on Tests of the Board and the representatives of the Division of Combustibles of the Fire Department and successfully met the requirements of rule 10.3.1 of the Oil Burner Rules. Details of construction, workmanship and protection of steel were found to comply with the rules of the Board.

RECOMMENDATION

On the basis of the foregoing data the Committee on Tests recommends that the Alpha 275 Gallon Obround and Cylindrical Fuel Oil Tanks be approved for use in fuel oil installation in New York City, when constructed in accordance with the details of this report and drawings filed with this application, but nothing herein shall be deemed to waive any requirements of the Oil Burner Rules of the Board. It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanent affixed plate required by Rule 5.3.2 of the Oil Burner Rules, in addition to the wording thereon, shall have the following wording: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 53-45-SM."

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Alpha 275 Gallon Fuel Oil Storage Tanks, Cylindrical and Obround, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:35 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, APRIL 24, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

627-44-A

APPLICANT—Herman Goldman, for Kastenhuber and Lehrfeld, owners.

MINUTES

SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Henry Hoffman and Raymond S. Baron.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (627-44-A)

WHEREAS, Herman Goldman, for Kastenhuber and Lehrfeld, owners, filed November 4, 1944, an appeal from an order and decisions of the fire commissioner, affecting premises 32-42 Flushing avenue and 1-17 North Portland avenue, southeast corner (Block 2028, Lots 15, 21 and 26), Borough of Brooklyn; and

WHEREAS, order 13244-LF, issued by the fire commissioner, August 2, 1944, reads:

"You are hereby ordered and required within 30 days from the date of the service of this order, to:

1. Arrange bars on all windows on 1st and 2nd stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows, for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, said order was referred to in decisions of the fire commissioner dated September 21, 1944 and October 27, 1944; and

WHEREAS, the applicant states that the building is 1 and 2 stories (25 ft.) in height, 65 ft. by 125 ft. irregular in area, of class 3 construction, erected in 1912, located in a manufacturing use, A area, class 1½ height district and used and occupied as follows: 1st floor—refining of precious metals—9 persons; 2nd floor—laboratory work—5 persons; that there is one 4 ft. wide wood stairway, covered with metal, enclosed in partitions consisting of a brick wall, asbestos and metal, equipped with metal self-closing doors and leading from the roof to the 1st floor; and

WHEREAS, the applicant states that there are six windows involved on the North Portland avenue side of the ground floor, eight windows on the Flushing avenue side, including garage and eight windows in the rear of 42 Flushing avenue; that egress from the areas affected consist of three doors on Flushing avenue and one door leading into the yard and egress from the second floor is by means of a door leading to the roof; and

WHEREAS, Certificate of Occupancy 4247 was issued September 20, 1923, for use of the building for gold refining work and garage; and

WHEREAS, the applicant contends that it is engaged in the business of refining precious metals and has conducted its business at the premises in question for thirty years, during which time the immovable metal bars encased in the windows have been existing; that the nature of the business makes it absolutely imperative that the additional protection provided by the bars be retained; that if the bars were arranged to make them movable, it is apparent that the applicant would be faced with tremendous burglary risks; that the applicant maintains at all times on the premises approximately one half million dollars worth of precious metals; that with one or two exceptions, practically all of the windows involved are over 3 ft. from the ground, a large number of which are over 5 ft. from the ground, thus rendering them unusable as a means of egress; that there are sufficient exits on the premises to cope with any need for egress in the event of fire; however, any additional exits required by the Board will be installed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the fire commissioner, acting on Order 13244-LF, item 1, and that the appeal be and it hereby is *granted on condition* that iron guards shall be maintained only on such windows as are indicated on plans filed with this appeal, three sheets, marked "Received November 4, 1944," except that the guards shall not be installed on the three 4 ft. 6 in. windows on the second story rear; that all exits indicated on such plans shall be maintained, and in addition, an exit leading to North Portland avenue from approximately the center of that front of the building; that such exit may have a panic bolt; that a loose ladder shall be maintained on the one story roof of sufficient length to reach the street from the roof parapet of the one story section; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

732-44-A

APPLICANT—Max Wechsler, for Margaret A. Jackson, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—200-202 East 116th street and 2121-2123 Third avenue, southeast corner (2nd and 3rd floors); (Block 1665, Lot 48), Borough of Manhattan.
APPEARANCES—
For Applicant: Max Wechsler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (732-44-A)

WHEREAS, Max Wechsler, for Margaret A. Jackson, owner, filed December 18, 1944, an appeal from a decision of the borough superintendent, affecting premises: 200-202 East 116th street and 2121-2123 Third avenue, southeast corner (2nd and 3rd floors); (Block 1665, Lot 48), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 28, 1944, on Alt. Applic. 1557-44, reads:

"1. The building being converted into a Public Building as per C26-235, shall be of fireproof construction, conforming with C26-754 Building Code. Building is of Class 3 construction over 20 ft. high.

2. Means of egress shall conform with C26-273.0. Building Code.

3. The required stairways must conform with C26-272.0.

4. The floor construction shall be sufficient for 100 lb. per sq. ft. at 2nd and 3rd floors."

and

WHEREAS, the applicant states the building is four stories (47 ft.) in height, 40 ft. 11 in. by 80 ft. in area; Class 3 construction; located in business use, B area, Class 1½ height districts; erected in 1872; used and occupied as follows: Cellar, boilerroom and storage, restaurant kitchen, 3 persons; 1st floor, stores, 10 persons; 2nd floor—club and dentist's office, 100 persons; 3rd floor—clubs, 175 persons; 4th floor—two apartments, 10 persons; proposed to be used and occupied without change, except that the 3rd floor occupancy will be increased to 192 persons; that the building is equipped with one 3 ft. 6 in. wide stairs, equipped with kalamein and wood doors, and two fire escapes, one extending to the roof by a ladder and one to the yard by a ladder, with egress to adjoining the premises to the south; that windows on the course of the fire escapes are not fireproof, self-closing; and

WHEREAS, Violation 9727-43 was issued on November 3, 1944, for changing the occupancy from that permitted by Certificate of Occupancy 2156 to a bank, public assembly without obtaining a new certificate of occupancy; and

WHEREAS, Certificate of Occupancy 2156 issued September 22, 1920, permits the use of the cellar for storage; 2nd floor, offices, 45 persons; 3rd floor—offices, 30 persons; 4th floor, dwelling; and

WHEREAS, the applicant contends that the building was used as a bank and offices on 1st, 2nd and 3rd floors up to about 1938 and then remained vacant for a long time; that the only occupant that can use this type of building are clubs, which now use the 2nd and 3rd floors; that it would be impractical to alter this building to a fireproof building; that the existing stairway and fire escapes provide two means of egress from each floor; that the existing beams on the 2nd and 3rd floors are 3 in. x 12 in. spruce 16 in. on centers and are good for 90 lbs. liveload; that the capacity of the stairs and platform from the 1st to 2nd floors is 50 persons; that the capacity of stairs and hallways from 2nd to 3rd floors is 90 persons; it is suggested that a multiple dwelling type sprinkler system be installed, in order to increase the capacity to 100 persons on the 1st to 2nd floors and 175 persons on 2nd to 3rd floors; that stairhalls and public halls are fire-retarded throughout, equipped with hardwood doors, except where noted as kalamein, approximately 1⅜ in. thick, which will be made self-closing; that the cellar ceiling is fire-retarded throughout, with wire lath and portland cement mortar; that the store ceiling is fire-retarded throughout, with wire lath and portland cement mortar and that no dancing will be conducted in the clubrooms; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1557-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

72-45-A

APPLICANT—Saul Goldsmith, for C. W. H. Carter, Inc., owner (Maurella Products Co.. lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—94-100 Varick street and 68 Watts street, northeast corner (Block 477, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (72-45-A)

WHEREAS, Saul Goldsmith, for C. W. H. Carter, Inc., owner (Maurella Products Co., lessee), filed February 14, 1945, an appeal from a decision of the borough superintendent, affecting premises 94-100 Varick street and 68 Watt street, northeast corner (Block 477, Lot 35), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 14, 1945, on Alt. Applic. 1162-43 reads:

"1. Sec. 270 Labor Law requires two remote enclosed F. P. Stairways from cellar, 1st & 2nd floors. Exit doors to swing in direction of egress and to be at least 44 in. wide.

2. The stairways shall conform with Sec. 270 sub. 4. Also Sec. 272 sub. 2 Labor Law.

3. Second floor construction to be sufficient for 120 lb. per sq. ft. liveload. C26-345 B. C."

and

WHEREAS, the applicant states the building is two stories and attic (38 ft.) in height, 106 ft. by 35 ft. and 56 ft. in area; Class 3 construction; located in an unrestricted use, B area and Class 1½ height district; erected in 1920; used and occupied since 1943 as follows: Cellar, boiler room and storage, factory, 5 persons; 1st floor, offices and factory, 15 persons; 2nd floor, factory, 25 persons; attic, vacant; no change proposed, that the building is to be used throughout by one tenant for compounding and bottling perfumes and toilet waters; that the building is equipped with one 3 ft. 8 in. steel stairs, enclosed in brick walls, having kalamein doors, and extending from the roof bulkhead to the 1st floor, with egress through an alley to the street; that the building is also equipped with one open stairs; and

WHEREAS, Certificate of Occupancy 9396 issued March 26, 1925, permits the use of the building as follows: Basement, storage; 1st floor, offices and storage; 2nd floor, offices and storage; and

WHEREAS, the applicant contends that the building faces on two streets; that the first tier is concrete; that all rear east lot line windows are kalamein frames and sash and wire glass; that the prime use of the building is bottling, labeling, storage and shipping of perfumes and toilet waters, alcohol and essential oils, 324 gallons and 250 gallons each, respectively in drums and stored in a fireproof room in the cellar; that all mixing is done in a fireproof room in the cellar; that the boiler room is fireproof, enclosed; that the total occupancy of the cellar is 5 persons; that egress from the cellar is by fireproof enclosed stairway, with egress through an alleyway to Watts street and by a wood stairs leading to the first floor, enclosed in the cellar by fireproof partitions and with a kalamein, self-closing door; that the total occupancy of the first floor will be 15 persons; that egress from the first floor is by fireproof enclosed stairway to an alleyway leading to Watts street and doors leading directly to Varick street; that the liveload in the office and showroom portion is 60 lbs. and for the north factory portion of the first floor, is 160 lbs. per sq. ft; that the second floor will be used for storage, laboratory and factory with an occupancy of 25 persons; that egress from this floor will be by means of the fireproof stairway, leading to an alleyway and by a 3 ft. 8 in. open wood stair, leading to the 1st floor; that the liveload on the 2nd floor is 60 lbs. per sq. ft.; that the use and occupancy will be such that a 60 lb. per sq. ft. liveload will not be exceeded; that the first and second floor ceilings are plastered; that the fireproof stairway leads from cellar to a flat portion of the roof at the rear, over the 2nd story and egress is to the alleyway at the intermediate platform between the cellar and the first floor; that this stairway complies with Section 270 of the Labor Law, with the exception that the door is 3 ft. 6 in. in width; that the alleyway leading from this stairway to Watts street has been in common use since 1817; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent, acting on Alt. Applic. 1162-43, and that the appeal be and it hereby is *granted* as to Objections 1 and 2, *on condition* that the existing exits, as indicated on plans filed with this appeal marked "Received February 14, 1945," shall be maintained; that all doors shall swing in the direction of exit and shall conform with the requirements as to width, except that the door leading to the rear fireproof stair may be not less than 3 ft. 6 in. in width as shown; as to Objection 3, that the floor loading of 60 lbs. per superficial foot may be retained, provided the factory work at no time exceeds this loading; that such loading shall be posted; that this variance shall continue only so long as the building is occupied substantially as proposed and for the manufacturing use as set forth; that the boiler room shall be kept free from storage; that another means shall be constructed for entering the storage and powder mixing room, other than from the boiler room and the door between the boiler room and such room shall be blocked up; that the exit shall be available at all times, by means of the sidewalk elevator shaft out of the boiler room; that in all other respects, the building and occupancy shall comply with all rules and laws applicable.

MINUTES

144-45-A

APPLICANT—Abraham Landow, for Fannie Edelman, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abraham Landow.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION (144-45-A)

WHEREAS, Abraham Landow, for Fannie Edelman, owner, filed March 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 810 Myrtle avenue, south side, 150 ft. west of Marcy avenue (Block 1754, Lot 37), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 468-45, dated March 9, 1945, reads:

"1. Means of egress to comply with Section 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is four stories (42 ft.) in height; 25 ft. by 65 ft. in area; of Class 3 construction; located in an unrestricted use, B area, Class 1½ height district, erected prior to 1913, and used and occupied as follows: cellar, storage; 1st floor, store and one family; 2nd, 3rd and 4th floors, dwelling, two families each floor (all vacant); proposed to be used and occupied as follows: cellar, storage and boiler room; 1st floor, clothing store and manufacturing clothing, 15 persons; 2nd to 4th floors, clothing factory, 15 persons each floor; that the building is equipped with one interior 3 ft. wide wood stairs at the front, enclosed in partitions of 2 in. by 4 in. studs, ½ in. plaster boards and two coats of gypsum mortar and leading from the roof bulkhead to the street, equipped with fireproof, self-closing doors and proposed to be equipped with one fire escape at the front of the building, extending from the top story, with egress from the lowest balcony to the street by a ladder; that windows and doors on the course of the fire escape will be fireproof, self-closing; that the building to the west is 3 stories in height and the building to the east is 2 stories in height; and

WHEREAS, the applicant contends that the building should come under section 271 of the Labor Law, as it was erected prior to 1913 and the fire retarded stairways should be permitted; that the building is only 24 ft. 6 in. in width and 64 ft. long on the interior and to erect fireproof stairways under section 270 of the Labor Law would be costly and would occupy 25% of the floor area; that it is proposed to erect an interior fire retarded stairway with a bulkhead to the roof; that all walls are to be covered with ½ in. plaster boards and two coats of gypsum mortar; that all doors are to be self-closing fireproof 1 hour test; that it is also proposed to erect on the front of the building, a new labor law fire escape, complying with all rules and regulations for the same and it is therefore requested that the Board permit the exits as herein proposed; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the Board of Standards and appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent, acting on Alt. Applic. 468-45, Objection 1, and that the appeal be and it hereby is *granted on condition* that any windows opening on the interior court facing an existing tenement house, shall either be bricked up on all stories or equipped with fireproof, self-closing windows, glazed with wire glass; that the proposed primary means of exit shall be maintained, consisting of an interior enclosed stair leading directly to Myrtle avenue and as a second means of exit, a labor law fire escape, all as indicated on plans filed with this appeal marked "Received March 13, 1945"; that in all other respects, the building and occupancy shall comply with all rules and laws applicable.

187-45-A

APPLICANT—Harry P. Jaenike, for 137 West 108th Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—137-143 West 108th street, north side, 300 ft. east of Amsterdam avenue (Block 1863, Lot 13), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry P. Jaenike.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (187-45-A)

WHEREAS, Harry P. Jaenike, for 137 West 108th Street Corporation, owner, filed February 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 137-143 West 108th street, north side, 300 ft. east of Amsterdam avenue (Block 1863, Lot 13), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on amendment to Alt. Applic. 258-45, dated April 20, 1945, reads:

"1a. Provide two fireproof enclosed stairs 3 ft. 8 in. wide to lead directly to the street, all in accordance with Section 270-3 Labor Law.

Note: Present interior stairs enclosed in 4 in. terra cotta.

Exterior stairs is open iron stairs leading within 1st floor.

b. Provide clearance of 3 ft. 8 in. in landings from swing of doors.

c. If safe egress may be had from the roof.—required exits to lead to the roof. Section 270-4 Labor Law.

d. Windows to be fireproof Section 264-6a Labor Law."

and

WHEREAS, the applicant states the building is five stories (65 ft.) in height, 100 ft. by 93 ft. 10 in. in area at the first floor, 100 ft. by 90 ft. 11 in. in area at typical floor; erected in 1925; of Class 1 construction; located in an unrestricted use, B area, Class 1½ height district; used and occupied since 1927 for a garage for more than five motor vehicles; proposed to be used and occupied throughout as a motor vehicle repair shop, storage garage for more than five cars, service station and automobile showroom for new and used cars, 30 persons per floor; that the building is equipped with an interior alarm system; that there is one 3 ft. 8 in. fireproof stairs from the roof bulkhead to the street and an exterior iron stairway 3 ft. 8 in. wide at the rear from the top story to the yard, with egress through the first floor to the street; that windows and door openings on the course of the exterior will be fireproof, self-closing; and

WHEREAS, the applicant contends as to Objection 1a, that as the occupancy will be only 30 persons per floor and the building is fireproof, it is requested that the 3 ft. 8 in. exterior stairs be accepted as a second means of egress and that the existing 4 in. terra cotta enclosure on the main stairs be permitted to remain, provided it is given a 1 in. plaster cement finish on both sides; that the existing exterior stairs in the rear court, will egress through the building and

clearance will be maintained for passage by the installation of a 3 ft. 8 in. pipe rail; and contends as to Objection 1b, that the Board is requested to allow the existing clearances to remain as follows:

Front Stairs 2nd floor, 45 in.
3rd floor, 41 in.
4th floor, 37 in.
5th floor, 40 in.
Rear stairs 2nd floor, 17½ in.
3rd floor, 33½ in.
4th floor, 33 in.
5th floor, 50 in.

as the primary means of egress is more than adequate for the contemplated occupancy; and contends as to objection 1c, that the Board is requested to accept the existing condition; that the front stairs extend to the roof and the rear stairs stop at the 5th floor; that the adjoining building to the west is 55 ft. in height and to the east there is a vacant lot; and requests as to objection 1d, that the Board allow the windows on the street to have plain glass in lieu of wire glass, as the street is 60 feet in width and no light is in excess of 720 sq. in.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the Borough Superintendent on amendment to Alt. Applic. 258-45, and that the appeal be and it hereby is *granted* as to Objections 1a and 1b, *on condition* that the existing primary means of exit shall be maintained substantially as shown; that a secondary exit, consisting of an exterior open screen stair, shall be constructed and maintained with a passage therefrom through the first floor, substantially as indicated on plans filed with this appeal marked "Received February 23, 1945", except that a continuous wall, forming the passage from such stair to street, shall be constructed, instead of the pipe rail as shown; that in such wall there may be panels of structural glass block, 6 in. by 6 in. without openings; that such rear fire stairs shall be continued to the roof; as to Objection 1c, that the proposed steel stairway shall extend to the roof and the stairway of the primary means of exit shall be maintained to the roof as shown; as to Objection 1d, that all windows facing the yard and on the side lot line, shall be fireproof, self-closing; that the windows along the street may be retained, provided the building is not increased in height or area, and the sash and frames are of incombustible material and the size of the lights reduced to 720 sq. in.; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

206-45-A

APPLICANT—Frank D. Hutchinson, for Murray Manufacturing Corp., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1171-1183 Atlantic avenue, northeast corner of Perry place (Buildings 9 and 10); (Block 1866, Lots 1-7), Borough of Brooklyn.
APPEARANCES—
For Applicant: Frank D. Hutchinson and John H. Lawrence.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (206-45-A)

WHEREAS, Frank D. Hutchinson, for Murray Manufacturing Corp., owner, filed April 5, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 1171-1183 Atlantic avenue, northeast corner of Perry place (Buildings 9 and 10); (Block 1866, Lots 1-7), Borough of Brooklyn; and

WHEREAS, Order 13777-LF, issued by the Fire Commissioner, November 8, 1944, and referred to in a decision of the Fire Commissioner, dated March 28, 1945, reads:

"1. Arrange wire mesh on all windows on 1st story of Buildings No. 9 and No. 10, so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law.

2. Arrange the street exit doors of stairways at northwest corner of building #9 and northwest corner of Building #10 so that same can be opened from both sides in such a manner as to afford free and unobstructed egress during working hours. Section 272 of the Labor Law.

3. Arrange all iron bar gratings on all basement windows on the south side of Building #10, so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, the applicant states the building is two stories (30 ft.) in height, 116 ft. by 88 ft. in area; Class 3 construction; located in an unrestricted use, C area, Class 1¼ height district; used and occupied since 1940 for the manufacture of metal parts, 100 persons on the first story, 100 on the 2nd floor and 3 in the cellar; that no change in use or occupancy is proposed; that the building is equipped with two interior stairs, 44 in. wide of iron and concrete construction, enclosed in 6 in. terra cotta blocks and with kalamein doors and leading directly to the street; that one of the interior stairs leads to the roof bulkhead; that there is one fire escape at the northwest corner, consisting of counterbalanced stairs; and

WHEREAS, the applicant contends that the Second Service Command of the U. S. Army Service Forces recommended that all outside wall openings be protected against unauthorized entrance from the outside; and

WHEREAS, the applicant filed copy of recommendation of the U. S. Army.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, Order 13777-LF, items 1, 2 and 3, and that the appeal be and it hereby is *granted on condition* that window guards shall be maintained only on such windows as are indicated on revised plan filed with this appeal marked "Received April 19, 1945"; *on condition* that all exits indicated shall be maintained and that means shall be provided, so that the areaways on Atlantic avenue of Building No. 10 shall be available for emergency exit whenever the cellar space is occupied as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 561-44-A; that this variance shall continue only during the term of the present emergency.

207-45-A

APPLICANT—Frank D. Hutchinson, for Metropolitan Engineering Corp., owner (Murray Manufacturing Corp., lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1236-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (ground floor, Buildings 1, 2, 3, 4, 7 and 8); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn.
APPEARANCES—
For Applicant: Frank D. Hutchinson and John H. Lawrence.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MINUTES

THE RESOLUTION (207-45-A)

WHEREAS, Frank D. Hutchinson, for Metropolitan Engineering Corp., owner (Murray Manufacturing Corp., lessee), filed April 5, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 1236-1286 Atlantic avenue, south side, 80 ft. west of Nostrand avenue (ground floor, Buildings 1, 2, 3, 4, 7 and 8); (Block 1200, Lots 21, 33 and 41), Borough of Brooklyn; and

WHEREAS, Order 13773-LF, issued by the fire commissioner November 6, 1944, reads:

"1. Arrange wire mesh on all windows 1st story of Buildings #1, 2, 3, 4, 7, also iron bars on all windows of 1st story Building #8 so as to be readily removable from both sides, in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Sec. 272 of the Labor Law.

2. Arrange the doors of stairway at northwest corner of Building #7, so that same can be opened from both sides during working hours. Section 272 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 28, 1945; and

WHEREAS, the applicant states the buildings are 3 and 4 stories in height; 465 ft. by 100 ft. in area at 1st floor; 465 ft. by 90 ft. in area at typical floor; of Class 3 construction; erected 1913; located in an unrestricted use, C area, Class 1¼ height district and used and occupied since 1913 as follows: 1st floor, manufacturing metal products, 224 persons; 2nd floor, same, 355 persons; 3rd floor, same, 182 persons; 4th floor, same, 229 persons; that the building is equipped with a two source sprinkler system and an interior fire alarm system; that there are four 44 in. wide iron stairs, enclosed in 12 in. brick partitions, equipped with kalamein self-closing doors and leading from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that the 2nd Service Command, Army Service Forces, recommended that all outside wall openings be protected against unauthorized entrance from the outside; that the premises are used for the production of U. S. Army Ordnance material; and

WHEREAS, the applicant has filed copy of the recommendation of the 2nd Service Command, Army Service Forces; and

WHEREAS, plan marked "Received April 9, 1945," filed with this appeal, indicates the windows affected and the installation of panic bolts on two doors leading to Atlantic avenue, one from Building No. 3, and one from Buildings Nos. 5 and 6.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, Order 13773-LF, and that the appeal be and it hereby is *granted* as to item 1, *on condition* that screens or bars shall be installed on only such windows as are proposed and as are indicated on plans filed with this appeal marked "Received April 9, 1945", on condition that all exits indicated thereon shall be maintained; as to item 2, that panic bolts shall be installed only on such exterior entrances on the first floor as are indicated on such plans marked "Received April 9, 1945", namely, stair doors on Building 3 and Building 5; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. 444-43-A, 243-44-A and 561-44-A; that this variance shall continue only during the term of the present emergency.

219-45-A

APPLICANT—Sidney L. Strauss, for The Church Extension Committee of The Presbytery of New York, Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—2 West 122nd street, southwest corner of Mt. Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Lawrence Laguna.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (219-45-A)

WHEREAS, Sidney L. Strauss, for The Church Extension Committee of the Presbytery of New York, Inc., owner, filed April 9, 1945, an appeal from a decision of the fire commissioner, affecting premises 2 West 122nd street, southwest corner of Mt. Morris avenue (basement, 1st floor and balcony); (Block 1720, Lot 58), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated March 16, 1945, reads:

"2. Install an approved interior fire alarm system, or reduce the number of children proposed to not more than 30. Note: An appeal from this item may be filed with the Board of Standards and Appeals within 30 days."

and

WHEREAS, such decision of the fire commissioner was based on an application for permission to use the building as follows: basement, playroom, 40 children, ages 6 to 15; 1st floor, playroom, 45 children, ages 2 to 5. Balcony floor, playroom, 15 children, ages 5 to 6. Balcony and playroom (sleep room); All occupanies existing; and

WHEREAS, the applicant contends that the building is proposed to be used as a day care center; that it was erected in 1905 and is equipped with ample exit facilities to accommodate the church occupancy; that the day care center will be under the supervision of the Mayor's Committee on Wartime Care of Children with a total of 60 pre-school age children and 40 school age children; that in lieu of the fire alarm system required, it is proposed to install a substandard system consisting of 6 in. vibrating bells and push buttons located in each of the rooms to be used by the nursery (as indicated on the plans filed with this appeal); that these bells to be connected so that any one push button can sound all the bells contained in the system; that this system is to be supplied from two sets of dry-batteries in a wood box painted fire department red; that there shall be fire drills held at least twice a month for the nursery occupancy; it is respectfully requested that a variation of the requirements be granted, to permit the installation of the proposed fire alarm system, in lieu of that which is required; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the fire commissioner, dated March 16, 1945, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the portions of the building proposed to be used for day nursery, as indicated on plans marked "Received April 20, 1945", a substandard fire alarm system arranged and located as may be approved by the fire commissioner; that such fire alarm system shall be used only in connection with fire drills, which shall be held not less than once in two weeks under charge of competent supervisors; that all the exits indicated on such plans shall be maintained at all times while the nursery school is in session.

45-43-A

APPLICANT—Riegelman, Strasser, Schwarz and Spiegelberg, for Morris Roth, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the borough superintendent (previously granted on condition).

MINUTES

PREMISES AFFECTED—47-11 108th street, northeast corner of 48th avenue (Block 2003, Lots 87 and 84), Corona, Borough of Queens.

APPEARANCES—

For Applicant: John F. Finn, Jr. and Morris Roth.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (45-43-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 47-11 108th street, northeast corner of 48th avenue (Block 2003, Lots 87 and 84), Corona, Borough of Queens, was granted by the Board on April 6, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted April 6, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a temporary term of two (2) years from the date of this *amended* resolution, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 6, 1943, shall be complied with and that a certificate of occupancy shall be obtained (Alt. Applic. 1576-42)."

282-44-A

APPLICANT—Eugene Schoen & Sons, for Lilyan Realty Corp., owner. (Joubert Cie, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—1037-1045 Prospect avenue, west side, 150 ft. north of East 165th street and 1032-1054 Union avenue, east side, 127.61 ft. north of East 165th street (Block 2679, Lots 6, 40 and 41), Borough of The Bronx.

APPEARANCES—

For Applicant: Lee Schoen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (282-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1037-1045 Prospect avenue, west side, 150 ft. north of East 165th street and 1032-1054 Union avenue, east side, 127.61 ft. north of East 165th street (Block 2679, Lots 6, 40 and 41), Borough of The Bronx, was granted by the Board on May 16, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to omit the requirement of an interior fire alarm system.

Resolved, that the Board of Standards and Appeals does hereby *correct* the resolution of May 16, 1944, by omitting the requirement of an interior fire alarm system, so that as corrected, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 165-44, objection 7, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be arranged substantially as proposed; that the exits as proposed and as indicated on plans filed with this appeal marked "Received May 12, 1944" shall be maintained, and in addition, a stairway replacing the present narrow stairway in the three-story building, shall be constructed, fully enclosed from top to bottom with fire-retarded partitions of Gypsum block with fireproof self-closing door and with an exit within the stair enclosure at the foot leading to the adjoining open lot, which shall be maintained free of encumbrances so exit may be had at all times to Prospect avenue; that a second means of exit shall be provided for the third story, which may be by exterior ladder leading to the adjoining roof from which access to street may be obtained by means of scuttles or bulkheads within the stairway enclosures; that the masonry enclosed stairway in the two-story building, toward the center of the plot, shall have a doorway leading directly to the open lot leading to Prospect avenue; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and such portable fire fighting appliances as the fire commissioner shall direct shall be maintained. and granted only so long as the conditions as proposed are substantially maintained."

645-44-A

APPLICANT—Dominick Salvati, for Isaac Putterman and Robert Levine, owners.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn after discussion).

PREMISES AFFECTED—534-538 Eastern Parkway, southwest corner of Nostrand avenue (2nd floor), (Block 1268, part of Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

184-45-A

APPLICANT—Lama and Proskauer, for S. B. Mandell, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—147-02 Newport avenue, northwest corner of Beach 147th street (Block 34, Lots 1634 and 1643), Neponsit, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

189-45-A

APPLICANT—Benjamin Braunstein, for Plateau Developers, Inc., owner (Anklar Cleaners, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

MINUTES

PREMISES AFFECTED—53-86 65th place and 64-23 53rd drive, northwest corner (1st floor); (Block 2374, Lots 101-105, inclusive and Lots 200 and 201), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

647-44-A

APPLICANT—F. P. Platt and Brother, for Advertising Club of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles C. Platt and Charles E. Murphy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 15, 1945 at 2 P. M. Applicant to file revised plans.

657-44-A

APPLICANT—Scott and Prescott, for Central Gospel Chapel of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

APPEARANCES—

For Applicant: William O. Prescott and Duncan McKinley.

For Administration: Henry Pheney and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945 at 2 P. M., for further consideration.

703-44-A

APPLICANT—American Safety Razor Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maurice R. Roche and Charles H. Higginson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 5, 1945 at 2 P. M., pending on inspection by a Committee of the Board.

715-44-A

APPLICANT—Robert Teichman, for George F. Corlis, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert Teichman and George F. Corlis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945 at 2 P. M., for further consideration after a study of the records.

100-45-A

APPLICANT—Ben C. Block, for 744 East 138th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—744 East 138th street, southeast corner of Bruckner (Eastern boulevard); (1st and 2nd floor); (Block 2566, Lot 52), Borough of The Bronx.

APPEARANCES—

For Applicant: Ben C. Block.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945, at 2 P. M. Applicant to submit revised plans.

ZONING CASES

608-29-BZ

APPLICANT—Sanford Smith, for Board of Transportation, City of New York, owner (Kesbec, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decisions of the superintendent of buildings and the fire commissioner) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—401-407 West 207th street and 3876-3882 Ninth avenue, northwest corner (Block 2204, part of Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (608-29-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the erection and maintenance of a gasoline service station, affecting premises 401-407 West 207th street and 3876-3882 Ninth avenue, northwest corner (Block 2204, part of Lot 1), Borough of Manhattan, was granted by the Board on January 7, 1930, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on May 4, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 7, 1930, as amended by resolutions adopted through May 4, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a temporary term of two (2) years from the date of this *amended* resolution, to permit the maintenance of a gasoline service station, *on condition* * * * and that other than as herein *amended*, the conditions of the resolution of January 7, 1930, as amended through May 4, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained."

MINUTES

678-30-BZ

APPLICANT—Sanford Smith, for Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the superintendent of buildings) previously granted on condition, under section 7f of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a colony of sixty-five (65) individual garages.

PREMISES AFFECTED—401-423 West 207th street and 3876-3882 Ninth avenue, northwest corner (Block 2204, part of Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (678-30-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the erection and maintenance of a colony of sixty-five (65) individual garages, affecting premises 401-423 West 207th street and 3876-3882 Ninth avenue, northwest corner (Block 2204, part of Lot 1), Borough of Manhattan, was granted by the Board on May 26, 1931, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on May 4, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 26, 1931, as amended by resolutions through May 4, 1943, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*Granted* under section 7f for a temporary term of two years from the date of this amended resolution, to permit the maintenance of a colony of sixty-five (65) individual garages, *on condition* * * * and that other than as *amended* herein, the conditions of the resolution of May 26, 1931, as amended through May 4, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained.

272-36-BZ

APPLICANT—Herman Kron, for Mayjay Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles (pleasure-car type) and storage of such automobiles offered for sale.

PREMISES AFFECTED—1-5 Second avenue and 98-112 East Houston street, northwest corner (Block 456, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Harold Klorfein, Dept. of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (272-36-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles (pleasure-car type) and the storage of such automobiles offered for sale, affecting premises 1-5 Second avenue and 98-112 East Houston street, northwest corner (Block 456, Lot 34), Borough of Manhattan, was granted by the Board on June 15, 1937, on certain conditions; and

WHEREAS, the permit was extended on May 13, 1941 and April 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 15, 1937, as amended by resolutions through April 13, 1943, only so far as it has reference to the term of the permit, so that as amended, the resolution shall read:

"* * * *granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles (pleasure-car type) and the storage of such automobiles offered for sale, *on condition* * * * and that other than as herein *amended*, the conditions of the resolution of June 15, 1937, as amended through April 13, 1943, shall be complied with and that a certificate of occupancy shall be obtained.

(Remaining minutes of the meeting of April 24, 1945 will be printed in the Bulletin of May 8, 1945.)

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse fo rneglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN

OF THE

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Saturdays 9 a. m. to 12 noon.
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COURT DECISION.

MR. JUSTICE PETER SMITH AT SPECIAL TERM, SUPREME COURT, KINGS COUNTY, UPHOLDS DECISION OF THE BOARD IN REVOKING AN UNLAWFULLY ISSUED PERMIT AND CERTIFICATE OF OCCUPANCY FOR A GARAGE ERECTED ON A STREET ON WHICH THERE WAS (AND IS) A PUBLIC SCHOOL.

In the Matter of S. B. Garage Corp'n. vs. Murdock—Under Cal. No. 114-41-A, the Board revoked a certificate of occupancy, No. 8466, issued in 1921 after erection of a garage, located at McKibben, White and Boerum Streets, Brooklyn. At the time the garage was constructed, there existed a public school on McKibben Street, within the same block between two intersecting streets, Bushwick Avenue and White Street. The record indicated that the applicant did not call attention to the school on the block. In 1921, a garage for more than five cars was not permitted under Section 20 of the Zoning Resolution to be erected on any portion of a street between two intersecting streets in which portion there existed an exit from or an entrance to a public school.

Mr. Justice Smith, at Special Term, Supreme Court, Kings County said, in part:

"In my opinion, it is manifest beyond cavil that the issuance of the permit and the certificate of occupancy was in direct contravention of the * * * provision of the zoning resolution. The provision is couched in such specific terms that it permits of not the slightest obscurity. The provision was intended to proscribe the construction of a garage on any part of a street between two common intersections, where there was on such street an entrance to or an exit from a public school. That specific proscription was in no way lessened by the additional safeguard whereby a garage was not to be erected in any event within 200 feet from the nearest entrance to or exit from a public school. Clearly, the latter clause was included for the purpose of imposing a minimum distance between a garage and the nearest entrance or exit of a public school where they were not located *on the same street.*"

As to the claim of vested rights, the court said:

"Necessarily, the right to a continuance of the building for garage purposes depends solely upon * * * whether the permit and certificate of occupancy, in the first instance, satisfied all legal prerequisites."

As to the investigation of the records made by a purchaser in 1939 and prior to that date, in 1927, which showed that a certificate of occupancy was existent, that there were no violations of record and that the Fire Department had continuously issued gasoline and storage garage permits, the court said:

"The foregoing circumstances, however, may not be seized upon as constituting a species of estoppel preclusive upon the right of the municipality to revoke the unlawfully issued certificate of occupancy * * *. A municipality may not be equitably estopped by the original misfeasant or malfeasant act of its officers or agents in having issued a permit contrary to the plain mandate of a zoning provision * * *. Nor can laches on the part of the municipality * * * be interposed as a bar."

In citing a court decision in point, the court quoted from it as follows:

"The counsel * * * claims that his client, by reason of the consents obtained and the *lapse of time,* has vested rights. The difficulty is that he never had any rights to vest."

The court pointed out that, even though investment in the property had been made in good faith upon reliance upon the certificate of occupancy, there is no protective ordinance, such as Section 301 of the Multiple Dwelling Law (which relates only to a purchaser of a multiple dwelling). The court in upholding the revocation of the certificate of occupancy by the Board, because the law prohibited the * * * garage at the location in question, cited the remedies pointed out by the Chairman—that the wording of present Section 21a would permit either the closing up of the doors leading to McKibben Street or an application to the Board for relief under Section 7, subdivision g, of the Zoning Resolution (the premises being located in an unrestricted district). (N. Y. Law Journal, April 28, 1945, page 1625).

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

—HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to May 1, 1945.

Cal. No. Dept. Premises Affected.

238-45-A—F.D.—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens, 99256-LC.

239-45-A—F.D.—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan, 12620-LF and Decision.

240-45-A—F.D.—621-629 Kent avenue, northeast corner of Rodney street (Block 2185, Lot 1), Borough of Brooklyn, 13523-LF and Decision.

241-45-A—H.B.B.—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn, Alt. 557-45.

242-45-A—H.B.Q.—114-06 84th avenue, south side, 81 ft. east of Babbage street (Block 9214, Lot 19), Richmond Hill, Borough of Queens (Under section 35, General City Law re bed of mapped street—Babbage street), Decision re Certificate of Occupancy.

243-45-BZ—H.B.Bx.—3365-3369 Cruger avenue, southwest corner of Magenta street and southeast corner of Magenta street and White Plains road (Block 4629, Lots 15, 16 and 20), Borough of The Bronx, Amendment to Alt. 329-44.

244-45-BZ—H.B.Q.—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens, Alt. 1347-44.

245-45-A—H.B.Q.—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens, Alt. 1347-44.

246-45-A—H.B.M.—303-311 4th avenue and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan, Amendment to Alt. 1848-44.

247-45-A—F.D.—430-432 12th street, south side, 234 ft. east of 7th avenue (3rd floor, Building M); (Block 1098, Lot 1), Borough of Brooklyn, Decision.

248-45-BZ—H.B.Q.—171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street, southwest corner (Block 9827, Lots 31, 32, 33 and 34), Jamaica, Borough of Queens, Misc. 971-45.

249-45-A—F.D.—1208 Manor avenue, northeast corner of Westchester avenue (1st floor); (Block 3775, Lot 1), Borough of The Bronx, Decisions.

250-45-A—F.D.—89-16 to 89-18 Northern boulevard, south side, 20 ft. west of 90th street (1st floor); (Block 1437, Lots 8 and 9), Jackson Heights, Borough of Queens, 14919-LF.

251-45-A—F.D.—33-67 35th street and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East section C, Building 5); (Block 687, Lot 1), Borough of Brooklyn, 99417-LC.

252-45-SA—Metropolitan Feeder (Chemical Feeder), Appliance.

253-45-SM—Trageser Copper Works, Inc., Gasoline and Oil Separator, manufactured by Trageser Copper Works, Inc., Material.

254-45-BZ—H.B.Q.—186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens, N.B. 143-45.

255-45-A—F.D.—93 Park avenue, southeast corner of Ann street (Block 8, Lot 236), Port Richmond, Borough of Richmond, Decisions.

Restored to Calendar.

596-42-BZ—H.B.B.—30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn, Amendment to N.B. 313-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Mar. 7, 1944—Vol. 29, No. 10
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
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Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
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Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31

CALENDAR

	Last Publication in Bulletin
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 50b of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

MAY 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

661-44-BZ—Application, November 22, 1944, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Kaymos Realty Corporation, owner, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district; premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

109-43-BZ—Application, March 12, 1943, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Sym, owner, to permit in a business use district, the extension in area of a building used as a wet wash laundry; premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lot 12), Maspeth, Borough of Queens.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

1321-39-BZ—Application, of P. J. Keating, applicant and lessee; reopened April 17, 1945 for consideration as to extension of permit.—Application previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting partly in a residence use and partly in a business use district, the parking and storaging of more than five motor vehicles; premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens.

200-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of George G. Miller, applicant, on behalf of 1063 Madison Avenue Corporation, owner, to permit in a B area district, a two story extension out to the building line of a five story business and residential building; the area being in excess of the requirements for a B area and restricted retail use district; premises 1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan.

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

191-45-BZ—Application, March 28, 1945, under sections 7c, 7d and 21 of the zoning resolution, of Pomerance & Breines, applicants, on behalf of National Maritime Union of America, owner, to permit in a residence and partly in an unrestricted use district, the change of occupancy from garage building (previously granted by the Board) and Telephone Exchange Building to Union Headquarters with unemployment office and meeting room; premises 346-352, 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan.

60-45-BZ—Application, February 6, 1945, under section 7c of the zoning resolution of Lama & Proskauer, applicants, on behalf of General Linen Supply Co., Inc., owner, to permit in a residence use C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry; premises 449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

Appeals from Administrative Decisions.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

690-44-A—Re Transportation of Petroleum Oil in Tank Truck (capacity of tank not in conformity with Administrative Code requirements governing Tank Trucks) in New York City.

148-45-A—207-213 Norman avenue and 750-760 Humboldt street, northeast corner (1st floor); (Block 2628, Lot 38), Borough of Brooklyn.

Material for Approval.

604-44-SM—Alpha Hi-Early Strength Portland Cement.

HARRIS H. MURDOCK, *Chairman.*

MAY 8, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 8, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

262-37-BZ—Application of Henry W. Schober, applicant, on behalf of Herbert H. Peters, owner, reopened April 24, 1945 for consideration as to extension of permit—Application previously granted on condition under section 7h of the zoning resolution for a temporary term of two years, permitting that portion in the business use district to be used for the storage and parking of more than five motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens.

Appeals from Administrative Decisions.

249-45-A—1208 Manor avenue, northeast corner of Westchester avenue (1st floor); (Block 3775, part of Lot 1), Borough of The Bronx.

250-45-A—89-16 to 89-18 Northern boulevard, south side, 20 ft. west of 90th street (1st floor); (Block 1437, Lots 8 and 9), Jackson Heights, Borough of Queens.

255-45-A—93 Park avenue, southeast corner of Ann street (Block 8, Lot 236), Port Richmond, Borough of Richmond.

657-44-A—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

CALENDAR

715-44-A—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

100-45-A—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

231-45-A—2 East 64th street, southeast corner of 5th avenue (Block 1378, Lot 69), Borough of Manhattan.

160-45-A—842-846 Greenwich street and 46-50 Gansevoort street, southwest corner (2nd floor); (Block 643, Lot 54), Borough of Manhattan.

736-44-A—1704 Pitkin avenue (1706 displayed), south side, 100 ft. 3½ in. west of Thatford avenue (2nd floor); (Block 3522, Lot 17), Borough of Brooklyn.

620-42-S—123 Pitt street, west side, 125 ft. north of Stanton street (Block 345, Lot 65), Borough of Manhattan.

234-45-A—6201-6223 15th avenue, east side, between 62nd and 63rd streets (3rd floor); (Block 5530, Lot 1), Borough of Brooklyn.

261-45-A—338 East 148th street, south side, 129.29 ft. east of College avenue (1st and 2nd floors); (Block 2329, Lot 64), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 15, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard, premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor vehicle repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

Appliance for Approval.

287-43-SA—Castle Surgical Instrument Washer and Sterilizer #100.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 15, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

739-44-A—11 East 17th street, north side, 225 ft. east of 5th avenue (Block 846, Lot 11), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 22, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

188-45-BZ—Application, April 2, 1945, under section 7c of the zoning resolution, of Kitzler and Nurick, applicants, on behalf of Dora Tatarsky, owner, to permit in a residence use district, the change of occupancy of an existing building from garage for ten motor trucks to garage for five motor vehicles and manufacturing of lamp bases; premises 170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 29, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

202-45-A—20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens (Under section 35, General City Law re bed of proposed mapped street—Powells Cove road).

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 5, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of April 24, 1945.)

369-36-BZ

APPLICANT—Michael Mead, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary term.

PREMISES AFFECTED—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block 6166, part of Lot 25), Rossville, Borough of Richmond.

APPEARANCES—

For Applicant: Michael Mead.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (369-36-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the erection and maintenance of a gasoline service station, affecting premises 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block 6166, part of Lot 25), Rossville, Borough of Richmond, was granted by the Board on October 13, 1937, on certain conditions; and

WHEREAS, the permit was extended on October 3, 1939 and the resolution was amended on March 26, 1940; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 13, 1937, as amended by resolutions adopted through March 26, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a temporary term of five (5) years from the date of this *amended* resolution, to permit the maintenance of a gasoline service station, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of October 13, 1937, as amended through March 26, 1940, shall be complied with and that a certificate of occupancy shall be obtained.

429-37-BZ

APPLICANT—Riegelman, Strasser, Schwarz and Spiegelberg, for Morris Roth, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the alteration and conversion of occupancy of a frame building to a stable for more than five horses.

PREMISES AFFECTED—47-11 108th street, northeast corner of 48th avenue (Block 2003, Lots 87 and 84), Corona, Borough of Queens.

APPEARANCES—

For Applicant: John F. Finn, Jr. and Morris Roth.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (429-37-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station, premises 47-11 108th street and 108-09 48th avenue, northeast corner (Block 2003, Lot 84), Corona, Borough of Queens, was granted by the Board April 5, 1938, on certain conditions; and

WHEREAS, upon court review the Board's decision was sustained by the Supreme Court, Special Term, reversed by the Appellate Division, whose decision was confirmed by the Court of Appeals, reversing the Board; and

WHEREAS, an application for reopening was made under section 7f of the zoning resolution, to permit the erection and maintenance of a gasoline service station for a stated term of years; and

WHEREAS, this application was reopened by vote of the Board on October 29, 1940 and denied by the Board on March 25, 1941 and was subject to court review and discontinued by stipulation; and

WHEREAS, the present applicant requested a reopening and rehearing of the case on a new proposal—to permit under section 7e of the zoning resolution, the alteration and conversion of occupancy of a building to a stable for more than five horses, affecting premises northeast corner of 108th street and 48th avenue (Block 2003, Lots 87 and 84), Corona, Borough of Queens; and

WHEREAS, this case was reopened by vote of the Board on February 2, 1943, subject to usual procedure; and

WHEREAS, on April 6, 1943, this application was granted by the Board, for a term of two years, under section 7e of the zoning resolution, to permit the alteration and conversion of occupancy of a frame building to a stable for more than five horses; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 6, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7e for a term of two (2) years from the date of this *amended* resolution to permit the alteration and conversion of occupancy of a frame building to a stable for more than five horses, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 6, 1943 shall be complied with and that a certificate of occupancy shall be obtained (Alt. Applic. 1576-42)".

545-42-BZ

APPLICANT—A. H. Salkowitz, for Lubritorium, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—77-02 Roosevelt avenue, southeast corner of 77th street (Block 1488, Lot 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: A. H. Salkowitz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (545-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 77-02 Roosevelt avenue, southeast corner of 77th street (Block 1488, Lot 1), Jackson Heights, Borough of Queens, was granted by the Board on March 9, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted March 9, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 9, 1943, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 3179-42)."

386-44-BZ

APPLICANT—Cornelius Bregoff, for Staten Island Linen Supply Co., owner.

SUBJECT—Application for consideration—reopening and consideration of new proposal—re Application (decision of the borough superintendent) under section 7a of the zoning resolution, to permit in a business use district, the erection of an extension to an existing laundry; the extension to be used as a storeroom and garage for eight commercial motor vehicles accessory to the laundry, and permitting the maintenance of a driveway across an adjoining lot (previously denied).

PREMISES AFFECTED—420 Targee street, northwest corner of Roff street (Block 642, Lots 1 and 5), Stapleton, Borough of Richmond.

APPEARANCES—
For Applicant: Cornelius Bregoff and Ben Levee.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (386-44-BZ)

WHEREAS, this application under section 7a of the zoning application, to permit in a business use district, the erection of an extension to an existing laundry; the extension to be used as a storeroom and garage for eight commercial motor vehicles accessory to the laundry and permitting the maintenance of a driveway across an adjoining lot, affecting premises 420 Targee street, northwest corner of Roff street (Block 642, Lots 1 and 5), Stapleton, Borough of Richmond, was denied by the Board on October 17, 1944; and

WHEREAS, the applicant requested a reopening of the application and restoration to the calendar, based on a new proposal; and

WHEREAS, the premises have been inspected by a Committee of the Board since the erection of a five car garage for storage of cars used by the laundry on the adjoining lot; and

WHEREAS, the Board deemed that the new proposal was substantially similar to the previous proposal, variance for which was denied and that there was no basis to warrant a rehearing.

Resolved, that the request to reopen be and it hereby is *denied.*

262-37-BZ

APPLICANT—Henry W. Schober, for Herbert H. Peters, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting that portion on the business use district to be used for the storage and parking of more than five motor vehicles for a temporary term of two years.

PREMISES AFFECTED—21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: Henry W. Schober.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on May 8, 1945 at 2 P. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

532-40-BZ

APPLICANT—Arnstein and Levy, for Hylda Kaufman and Sadie Rosenberg, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—988 Forest avenue, east side, 168.65 ft. south of East 165th street and 991-1001 Tinton avenue (Block 2659, Lot 20), Borough of The Bronx.

APPEARANCES—
For Applicant: Morris J. Bricker.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 4:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 10, 1945, as they appeared in Bulletin No. 16, Vol. 30, are hereby corrected to read as follows:

105-45-A

APPLICANT—William Gold and Anthony M. De Rose, for Universal Metal Products Co., Inc., owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—351-361 Grand Concourse, west side, 131.40. ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx.
APPEARANCES—
For Applicant: William Gold and Anthony M. De Rose.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (105-45-A)

WHEREAS, William Gold and Anthony M. De Rose, for Universal Metal Products Co., Inc., owner, filed March 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 351-361 Grand Concourse, west side, 131.40 ft. north of East 140th street and 350-358 Walton avenue (Block 2345, Lot 14), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated February 2, 1945, on amendment to Alt. Applic. 16-45, reads:

"2. Exits must comply with Section 270 Labor Law."

and

WHEREAS, the applicant states that the building is two stories (39 ft.) in height, 142 ft. by 28 ft. and 34 ft. in area at 1st floor (at Grand Concourse level), 142 ft. and 100 ft. by 158 ft. in area at 2nd floor (at Walton avenue level), Class 3 construction; erected in 1926; located in an unrestricted use, A area, Class 1½ height district and used and occupied since 1943 as follows: cellar, boiler room; 1st floor, stores; 2nd floor, public garage; proposed to be used and occupied: cellar, boiler room; 1st floor—storage and factory, 25 persons; 2nd floor—factory—60 persons; that the building to be used for the manufacture of tools and dies, metal stamping and metal products; that it is equipped with one 3 ft. 8 in. iron stair, leading directly from the 2nd story to the street, enclosed in brick at the first story and metal lath and cement partitions on the 2nd story; and that stair enclosure is equipped with metal, self-closing doors; and

WHEREAS, Violation 933 issued March 8, 1943, was for changing the occupancy of 2nd floor from public garage to factory use, contrary to Certificate of Occupancy 957-26; and

WHEREAS, the applicant contends that the first story (Grand Concourse frontage) is of fireproof construction; that the 2nd story is of Class 3 construction; that the 2nd story on the Grand Concourse frontage for a depth of 31 feet, being the first floor on the Walton avenue frontage for a depth of 124 feet is separated and divided into two distinct areas by an 8-inch brick wall with fireproof doors; that there are three standpipe outlets on this floor; that there is a 4 ft. wide street stairway from the 2nd floor Grand Concourse frontage directly to the street, enclosed in an 8-inch brick wall at first story and wood stud with metal lath and cement plaster on the 2nd floor; that the present owners' business consists of manufacturing tools and dies, metal stamping and metal products, sixty persons engaged in war work; that the first floor on Grand Concourse will be used for office, storage space, showrooms and inspection; that no combustible materials are stored or manufactured; that the 2nd story on the Grand Concourse frontage has an average depth of 31 feet, being the first floor on the Walton avenue frontage for a depth of 124 is in fact two separate areas; that 80% of the building is actually a one-story building and has a ceiling covered with 26 gauge metal and on the Walton avenue front has two wide entrances equipped with sliding doors and a 3 ft. wide exit door will be provided in the sliding doors, leading directly to the street at Walton avenue; that as a secondary exit there is a 3 ft. 8 in. clear stairway directly to Grand Concourse, enclosed in brick; that the first floor on the Grand Concourse frontage will have two wide doors sufficient to allow an automobile truck to enter, one at the northerly and one at the southerly end of the premises, in each of which there will be two 3 ft. wide, 7 ft. high exit doors, directly to the street and in addition, a double door 6 ft. in width in the direct center of the building will be provided; it is submitted that the special and unique construction and layout of the building should be accepted for the present number of occupants and a variation of Section 270 of the Labor Law granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, on amendment to Alt. Applic. 16-45, objection 2, and that the appeal be and it hereby is *granted on condition* that the exits, as indicated on plans filed with this appeal marked "Received March 3, 1945", shall be maintained; that the stairway leading to Grand Concourse from the second floor may be enclosed in fire-retarded partitions within the second story; that the scuttle within the stair enclosure shall be maintained; that an additional scuttle shall be constructed near the Walton avenue side, adjacent to the north wall, with a double-rung ladder leading thereto, and an easy-opening device provided thereto; that the building shall not be increased in height and area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that a new certificate of occupancy shall be obtained.

*Correction—In the action of the Board, objection "3" is corrected to read objection "2".

REGULAR MEETING

TUESDAY MORNING, MAY 1, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, April 24, 1945, and Tuesday afternoon, April 24, 1945, were approved as printed in Bulletin No. 18, Volume 30.

ZONING CASES

78-45-BZ

APPLICANT—Lama and Proskauer, for The Greater New York Brewery, owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory.
PREMISES AFFECTED—284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 8, 1945 at 10 A. M., for decision.

157-45-BZ

APPLICANT—Charles M. Lobejager, for Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user).
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolu-

tion, to permit in a residence use, B area district, the erection of a lunch and rest room for disabled War Veterans without providing the rear yard required by the zoning resolution.

PREMISES AFFECTED—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (rear); (Block 1337, Lot 23 and part of Lot 48), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Chas. M. Lobejager.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn without prejudice to reconsideration, after a new decision has been obtained from the Borough Superintendent and new plans filed.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

50-41-BZ

APPLICANT—John C. Wandell, for Board of Transportation, City of New York and Salvatore Scala, owners (Salvatore Scala, lessee of Lot 31).

SUBJECT—Application reopened April 11, 1944—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: John C. Wandell.

For Opposition: Harold Klorfein, Dept. of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (50-41-BZ)

WHEREAS, this application under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a business building (public market) having entrance and show windows more than twenty-five ft. from the business corner, affecting premises 292-293 President street, north side, 50 ft. west of Smith (Block 435, Lot 38), Borough of Brooklyn, was denied by the Board on July 22, 1941; and

WHEREAS, the applicant requested a reopening and restoration to the calendar, based on a new proposal, under section 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn; and

WHEREAS, this case was reopened by vote of the Board on April 11, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Smith street, Court street and Sackett street are in a business use, B area and Class 1 height district; President street and Union street are in a residence use, B area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 20, 1944, on B. N. Applic. 8—1944, reads:

"4. Proposed storage and parking of more than five motor vehicles on lots partly in a business use district and partly in a residential use district, is contrary to Art. II, Sec. 4(a) 15 and Art. II, Sec. 3, of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage on Smith street, 122½ ft. frontage on President street, on which is located a one story frame shelter building 8 ft. 4 in. by 14 ft., the plot being formerly occupied for used car sales; it is proposed to occupy the plot for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the applicant contends that the use requested is not to include any non-conforming use or the servicing of motor vehicles; that the lots in question are not built upon; that Lot 31 came into possession of the City of New York in June, 1938; that Lot 36 came into possession of Salvatore Scala in 1940; that the owners have derived no income from the property, except that in connection with the sale of used cars; that this source of income under existing conditions has almost vanished; that this location is in a closely built-up section of the city with houses built in rows, leaving no way to build private garages in connection with the residences; that the car owners in the vicinity are limited to convenient storage space for their cars; that changing the use of the plot from used-car sales lot to storage and parking of more than five motor vehicles, would not only create an additional source of income for owners and lessee, which is sorely needed, but be a decided convenience to the car owners in the vicinity; that the plot has been operated under license from Dept. of Licenses and Dept. of Finance since June 1, 1938, for the display and sale of used automobiles and the license is in force at this time; that it has been maintained in an orderly and clear manner and its maintenance as a storage and parking lot will be practically the same as the present occupancy and will not tend to impair the character, appearance, utility, public health, safety or general welfare of the community; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, to permit the plot to be used as proposed and as indicated on plans filed with this application marked "Received April 3, 1944" for the parking and storage of more than five (5) motor vehicles for a term of two years from the date of this resolution, *on condition* that the plot shall be leveled substantially to the grade of surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound and graded so as to provide surface drainage; that there shall be erected on the interior and exterior lot lines, a substantial woven wire fence not less than 6 ft. in height with anchored steel posts and with no openings therein, except one opening to President street, not over 10 ft. in width, with curb cut opposite not over 15 ft. in width; that proper aisles shall be maintained at all times, as indicated on plans filed with this application, to permit ready ingress and egress; that during the term of this variance, the premises shall be used for no other use than as herein permitted and no building shall be erected thereon, except that there may be erected near the entrance, a building solely for the use of the attendant provided such building is not over one story in height and does not exceed 150 sq. ft. in area; that such building may be of frame construction; that no signs shall be erected on the

premises, except that there may be a sign erected near the entrance attached to the fence not exceeding fifteen square feet in area, advertising the parking and storage use and the rates charged, provided such sign is not illuminated and does not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that substantial wood bumpers shall be maintained at a distance of not less than 3 ft. away from the wall of the building on the adjoining plot, to prevent damage to same; that all existing signs and other structures now existing on the lot shall be entirely removed; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

418-44-BZ

APPLICANT—Bernard Shatkin, for Tilyou Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Shatzkin, John M. Parmin, Alfred Lama.

For Opposition: Fletcher A. Brown, John Moncrieff, M. Gelb and Stephen J. O'Keefe.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (418-44-BZ)

WHEREAS, Bernard Shatzkin, for Tilyou Realty Corporation, owner, filed July 5, 1944, an application under section 7c of the zoning resolution, to permit partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles, affecting premises: 221-251 Nagle avenue and 501-539 Academy street, southeast corner (Block 2216, Lots 1, 7, 11, 15 and 42), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 1, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Nagle avenue is in a business use, A area and Class 1½ height district; 10th avenue is in an unrestricted use, A area and Class 1½ height district and Academy street is in a residence, business and unrestricted use, A area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated June 27, 1944 re Alt. Applic. 427-44, reads:

> "1. Parking and storage of more than five motor vehicles in a business district is not permitted, being contrary to Sec. 4, Article II, zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 350 ft. frontage by 476 ft. 5⅜ in. irregular in area, now occupied for parking and storage of more than five motor vehicles and a gasoline service station and that it is proposed to maintain this use; and

WHEREAS, the applicant contends that the plot is being used at the present time as a parking and storage lot for more than five motor vehicles, this portion being part of an original grant by the Board under Cal. 433-39-BZ; that this plot is partly in a business district and partly in an unrestricted district; that the business portion, as described by the City Planning Commission, is along Nagle avenue for a depth of 100 ft.; that the balance of the plot is all in the unrestricted area; that it is improved with three approved type 550 gallon gasoline storage tanks, two grease pits, one story frame office, 16 ft. 6 in. by 37 ft.; one brick storage space of 9 ft. 4 in. by 18 ft. and one metal garage 20 ft. by 20 ft.; that the street frontage is enclosed with a 7 ft. high steel fence; that there is one curb cut on Academy street, 100 ft. south of Nagle avenue, 53 ft. 7 in. wide, this being the only means of entrance and exit into the parking lot; it is also proposed to construct a new 4 ft. high wide rail fence at the easterly portion and southwesterly portion of the plot; that in view of the fact that the larger portion of the premises is in the unrestricted zone and also the fact that there is a decided need for parking facilities in this area, it is respectfully requested that the application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, for a term of five (5) years from the date of this resolution, to permit the premises within the business use district to be occupied for the parking and storage of more than five (5) motor vehicles in conjunction with the adjoining lots as proposed in the unrestricted district, as indicated on plans filed with this application marked "Received July 5, 1944" *on condition* that the plot shall be leveled substantially to the grade of surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound and graded, so as to provide surface drainage; that there shall be erected on the street building lines and the interior lot lines, a substantial woven wire fence with anchored steel posts; that such fence shall be not less than 7 ft. in height, except that the fence separating the lots involved in this application, namely, lots 7, 11 and 42, from the adjoining lots 15, 24 and 27 not included in this application may be separated by a substantial fence, constructed with wood posts and wood rails as indicated on plans, to a total height of not less than 6 ft.; that during the term of this variance, the premises within the business use district shall not be used for any other use other than as herein permitted and any existing unlawful extension of the use in the unrestricted district, not permitted in the business district, shall either be removed therefrom or placed within the unrestricted district; that the entrance to these premises shall not exceed one from Academy street within the unrestricted district; that such entrance shall not exceed the existing entrance and curb cut as indicated on plans filed with this application; that all existing buildings and uses in the business use district shall be removed and no buildings shall be erected within the business use district, except that the existing frame building used for a conforming use only may be continued as shown, located near the intersection of Academy street and Nagle avenue; that no signs shall be erected in the business use district, except that there may be a sign attached to the fence near the entrance, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that proper aisles shall be maintained at all times for easy ingress and egress; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

MINUTES

APPEALS FROM ADMINISTRATIVE DECISIONS

107-45-A

APPLICANT—James E. Casale, for 18 East 71st Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Martoara.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 8, 1945 at 10 A. M. at request of applicant.

158-45-A

APPLICANT—Charles M. Lobejager, for Laurenceville Realty Co., owner of lot 48 and Bulova Watch Co., owner of lot 23 and lessee of lot 48 (Bulova School for Watchmaking, user).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40-23 62nd street, east side, 215.20 ft. south of Woodside avenue (1st and 2nd floors); (Block 1337, Lot 23 and part of 48), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Chas. M. Lobejager.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without prejudice, in connection with Cal. 157-45-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

94-45-A

APPLICANT—Seelig and Finkelstein, for A. Milder and Sons and Trustees of Leake and Watts Orphan House in the City of New York, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (94-45-A)

WHEREAS, Seelig and Finkelstein, for Trustees of Leake and Watts Orphan Home of the City of New York and A. Milder and Sons, owners, filed February 24, 1945, an appeal from a decision of the borough superintendent, affecting premises 233-235 Division street, south side, 138 ft. west of Montgomery street (Block 286, Lots 68 and 69), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 13, 1945, on Alt. Applic. 1638-44, reads:

"3. Building exceeding 4 stories and fifty ft. in height, should be of fireproof construction, as per Section 4.2.1 Bldg. Code."

and

WHEREAS, the applicant states that the building is 5 stories (53 ft.) in height, 46 ft. 2 in. by 50 ft. 6 in. in area, of class 3 construction, erected in 1887, located in a retail use, D area, class 1½ height district and used and occupied as follows: #233 Division street, lot 69: cellar—storage and boiler room; 1st floor—stores and two apartments; 2nd to 5th floors—two apartments on each floor; proposed to be used and occupied as follows: cellar—same—2 persons; 1st floor—offices and stores—10 persons; 2nd to 5th floors—storage warehouse—5 persons each floor; #235 Division street, Lot 68; cellar—storage and boiler room—2 persons; 1st floor—store—5 persons; 2nd to 5th floors—storage warehouse—1 person on each floor; proposed to be used and occupied: cellar—same; 1st floor—same; 2nd to 5th floors—same—5 persons each floor; that a Certificate of Occupancy has been issued for 235 Division street; and

WHEREAS, there is one stairway in Building 233 Division street, at the front, of steel construction, fireproof enclosed, equipped with fireproof self-closing doors and leading from the roof to the street and one fire escape is proposed to be erected at the front of building leading to the street by a ladder, but not to roof; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the prospective purchasers of 233 Division street are the owners of 235 Division street, which they acquired in 1929 as an old law tenement; that #235 Division street was altered to its present use of store on 1st floor and storage warehouse on upper floors; that all floors were reinforced and elevator and fireproof stairs installed; that #233 Division street, which is an old law tenement with stores on the 1st floor, is identical in all respects to #235 before alteration; that #233 has been empty for eight years; that the entire street is devoted to sale and storage of second-hand clothing and is not suitable for residential purposes; that the prospective purchaser is in need of additional space, as it is under contract with the U. S. Treasury to supply used clothing and the present building is inadequate; that it is proposed to combine the two buildings and use them as storage warehouses on the upper floors and offices on the 1st floor; that all partitions throughout the entire building will be removed and floor beams reinforced to sustain a liveload of 120 lbs.; that in 1938 the Building Code was changed, limiting the nonfireproof commercial building to 4 stories and not over 50 ft. in height; that the building is 5 stories, 53 ft. in height; that due to the similarity of the two buildings, it is asked that the Board grant the appeal, so that the building can be purchased and business extended as proposed.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1638-44, Objection 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that any connections through the party wall, connecting to the adjoining building operated in conjunction with this building, shall comply with the requirements for separating such building from the adjoining building with approved self-closing fire wall doors at all openings; that all ceilings throughout shall be fire-retarded as proposed consisting of ½ in. plaster boards and plaster or ½ in. plaster boards and 26 gauge metal; that the means of exit shall be maintained and an opening to the stair shown in No. 235 Division street shall be provided on all floors, to provide a primary means of exit from all floors of the building at 233 Division street; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct: that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

213-45-A

APPLICANT—The Brooklyn Home for Aged Men, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—745 Classon avenue, northeast corner of Park place, (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. B. Johnston and R. F. Greacen.

For Administration: E. A. Meyer, Fire Dept.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (213-45-A)

WHEREAS, The Brooklyn Home for Aged Men, owner, filed April 6, 1945, an appeal from an order of the fire commissioner, affecting premises 745 Classon avenue, northeast corner of Park place (basement); (Block 1163, Lots 1 and 90), Borough of Brooklyn; and

WHEREAS, order 98462-LC issued by the Fire Commissioner, December 21, 1944, and repeated in his decision dated March 22, 1945, reads:

"An inspection of your refrigerating system located at the above premises, shows that the following change is necessary to have the system conform with Fire Department regulations.

1. Separate room containing Copeland methyl chloride (12 pounds) refrigeration machine from remainder of cellar by unpierced fireproof wall, as per Section C-19-98-f-6 of the Administrative Code, since this building is occupied as a home for the aged which gives asylum for persons who are helpless."

and

WHEREAS, the applicant states that the building is four stories, and basement (50 ft.) in height, 39 ft. by 52 ft. in area; Class 3 construction; located in a business use, B area and Class 1¼ and 1⅛ height district; erected about 1870; used and occupied as follows: basement, storage and boilerroom; 1st floor, dining room, refrigerator and storage; 2nd floor, bedrooms, dining room, washroom, bathroom; 3rd floor, bedrooms, toilet rooms, shower stall, bathroom; 4th floor, toiletroom, bedrooms, bathrooms; 5th floor, bedrooms, sitting room and bathroom; total occupancy throughout twenty persons; that the building is equipped with an interior fire alarm system and fire drills are maintained; that there is one 36 in. wide wood stairs, enclosed in partitions of lath and plaster, and two fire escapes leading to the yard by iron stairs with egress through the yard to the streets; and

WHEREAS, the applicant contends that compliance with the order would entail an unnecessary hardship; that the chloride contained in the machine does not exceed five pounds; that the present Copeland unit with ice-boxes is now located in a separate room, which has a copper open louvre sash to the outside air; that there is a vestibule with an open iron grilled door leading from this room to the yard; that there is also a double self-closing, fireproof door into the building from the refrigeration room; that the Fire Department approved the plans of the existing installation in 1931; that no changes have been made since; that no helpless persons are housed in the Institution; that the Home is operated solely for aged couples; that all of the persons housed are in good health; that in the event of sickness, they are removed to an infirmary or a hospital; that the order of the fire commissioner is erroneous and that the refrigeration room complies with the law.

Resolved, that the decision of the fire commissioner on Order 98462-LC, item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of methyl chloride shall not exceed five (5) pounds as proposed; that in all other respects, the installation shall comply with the proposal and as indicated on plan filed with this appeal marked "Received April 6, 1945", including the copper louvre sash for ventilation and shall be maintained and operated to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct.

770-42-A

APPLICANT—Minnesota Mining and Manufacturing Company, owner.
SUBJECT—Application for consideration — reopening, amendment of resolution and extension of variance —re Appeal from a decision of the fire commissioner re Packaging and distribution of inflammable mixtures known as "3-M Furniture Cleaner and Polish and Scotchlite Adhesive" in 1 pt., 1 qt., ½ gallon and 1 gallon glass containers (capacity of same not in conformity with Admin. Code Requirements); previously granted on condition for temporary term of 3 months.
APPEARANCES—
For Applicant: Harold Wyman.
ACTION OF BOARD—Appeal reopened, resolution amended and permit extended.
THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (770-42-A)

WHEREAS, this appeal from a decision of the fire commissioner, relative to packaging, storage and distribution of combustible mixture known as "3M Wax Finish" in one-gallon glass bottles, was granted by the Board on February 16, 1943 on certain conditions, resolution amended on July 13, 1943 and the applicant requested a further amendment of the resolution to include permission for the packaging of the inflammable mixtures known as "3M Furniture Cleaner and Polish" and "Scotchlite Adhesive" in glass containers in pint, quart, one-half and one-gallon sizes; and

WHEREAS, on November 30, 1943, the resolution was further amended and on May 9, 1944 and November 21, 1944, the permit was extended and the applicant requested a further amendment of the resolution and a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 16, 1943 as amended through November 21, 1944, so that as amended, the resolution shall read:

"that the decision of the fire commissioner dated October 30, 1942 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the product known as 3-M Wax Finish with a flashpoint over 100 deg. F. and now permitted under Fire Department Certificate of Approval No. 933, to be marketed in glass jugs of one gallon capacity for commercial use only not as proposed, but for household use; that such jugs shall bear labels as required by the Administrative Code, worded to the satisfaction of the Fire Commissioner, and also Scotchlite Adhesive with a flashpoint of approximately 70 deg. F. in one pint bottles for commercial use only and not for household use, also included under Fire Department Approval No. 933 and labeled as above required; that this variance shall be for a term of six (6) months from the date of this *amended* resolution."

239-43-A

APPLICANT—The Tanglefoot Company, owner.
SUBJECT—Application for consideration — reopening, amendment of resolution and extension of permit —re Appeal from decisions of the fire commissioner re Packaging of combustible mixture known as "Victory Difusor Liquid" in 1 gallon and ½ gallon glass jugs (capacity of same not in conformity with Admin. Code Specifications).
APPEARANCES—
For Applicant: D. E. William.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative: Commissioner Savage 1

THE RESOLUTION (239-43-A)

WHEREAS, B. D. Bradford, for the Tanglefoot Company, owner, filed on May 4, 1943, an appeal from a decision of the fire commissioner, relating to the packaging of a combustible material known as "Victory Difusor Liquid Insecticide" in gallon and half gallon glass jugs as cited in a decision of the fire commissioner; and

WHEREAS, this appeal was granted by the Board on June 8, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 8, 1943, so that as amended, the resolution shall read:

"that the decision of the fire commissioner dated April 12, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* to permit the material as proposed with a flashpoint of 155 deg. F. to be marketed in glass jugs of one gallon capacity, *on condition* that such containers shall be used only for the liquid bearing a certificate of approval issued by the fire commissioner under No. 950; that the label shall comply with the requirements of the Administrative Code therefor and shall be to the satisfaction of the fire commissioner; that the jugs shall be of the Anchor Hocking Glass Company manufacture as proposed; that this variance shall be for a period of one (1) year from the date of this *amended* resolution."

MATERIALS FOR APPROVAL

156-43-SM

APPLICANT—George Pariot, for Monarch Manufacturing Company, owner.

SUBJECT—Monarch Panic Exit Devices (Panic Bolts), Models 4000, 4001 and 4002, approval of.

APPEARANCES—

For Applicant: Bernard G. Pariot.

ACTION OF BOARD—Material approved in accordance with the report of the Committee of Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (156-43-SM)

WHEREAS, George Pariot, for Monarch Manufacturing Company, owner, filed on April 5, 1943, an application with the Board of Standards and Appeals for approval of the material known as the Monarch Panic Exit Devices (Panic Bolts) Models 4000, 4001 and 4002; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

Re: Cal. 156-43-SM.
Subject: Monarch Panic Exit Devices (Panic Bolts) Models 4000, 4001, 4002, Approval of.

March 26, 1945.

REPORT OF COMMITTEE ON TESTS

The Monarch Manufacturing Company filed an application with the Board of Standards and Appeals under C26-178.0.b of the Administrative Building Code for approval of the Monarch Panic Exit Devices (Panic Bolts) of cast iron, steel tubing and bronze working parts, Models 4000, 4001 and 4002.

USE

These devices are self-releasing exit latches, combining in one unit the usual door locking device and self-releasing mechanism. The system of levers is designed so as to release the lock and latches simultaneously and permit the doors to open by the application of force on a cross-bar extending across the interior side of the door.

These latches are intended for use in connection with the exit doors of theatres, schools, churches and other public or factory buildings, equipped with single or double doors swinging outwardly.

Description Model #4000

The assembly exit push bar Model 4000 consists of exterior iron housing, bronze brackets (or arms), and steel tubing cross bar. The main housing has bronze bracket, screwed thereto, which is prepared for cross bar. This bracket has an actuating lever which operates the latch bolt of the lock. It is also arranged with a dogging feature to hold cross bar in retracted position, permitting cross bar to be depressed at will. The end housing also has a bracket screwed thereto which is prepared for the cross bar. A strong spring holds the arm in projected position and permits the action of the cross bar to be coordinated. All component parts are heavy iron castings, free from flaws, machined and hand fitted to insure smooth working order. This device is not handed and is generally furnished for a single door or the action leaf of a pair of doors. The horizontal cross bar is 7/8 inch steel tubing. The brackets are 7 5/8 by 2 1/8 and 3 by 2 cast iron.

OPERATION

Pressure on the horizontal bar automatically retracts the latch bolt of the lock allowing the door to be opened at all times from the inside.

Description of Model #4001

Exit push bar type 4001. The main housing has curved bracket, fastened to same, which is prepared for cross bar and arranged to accommodate the vertical rod through same. This bracket has an actuating fork which retracts or releases the vertical rod locking feature. Gravity force holds arm in projected position, permitting cross bar to be depressed at will. The end housing likewise has a curved bracket fastened to same, which is prepared for same. The top and bottom cases are arranged with hinged latches which engage strikes plates. Top and bottom strikers are furnished with this bolt to suit field conditions. All component parts are made of cast bronze and cast iron, heavy castings free from flaws, machined and hand fitted to insure smooth working, long wear and requiring a minimum of operating force. This device is not handed and is generally furnished with a single door or the inactive leaf of a pair of doors.

Bolt rods are 1/2" in diameter, horizontal bar is 7/8" tubing, the main housing cases are both 3" x 2". The top and bottom casings are 2 1/4" x 2 1/4". The top strike with return for stop 1/2" thick.

Operation: Pressure on horizontal bar automatically releases bolts at top and bottom. When door closes bolts automatically project into strikes except when locked in retracted position by means of key.

Description of Model #4002

Exit push bar type 4002, is similar in all respects to 4001, except that top latch has an automatic release which holds the device retracted until door is closed. Bottom rod engages bottom strike directly instead of through hinged latch. The construction details and operation are the same as in 4001.

Tests

Model 4000 was inspected and tested by the Committee on Tests of the Board at 2034 Webster Avenue, The Bronx. Manual operation for 100 cycles disclosed no defects, the device functioning properly. An inspection of the plant of the manufacturing agent showed that the manufacturer is fully equipped with necessary machinery to supply a uniform product.

Recommendation

On the basis of the inspection and test it is recommended that temporary approval be granted to the Monarch Panic Exit Devices (Panic Bolts), Models 4000, 4001, 4002, for use in New York City for the duration of the war emergency, under the provisions of C26-191.0 and C26-285.0 of the Administrative Building Code and in specific cases, subject to a variation by the Board under the provisions of section 272, paragraph 3 of the State Labor Law, provided the device bears a label permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 156-43-SM."

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Monarch Panic Exit Devices (Panic Bolts), Models 4000, 4001 and 4002, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

603-44-SM

APPLICANT—Richards-Wilcox Mfg. Company, owner.

SUBJECT—Richards-Wilcox RW-1447 Fyer Wall Door, including 1102, 1303, 1304, sliding types, 1406, 1506, swinging types, with hardware as listed with each assembly, approval of.

APPEARANCES—

For Applicant: Robt. Duncanson.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (603-44-SM)

WHEREAS, the Richards-Wilcox Manufacturing Company, owner, filed on October 20, 1944, an application with the Board of Standards and Appeals for approval of the material known as Richards-Wilcox RW-1447 FyeR Wall Door including 1102, 1303, 1304 sliding types, 1406, 1506, swinging types, with hardare as listed with each assembly; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 603-44-SM.

Subject: Richards-Wilcox RW-1447 FyeR Wall Door, including 1102, 1303, 1304, sliding types, 1406, 1506, swinging types, with hardware as listed with each assembly, approval of.

The Richards Wilcox Manufacturing Company of Aurora, Illinois, filed with the Board of Standards and Appeals an application for the approval of there sliding and swinging fire doors known as RW-1447, incline track; RW-1303, horizontal track; 1304, horizontal track, dropped to permit installation where low ceilings exist; RW-1406, single swing type mounted in frame of steel; RW-1506, pair of swinging doors mounted in frame, swinging doors in each case of flush type under the requirements of C26-178.0,b in accordance with the test requirements of C26-610.0 for use as prescribed in C26-660.0, Administrative Building Code in fire walls and in such openings requiring a lesser fire resistive rating than 3 hours.

DESCRIPTION

The door, applicant's type #1447, assembly equipped with standard labeled sliding hardware on a level track and mounted on a 12-in. masonry wall, was designed for the protection of openings in fire walls 9 ft. wide, 10 ft. high and in other locations where sliding doors are considered acceptable.

Details of face sheets are shown on Fig. 1. The door was constructed of frame members to which were applied on the room side, vertical corrugated 24 USG galvanized steel sheets and on the opposite face, horizontal 24 USG galvanized corrugated sheets. The sheets are secured to the frame members and to each other as shown on Fig. 1. In addition, the horizontal sheets, vertical sheets, and insulation are secured in position through the assembly along the vertical and horizontal edges, as shown and at intermediate points. There is inserted between the vertical and horizontal sheets, ⅜ in. asbestos Millboard secured in position by attachments employed to keep the respective face plates in alignment in the central area and along the edges of the door panel. Hardware details are as shown on Fig. 1, and are Underwriter's labelled types. Details for punching bolt holes for the flat track to be in accordance with schedule on file with the Underwriters.

FIRE TEST

The door was mounted on a 12 in. masonry wall opening which was well seasoned before test. The assembly was installed under the observation of an engineer of Underwriters' Laboratories, Inc. These tests were conducted in accordance with the requirements of Fire Tests of Opening Protective Assemblies, Administrative Building Code of the City of New York, and Underwriters' Laboratories, Inc. The equipment regularly used by Underwriters' Laboratories, Inc. for tests of fire doors was used with additions to the apparatus for indicating temperatures at various locations on the unexposed surface of the door.

After the panel on which the door was mounted was drawn into position, the fire was started in the furnace, exposing one face of the door to gas flames controlled in accordance with the Standard Time Temperature Curve. This exposure to fire was continued for 3 hr., after which time the panel was withdrawn from the furnace and the exposed face was immediately subjected to the impact and cooling action of a 30-lb. water stream applied for 2 min. 20 sec. in accordance with the requirements of the Administrative Building Code.

The furnace chamber temperatures were indicated by 12 calibrated thermocouples symmetrically located. Temperatures on the unexposed surface of the door were indicated by three thermocouples mounted on face of door. Each thermocouple was covered by a 6 by 6-in. dry asbestos pad. In addition to the above, bare thermocouples were placed on the door and at 32, 64, and 96 in. away from the unexposed face. These temperatures were taken without the smoke chamber installed in front of the unexposed face of the test assembly.

Deflections of the doors were determined by measurements at about the center point on a horizontal line across the center of the doors. The reference base was a fine wire, mounted on the wall frame, with one end fixed to the door and the other free to slide so as to remain in a constant position with respect to the original location of the points at which measurements were taken.

Throughout the Fire and Fire Hose Stream Tests observations were made to note the character of the fire and its control; the condition of the explosed face as observed through mica windows provided in the end walls of the furnace, and all developments pertinent to the performance of the door as a fire retardant with

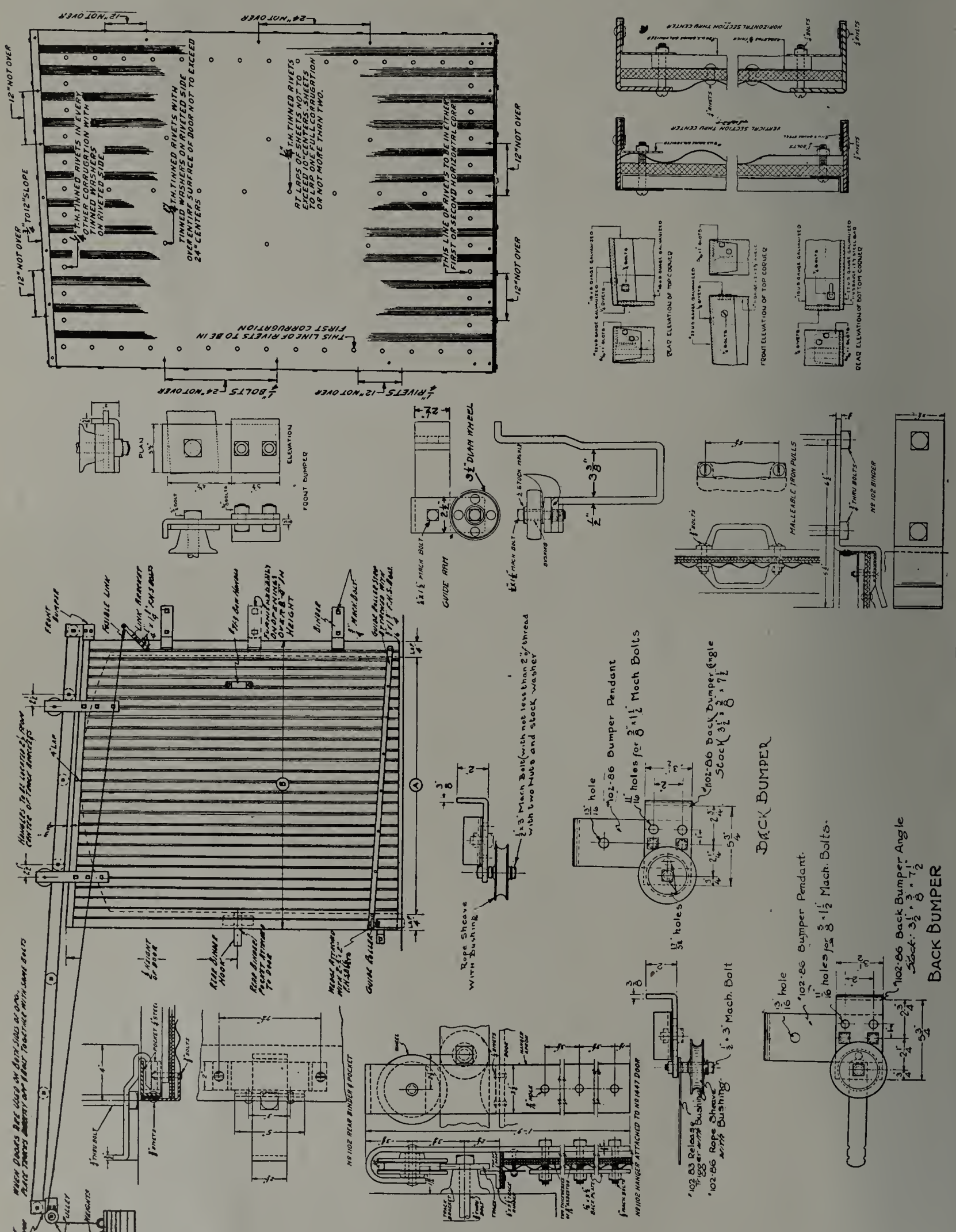
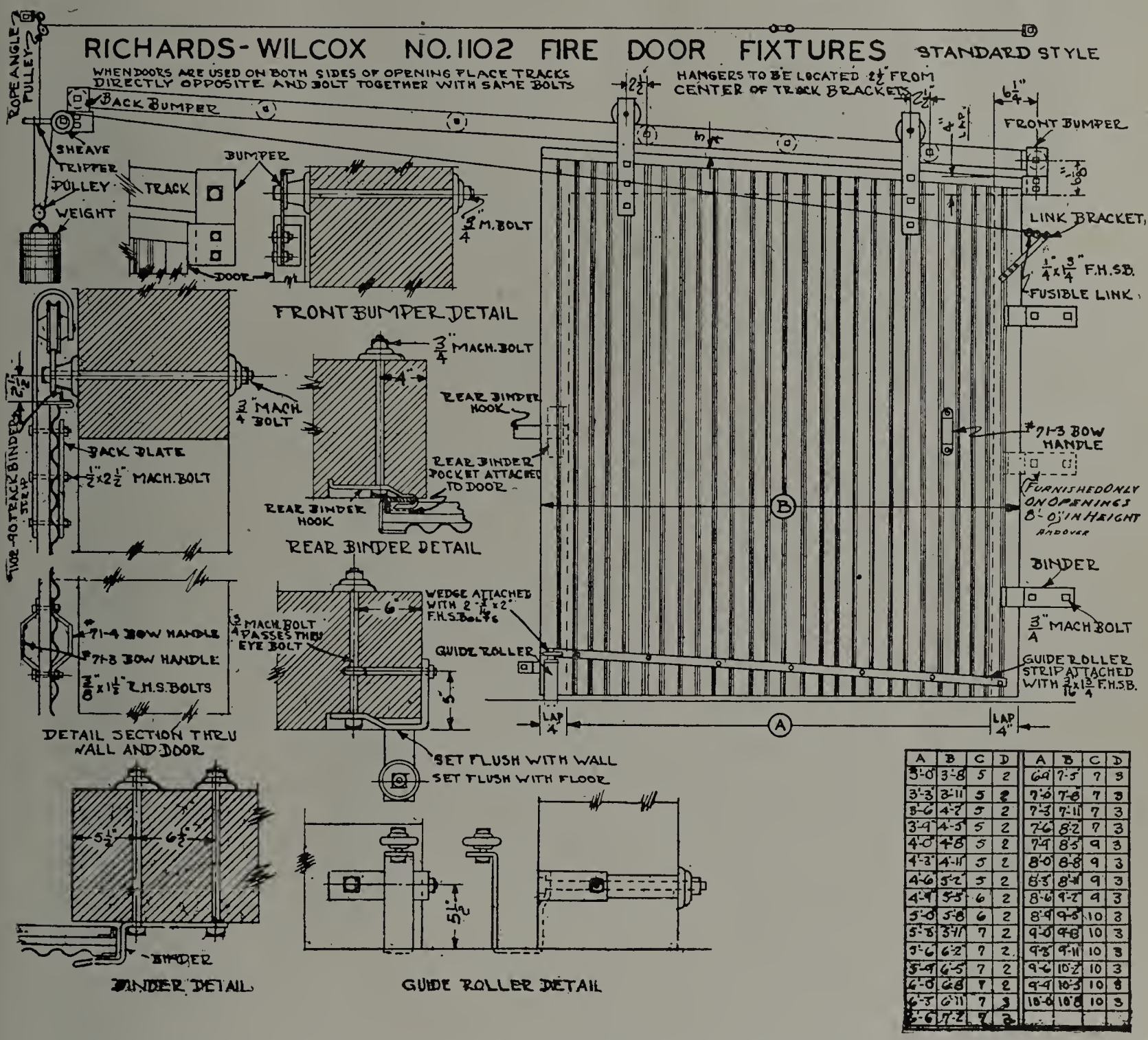

12" NOT OVER
24" NOT OVER
12" NOT OVER
12" NOT OVER
12" NOT OVER
12" NOT OVER
24" NOT OVER
12" NOT OVER
4 TH. TINNED RIVETS IN EVERY OTHER CORRUGATION WITH TINNED WASHERS ON RIVETED SIDE.
4 TH. TINNED RIVETS WITH TINNED WASHERS ON RIVETED SIDE OVER ENTIRE SURFACE OF DOOR NOT TO EXCEED 24" CENTERS
4 TH. TINNED RIVETS AT LAPS OF SHEETS NOT TO EXCEED 10" CENTERS TO LAP ONE FULL CORRUGATION OR NOT MORE THAN TWO.
THIS LINE OF RIVETS TO BE IN FIRST OR SECOND HORIZONTAL CORR.
THIS LINE OF RIVETS TO BE IN FIRST CORRUGATION
HORIZONTAL SECTION THRU CENTER
VERTICAL SECTION THRU CENTER
REAR ELEVATION OF TOP COUPLER
FRONT ELEVATION OF TOP COUPLER
REAR ELEVATION OF BOTTOM COUPLER
PLAN
ELEVATION
FRONT BUMPER
GUIDE ARM
Rope Sheave With Bushing
1/2 x 3" Mach Bolt (with not less than 2 1/2" thread with two Nuts and Stock Washer
13/16 hole
11/16 holes for 5/8 x 1 1/2" Mach Bolts
102-86 Back Bumper Angle Stock 3 1/2" x 5/8" x 7 1/2"
102-86 Bumper Pendant
BACK BUMPER
MALLEABLE IRON PULLS
NO 102 BINDER
BACK BUMPER

FIG. 1



A	B	C	D	A	B	C	D
3'-0	3'-8	5	2	6'-0	7'-3	7	3
3'-3	3'-11	5	2	7'-0	7'-8	7	3
3'-6	4'-2	5	2	7'-3	7'-11	7	3
3'-9	4'-5	5	2	7'-6	8'-2	7	3
4'-0	4'-8	5	2	7'-9	8'-5	9	3
4'-3	4'-11	5	2	8'-0	8'-8	9	3
4'-6	5'-2	5	2	8'-3	8'-11	9	3
4'-9	5'-5	6	2	8'-6	9'-2	9	3
5'-0	5'-8	6	2	8'-9	9'-5	10	3
5'-3	5'-11	7	2	9'-0	9'-8	10	3
5'-6	6'-2	7	2	9'-3	9'-11	10	3
5'-9	6'-5	7	2	9'-6	10'-2	10	3
6'-0	6'-8	7	2	9'-9	10'-5	10	3
6'-3	6'-11	7	3	10'-0	10'-8	10	3
6'-6	7'-2	7	3				

KEY TO TABLE: A. Width of opening. B. Width of door. C. Track brackets required. D. Hangers required.

FIG. 2

special reference to stability, heat insulation, and flame passage; and the general condition of the door resulting from application of the fire hose stream.

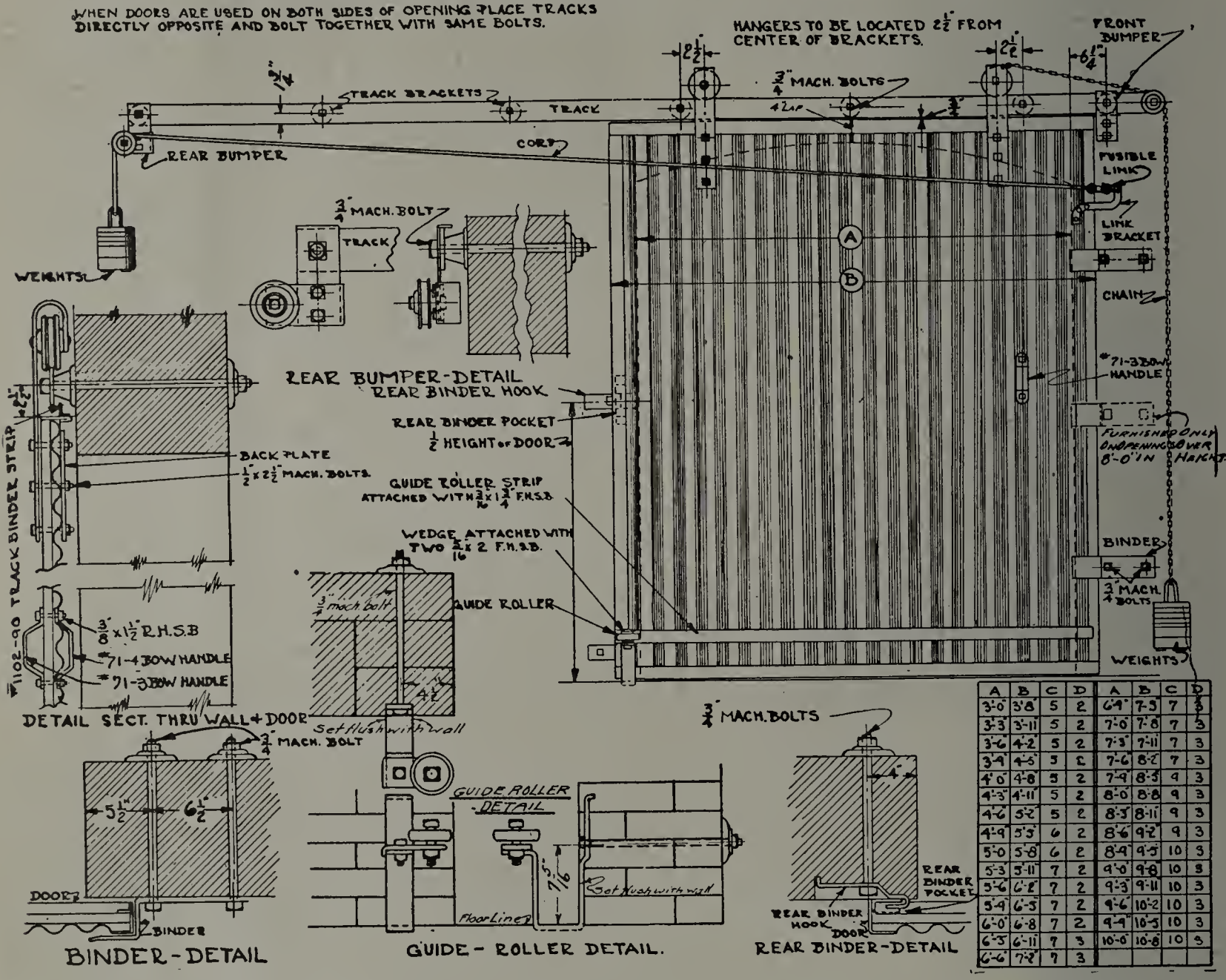
No difficulty was experienced during the installation using tools and methods ordinarily employed by mechanics doing this type of work. After the door was installed and adjusted, it operated satisfactorily. The clearances average $\frac{9}{16}$ in. at lintel, ⅛ in. at rear edge, ¼ in. at front, and $\frac{9}{16}$ in. at the sill.

RESULTS OF TEST

The fire was luminous and fairly well distributed after the first 5 min. of test. The temperatures in the furnace chamber and on the unexposed face of the sample are shown in time temperature chart. The exposed metal indicated buckling and bulging during the first 5 min. of test. This condition did not cause any marked failure of the assembled parts during the fire exposure. The hangers were up off the track about ¼ in. at 15 min: increasing to ½ in. at 30 min. and about ⅝ in. during the last hour of the fire exposure. The track binder angles held the door securely in position on the opening during the fire exposure and application of the hose stream. The door assembly expanded upward about $1\frac{3}{16}$ in. during 3-hr. fire exposure and was about in the original position after the application of the hose stream. The central hanger was off the track about ¾ in. after the application.

The unexposed face indicated very little change during the 3 hr. fire exposure test except that the door was resting on the sill at the north and south corners at about 20 min. and in contact with sill for practically entire width at 50 min. There was a ½-in. bulge at the top north and south corners of the door away from the masonry at 170 min. after the start of the test.

The average temperature on the unexposed face of the door at the end of 30 minutes was 673 deg. F. Subtracting the initial temperature of 70 deg. F. the rise in



A	B	C	D	A	B	C	D
3'-0"	3'-8"	5	2	6'-9"	7'-5"	7	3
3'-3"	3'-11"	5	2	7'-0"	7'-8"	7	3
3'-6"	4'-2"	5	2	7'-3"	7'-11"	7	3
3'-9"	4'-5"	5	2	7'-6"	8'-2"	7	3
4'-0"	4'-8"	5	2	7'-9"	8'-5"	9	3
4'-3"	4'-11"	5	2	8'-0"	8'-8"	9	3
4'-6"	5'-2"	5	2	8'-3"	8'-11"	9	3
4'-9"	5'-5"	6	2	8'-6"	9'-2"	9	3
5'-0"	5'-8"	6	2	8'-9"	9'-5"	10	3
5'-3"	5'-11"	7	2	9'-0"	9'-8"	10	3
5'-6"	6'-2"	7	2	9'-3"	9'-11"	10	3
5'-9"	6'-5"	7	2	9'-6"	10'-2"	10	3
6'-0"	6'-8"	7	2	9'-9"	10'-5"	10	3
6'-3"	6'-11"	7	3	10'-0"	10'-8"	10	3
6'-6"	7'-2"	7	3				

KEY TO TABLE: A. Width of opening. B. Width of door. C. Track brackets required. D. Hangers required.

FIG 3

temperature was 603 deg. F. which was within the rise limitations prescribed in C26-610.0, Par. e. The highest temperature reached was at the end of 3 hours when the average of the three unexposed surfaces was 888 deg. F.

The maximum radiation temperatures at the test were as follows:

Dist. from Door	Max Radiation Temp.	Time Reading Taken
32"	146	175 minutes
64"	126	" "
96"	108	" "

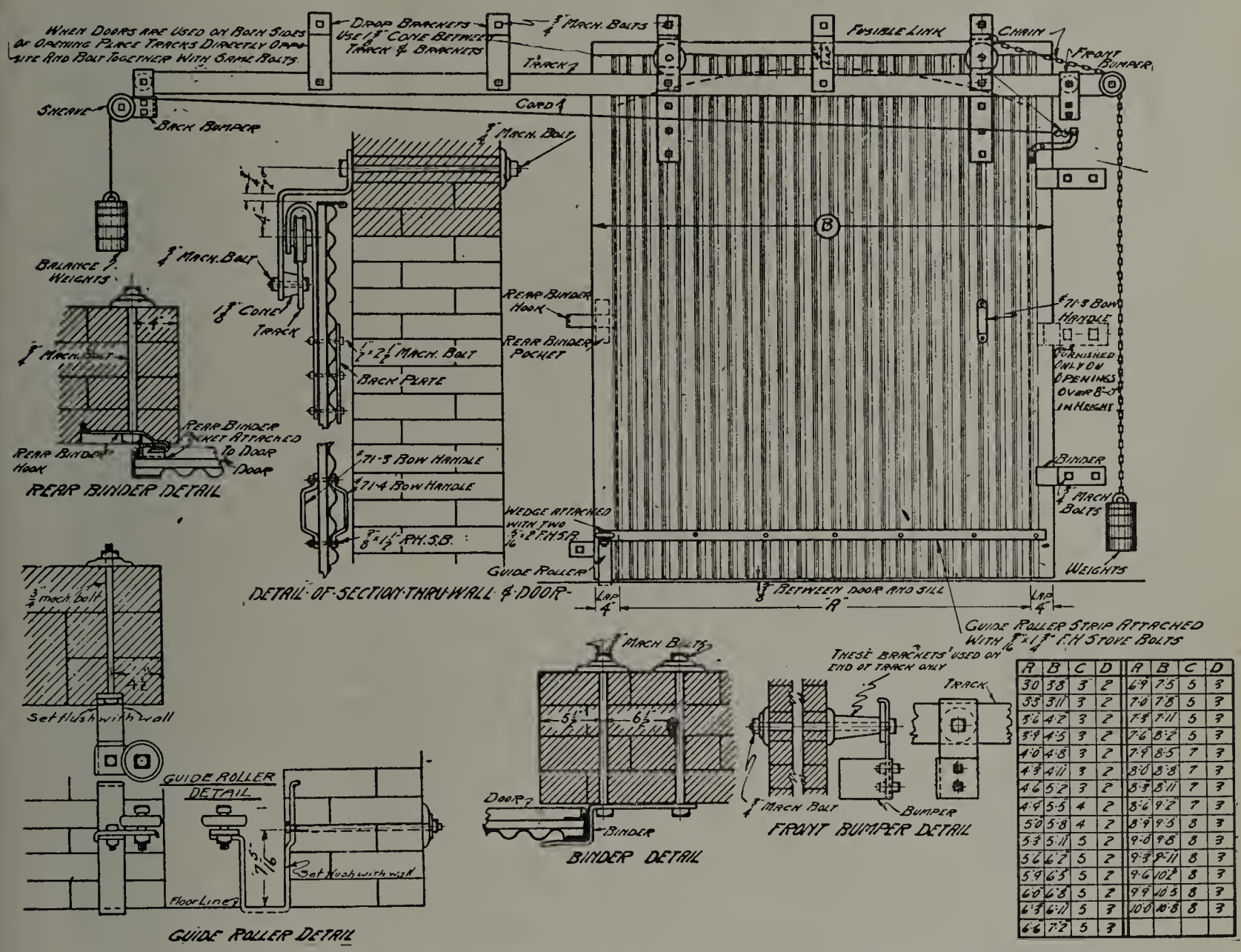
There was a slight negative pressure in the furnace chamber during the test as indicated by the gas flame indicator.

During the fire test the movement of the door was irregular toward the fire, as shown below. Readings were taken at about the center of the assembly as follows:

Time Min.	Movement of Center In.
Initial	0
5	2⅛
10	3¼
15	3¼
20	3
25	2⅝
30	2¼
40	2
50	2
60	2
80	2
180	2

No smoke or passage of flame through or around the door occurred during the 3-hr. fire exposure. During the test there was a uniform bulge toward the fire, assuming a maximum of 3¼ in. at the center at 15 min. after the start of the test, decreasing to 2 in. at 40 min., showing no change during the remainder of the test. This bulge was 3¼ in. 24 hr. after the hose stream.

RICHARDS-WILCOX NO.1304 FIRE DOOR FIXTURES



A	B	C	D	A	B	C	D
3'0"	3'8"	3	2	6'9"	7'5"	5	3
3'3"	3'11"	3	2	7'0"	7'8"	5	3
3'6"	4'2"	3	2	7'3"	7'11"	5	3
3'9"	4'5"	3	2	7'6"	8'2"	5	3
4'0"	4'8"	3	2	7'9"	8'5"	7	3
4'3"	4'11"	3	2	8'0"	8'8"	7	3
4'6"	5'2"	3	2	8'3"	8'11"	7	3
4'9"	5'5"	4	2	8'6"	9'2"	7	3
5'0"	5'8"	4	2	8'9"	9'5"	8	3
5'3"	5'11"	5	2	9'0"	9'8"	8	3
5'6"	6'2"	5	2	9'3"	9'11"	8	3
5'9"	6'5"	5	2	9'6"	10'2"	8	3
6'0"	6'8"	5	2	9'9"	10'5"	8	3
6'3"	6'11"	5	3	10'0"	10'8"	8	3
6'6"	7'2"	5	3				

KEY TO TABLE: A. Width of opening. B. Width of door. C. Drop brackets required. D. Hangers required.

FIG. 4

As will be noted from the temperature chart, flammable substances placed against the unexposed face of the door would ignite in cases of severe fire exposure. It is safe to assume that under most conditions in the field a clear space will be provided in front of the opening.

Recommendation

On the basis of the foregoing data and tests, the Committee on Tests recommends the approval of the Richards-Wilcox Opening Protective Assembly No. 1447 (lap type) with Underwriters' approved hardware, applicant's #1102, for use with inclined tracks suitable for use with one fusible link as shown in Fig. 1, size—9 ft. 8 in. in width and 10 ft. 4 in. in height as tested, when constructed and hung as provided herein.

The approval is for use on both level and inclined tracks as an opening protective assembly in fire walls (three hours) under Section C26-660.0 (10.8.1), as a protection of openings in fire partitions (one and one-half hours) under section C26-661.0 (10.8.2) as a protection of openings in fireproof partitions under section C26-662.0 (10.8.3), Administrative Building Code, and as a fireproof door under Art. 1, section 4, subdivision 10, Multiple Dwelling Law.

The applicant has also requested approval on the basis of the foregoing test in accordance with the similar procedure previously adopted by the Board and approval of additional constructions of opening protective assemblies as follows:

Applicant's opening protective assembly #1447 equipped with Underwriters' label hardware, applicant's #1102, for use on inclined track with two fusible links identical in construction with the sample as tested, other details as shown in Fig. 2.

Applicant's opening protective assembly #1447 equipped with Underwriters' labeled hardware, applicant's #1303, for use on level track, door constructed similar to specimen, other details shown on Fig. 3.

Applicant's #1447 door equipped with Underwriters' hardware, applicant's #1304 for level drop track, door constructed similar to specimen, other details as shown in Fig. 4.

Applicant's #1447 door equipped with Underwriters' hardware, applicant's #1406, single swing type, constructed similar to test sample except for manner of hanging as shown in Fig. 5, when mounted with either of the flush type or the lap type hardware as shown in the details.

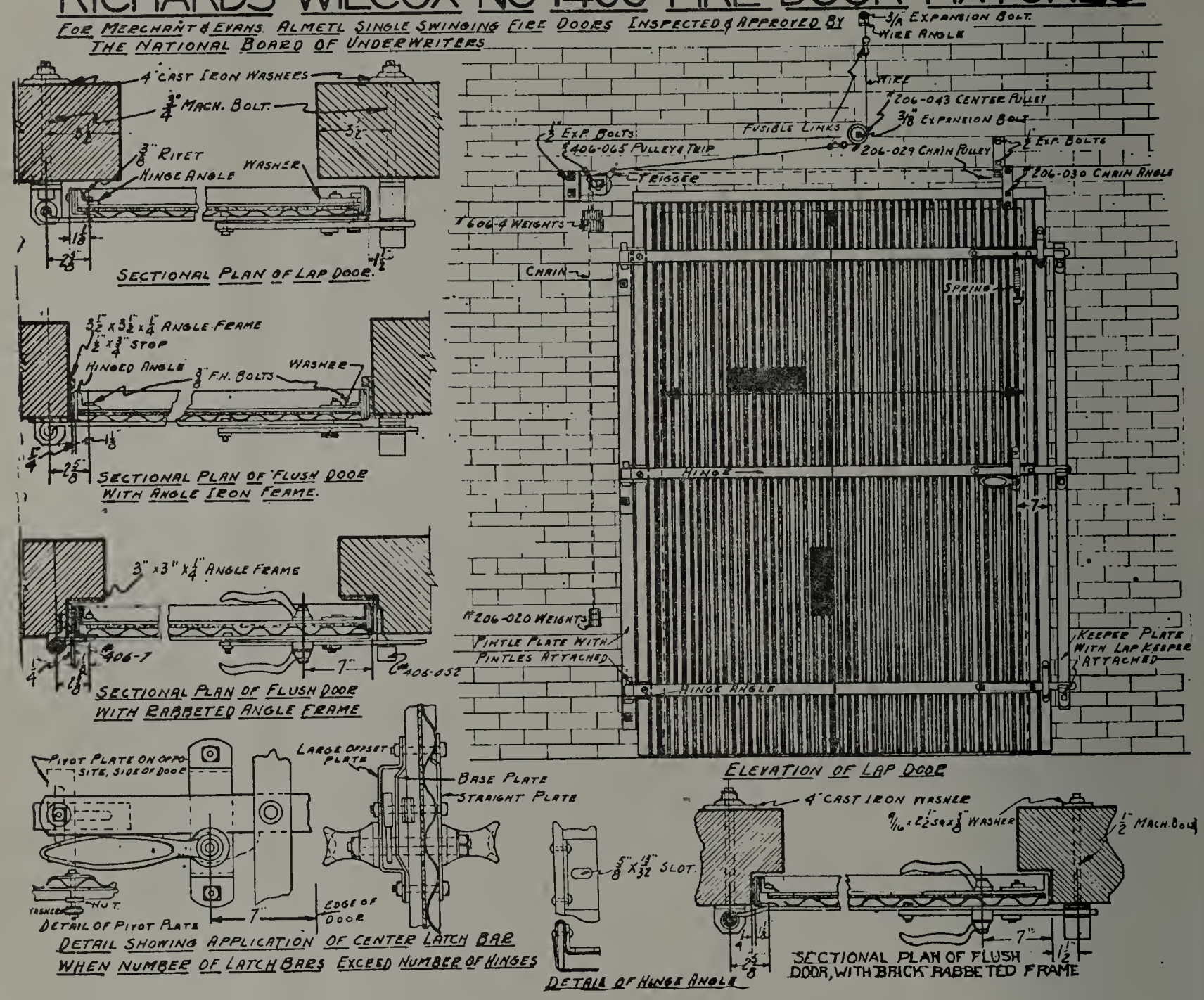


FIG. 5

Applicant's opening protective assembly #1447 with Underwriters' labeled hardware, applicant's no. 1506, for a pair of swing doors arranged for lap and flush type mounting as shown in Fig. 6.

On the basis of the test data and in view of the identical construction of each of the alternate assemblies, the Committee on Tests recommends the approval of the Richards-Wilcox Manufacturing Company's opening protective assemblies as described herein, Figs. 2 through 6, for use as opening protective assemblies in fire walls (three hours) under Section C26-660.0 (10.8.1), as a protection of openings in fire partitions (one and one-half hours) under section C26-661.0 (10.8.2) as a protection of openings in fireproof partitions under section C26-662.0 (10.8.3), Administrative Building Code, and as a fireproof door under Art. 1, section 4, subdivision 10, Multiple Dwelling Law, provided that on swinging doors, hinges and latches be provided as follows:

SCHEDULE OF HINGES & LATCHES

Height of Door	No. of Latches	Width of Door 0'-2'0"	2'-0"-3'-0"	3'-0"-4'-0"	4'-0"-5'-0"	5'-0"-6'-0"
0' to 5'-0"	3	2	2	2	2	2
5'-0" to 6'-6"	3	2	2	2	3	3
6'-6" to 8'-6"	3	3	3	3	4	4
8'-6" to 10'-6"	4	3	3	4	4	4
10'-6" to 12'-0"	5	4	4	4	4	4

It is further recommended that all opening protective assemblies to be used in New York City be inspected by the Underwriters' Laboratories for compliance herewith; that the permissive provisions allowed under C26-610.0a wherein opening protective assemblies may be manufactured up to 25% in excess of the sample as tested apply to only the sample that was tested, namely, Fig. 1, and that the permitted increase in area

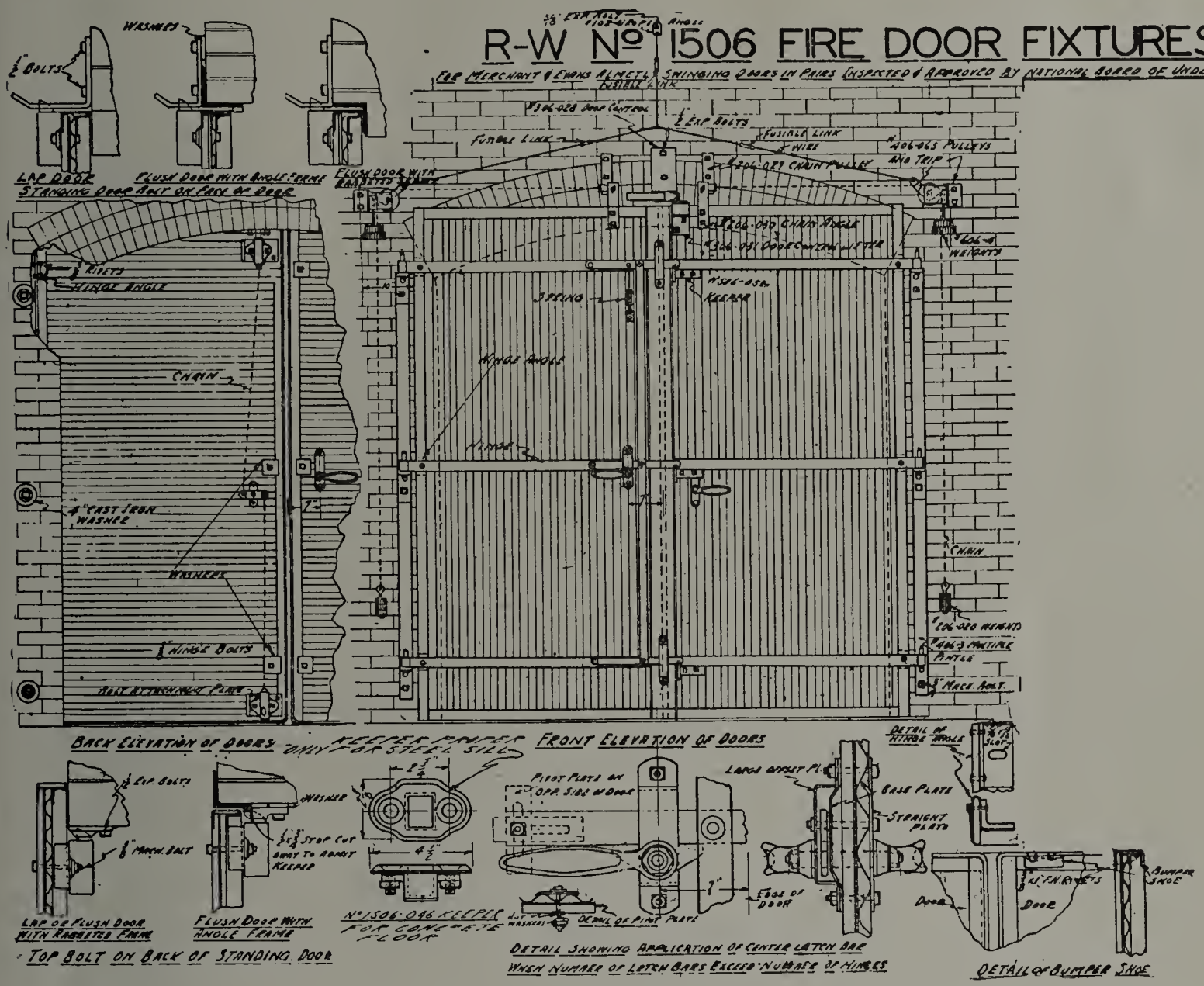


FIG. 6

shall not exceed the width and height dimensions greater than 15% in either direction.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Richards-Wilcox RW-1447 FyeR Wall Door, including 1102, 1303, 1304 sliding types, 1406, 1506 swinging types, with hardware as listed with each assembly, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:35 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 1, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

591-44-A

APPLICANT—Harry A. Zuch, Adjoining Owner, for Caroline Rauh, owner (Dr. Bryant S. Hopper, lessee of 1st floor).

SUBJECT—Application reopened and restored to calendar April 17, 1945—Appeal from a decision of the borough superintendent re Revocation of Certificate of Occupancy #12423 (previously dismissed for lack of prosecution).

PREMISES AFFECTED—107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197 (170), Lot 29), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Harry A. Zuch.

For Opposition: Warren J. Haeg.

For Administration: Fred Dahlem and George Fuchs, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (591-44-A)

WHEREAS, Harry A. Zuch, adjoining owner, filed December 17, 1944 an application for revocation of Certificate of Occupancy affecting premises 107-17 86th avenue, northwest corner of 108th street (1st floor); (Block 9197, (170), Lot 29), Richmond Hill, Borough of Queens; and

WHEREAS, said premises are owned by Caroline Rauh and leased to Dr. Bryant S. Hopper; and

WHEREAS, the decision of the borough superintendent dated October 2, 1944 reads:

"Your request to this office to revoke Certificate of Occupancy #12423 has been denied."

and

WHEREAS, the applicant states that the building is 2½ stories (approximately 35 ft.) in height, approximately 18 ft. by 35 ft. in area, of class 4 construction, erected in 1912, located in a residence use, C area class 1¼ height district and used and occupied as follows: cellar—boiler room and storage; 1st floor—doctor's office; 2nd floor—dwelling—1 family; attic—dwelling—1 room; and

WHEREAS, the applicant contends that the building is now being occupied contrary to affidavits filed by the owner and lessee, which affidavits state that the doctor resides in the building with his family; that the doctor and his family live only a few blocks away; that the building was not arranged, intended or designed to permit the occupant of the doctor's office to reside on the premises; that the doctor does reside with his family at another location and has not, nor does he intend to remove his family to the present premises; that the credibility of the doctor lessee is challenged, as he is registered for voting as residing at 85-17 108th street and not at 107-17 86th avenue, as his affidavit filed with the borough superintendent indicates; and

WHEREAS, this case was dismissed for lack of prosecution on January 9, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on April 17, 1945, restored to the calendar as set for hearing on May 1, 1945; and

WHEREAS, the Board deemed that there was no basis for revoking Certificate of Occupancy 12423, as such certificate permits occupancy for the use for which the building is arranged, as approved by the Borough Superintendent; that if the Borough Superintendent finds that the building is not being lawfully occupied according to the certificate, he should enforce compliance in accordance with his duty and powers.

Resolved, the decision of the borough superintendent, dated October 2, 1944, refusing to revoke Certificate of Occupancy #12423, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

734-44-A

APPLICANT—Ellis L. Lavine, for National Cabinet Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—21-24 44th avenue (14th street) south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Ellis L. Lavine.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
THE VOTE TO RECONSIDER—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0
THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (734-44-A)

WHEREAS, Ellis L. Lavine, for National Cabinet Co., owner, filed December 18, 1944, an appeal from a decision of the borough superintendent, affecting premises 21-24 44th avenue (14th street), south side, 111.93 ft. east of Van Alst avenue (1st and 2nd floors); (Block 439, Lot 27), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated December 5, 1944, reconsideration denied on objections 1 and 2 December 13, 1944, on Misc. Applic. 1540-44, reads:

"1. Proposed frame extension (lumber shed) is contrary to sec. 4.1.2 B.C.

2. The erection of partitions of combustible material in a fireproof factory building is contrary to sec. 264, sub. 6 Labor Law.

3. Direct access to stairway not provided (note room marked lobby and its wooden enclosure).

4. The use of 2 in. floor or roof beams in the fire limits is contrary to sec. 7.1.4, sub. 7, B.C.

5. Adequate foundation and footings for frame construction not provided.

6. The erection of wood structural members less than 12 in. above the adjoining finished grade is contrary to sec. 8.7.2.3, a. B.C.

Not further considered."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 150 ft. by 80 ft. in area, of class 1 construction, erected in 1920, located in an unrestricted use, B area, class 1½ height district and used and occupied since March 1943 as follows: cellar—boiler room; 1st floor—manufacturing wood cabinets—50 persons; 2nd floor—manufacturing wood cabinets and office—50 persons; that no change in use or occupancy is proposed; that the building is equipped with a standpipe system and an interior fire alarm system; that there are two 3 ft. 8 in. reinforced concrete stairs, enclosed in 6 in. terra cotta partitions, equipped with fireproof, self-closing doors and leading from the roof bulkhead directly to the street; and

WHEREAS, Violation 1891-43 issued June 21, 1944, was for erecting frame structure on rear of site without approval, erecting frame partitions in fireproof structure without approval or permit and for not posting approved floor load cards; and

WHEREAS, the owner was convicted and fined in Magistrates Court January 12, 1944, May 3, 1914 and October 31, 1944 for violation of the Administrative Code; and

WHEREAS, Certificate of Occupancy 1532 issued December 14, 1920, permits the use of the building throughout as a factory and describes the building as of fireproof construction, 4 stories in height; and

WHEREAS, the applicant requests a variation, so as to permit the issuance of a temporary permit for the duration of the war plus six months thereafter; and

WHEREAS, the applicant contends that N. B. Applic. 1313-20 was approved for a 4 story building and only two floors were constructed at that time; that the owner and occupant of the entire premises is engaged 100% in war work; and

WHEREAS, the applicant contends as to Objection 1 issued by the borough superintendent, that permission is requested to maintain the frame extension as a lumber shed, as the shed is located so that it is more than 4 ft. from the lot

line, except the westerly end, which is 1 ft. 3 in. from the lot line; that the westerly lot line is over 10 ft. from any adjacent structure; that the west side and rear wall and roof of the shed are covered with ¼ in. asbestos board for a distance of over 4 ft. from the lot line; that as the shed covers an area less than 1900 sq. ft. on a plot 15,000 sq. ft. and as the shed is used only for the storage of lumber and plywood which had to be received in carload shipments to carry on the war work and had to be protected from the weather and is a means of protection of necessary war material from the elements, it is requested that a variation be granted; that the applicant contends as to objection 2, that permission is requested for the maintenance of partitions of combustible material to remain temporarily; that these partitions were erected March 1943, when the owner moved into the building; that it was necessary to have rooms enclosed and in use without delay; that the partitions are of wood stud construction and do not create a greater hazard than the wood product handled in the factory; that the entire area occupied by the partitions is about 1100 sq. ft. out of a total floor area of 12,000 sq. ft.; that the occupants of the space within the wood stud partitions are within 50 ft. of an exit to a fireproof stair tower; and

WHEREAS, the applicant contends as to objection 3, that permission is requested to permit passage to stairway through lobby with its wooden enclosure, as a clear aisle of 3 ft. 8 in. at all times is maintained; that the occupants of the office will be the only persons using this means of egress; that due to the secret war work being done, it is necessary to have a space closed off from the factory to intercept visitors; as to objection 4, that permission is requested to allow the 2 in. roof beams to remain, as at the time the shed was erected, no other material was immediately available; that the roof beams are structurally heavy enough to support a roof live load of 40 lbs. per sq. ft. and would be permitted outside the fire limits; as to objection 5, that permission is requested to allow the frame wall to remain on present concrete paving, as the paving is 6 in. thick stone concrete that was used as a truck driveway and carried a greater load than that now imposed by this structure; that the paving is more than sufficient to distribute the load bearing on it and transmitted by it directly to the soil; as to objection 6, that permission is requested to allow the wood structural members to remain although less than 12 in. above adjoining finished grade, as the bottom of all wood structural parts rest on concrete paving, which extends over 12 in. from such wood and is about 12 in. above adjacent grade; that in view of the facts stated herein and since permission is requested only for the duration of the present emergency and six months thereafter, it is requested that the objections of the borough superintendent be modified; and

WHEREAS, the premises was inspected by a Committee of the Board, which recommended that the frame lumber shed now on the premises should be immediately removed, as it is unlawful and a serious fire hazard.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Misc. Applic. 1540-44, objection 2, and that the appeal be and it hereby is *granted,* permitting the maintenance of the combustible partitions as shown on plan marked received "April 5, 1945", for a term of not over two (2) years from the date of this resolution, *on condition* that the building and occupancy shall comply with all laws, rules and regulations applicable thereto in all other respects; and *denied* as to objections 1, 3, 4, 5 and 6.

68-45-A

APPLICANT—Reginald S. Hardy, for Hayson Corporation, owner (Randall Cadillac Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (68-45-A)

WHEREAS, Reginald S. Hardy, for Hayson Corporation, owner (Randall Cadillac Corp., lessee), filed February 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 564-592 St. John's place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated January 29, 1945, on Alt. Applic. 253-44, reads:

"1. Comply with Board of Standards & Appeals' Resolution 263-19-BZ, as to providing three hour assembly fireproof, self-closing doors in fire wall opening."

and

WHEREAS, the applicant states that the building is one story (12 ft. 6 in.) in height, 261 ft. 4 in. by approximately 131 ft. in area; Class 3 construction; erected in 1920; located in residence use, retail 1, B area, Class 1¼ height district; used and occupied since 1944 as a garage for more than five motor vehicles, automobile salesroom, lubritorium, motor vehicle repair shop and office, 40 persons; and

WHEREAS, the applicant contends that the building was erected pursuant to resolution granted by the Board under Cal. 263-19-BZ; that it is occupied as a garage for more than five motor vehicles, automobile salesroom, lubritorium, motor vehicle repair shop and office by the Randall Cadillac Corporation; that this occupancy commenced during the year 1944; that the building is divided into three sections of two fireproof walls, front and rear wall, extending from the front to the rear wall; that each of these walls contains a large opening for the passage of motor vehicles; that each opening is equipped with automatic, self-closing doors, which have been in position for some years past; that the door in the westerly wall is a "Gabler" fire underwriter door, equipped to be self-closing in the event of fire, and conforms to the regulations of the New York Fire Insurance Exchange; that the door in the easterly wall is a wooden door covered with sheet metal, so arranged as to be self-closing and has not been approved by the New York Fire Insurance Company; that the resolution adopted by the Board September 26, 1944, permitted the subdivision of the building by means of two fire walls, provided all openings were equipped with approved fire doors; that the borough superintendent has determined that these doors do not constitute approved doors as required by the resolution; that the doors in question have been in use for a number of years, during which time, the building has been occupied and operated as a public garage for more than five motor vehicles; that the present occupancy is less hazardous; that there are employees or watchmen on duty at all times during the day or night; that the possibility of fire has been greatly minimized by reason of the Board's resolution of March 7, 1944; that it is submitted that it was the intention of the Board to permit conditions to remain as they were; that it is therefore requested the Board permit the existing doors to remain; and

WHEREAS, the premises was inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 253-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the "Gabler" doors to the west with the Fire Underwriters' label, may be accepted, provided their interference with the steam pipe, which now prevents their closing readily, shall be corrected and the doors made to close with proper counterweights; and *denied* as to the easterly pair of doors; that such easterly doors shall be removed and

approved metal-clad, self-closing Underwriters' fire doors installed, to fully close the opening.

116-45-A

APPLICANT—Walter M. Cory, for Delagart Realty Corporation, owner (Canada Dry Ginger Ale, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors), (Block 1367, part of Lot 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Walter M. Cory.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (116-45-A)

WHEREAS, Walter M. Cory, for Delegart Realty Corporation, owner (Canada Dry Ginger Ale Inc., lessee), filed March 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 421-425 East 55th street, south side, 265 ft. east of 1st avenue (3rd to 7th floors); (Block 1367, part of lot 6), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 23, 1945, on amendment to Alt. Applic. 1845-44, reads:

"3. Repeat. A second means of egress should be provided from 3rd to 7th floors inclusive, as per sec. 271 Labor Law.

4. Repeat. Standpipe system should be provided, as per sec. 16.1.1 Building Code."

and

WHEREAS, the applicant states that the building is 7 stories (117 ft.) in height, 80 ft. by 100 ft. in area, of class 3 construction, erected in 1912, located in a residence use, A area, class 2 height district and used and occupied since 1912 for the storage of raw materials for a beverage plant, with a total occupancy of six persons, proposed to be used and occupied: sub-cellar—storage of raw materials for beverage plant; cellar—storage of raw materials for beverage plant; 1st floor—laboratory and storage—12 persons; 2nd floor—laboratory and storage—12 persons; 3rd to 7th floors—storage of raw materials for beverage plant—total of six persons; that the building is equipped with one 3 ft. wide steel stairs from the roof bulkhead, directly to the street, enclosed in fireproof partitions, equipped with tin clad self-closing doors; that the building to the west is 7 stories in height and the building to the east 4 stories in height; and

WHEREAS, the applicant contends that it is proposed to expand the use of the first and second floors for the processing and packaging of the basic ingredients of Canada Dry Ginger Ale products for shipment to their own and to franchise bottling plants; that none of the normal bottling plant operations such as actual bottling, warehousing or garaging of delivery trucks are to be engaged in on these premises; that the building is the old stock house of the Dolger Brewery and is constructed of heavy masonry walls, 450 lbs. fireproof structural steel floors with brick and tile arches and non-fireproofed cast iron columns; that the building is cut off from the adjacent structures and has but few small windows opening on to the street and on the rear court; that the building is unsprinkled and unheated and will be maintained so, except for the first and second floors, where steam heat will be installed and supplied from the N. Y. Steam Co.; that the present occupancy, which will be continued, consists of six warehousemen for the entire building; that it is proposed to employ 12 persons on the first floor and 12 persons on the second floor for manufacturing purposes; that the use of all floors except the 1st and 2nd floors will be for storage of materials, such as syrup in barrels, magnesia in bags, caustic in steel drums, metal plate for crowns, advertising matter in bundles and similar raw material and supply items; that the status of the building is not changed by the utilization of the 1st and 2nd floor as manufacturing space for 24 persons, as defined in Art. 1, Sec. 10 of the Labor Law; that it is therefore sufficient to make the 1st and 2nd floors comply with the factory requirements and it is therefore requested that the additional stairway requirement be confined to the 1st and 2nd floors and that the rear stairway be made accessible to the street by means of a legal passage; that modification of the standpipe requirements is requested as follows: it is proposed to provide a dry standpipe riser with steamer connection as indicated for tower portion of schools, under Section C26-1381-b-4 and to provide five gallon extinguishers suitable for the cold area throughout the building; that the building is provided with standard floor cutoffs and conforms with the code requirements for fireproof buildings, except for the exposed cast iron columns; that the materials stored in the building will not be of a highly inflammable nature; that the window area is such as to afford little air to support combustion; that the curtain wall fire cutoff between window head and window sill above is better than standard; that the protection offered affords ample means for fire control in view of the construction, fire cutoffs and nature of use and limited occupancy; that the expansion of space is required by the lessee and the amount of money authorized by the W.P.B. permits not more than the most restricted use of materials and labor, which cannot be met if the requirements of the borough superintendent are complied with.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, on amendment to Alt. Applic. 1845-44, objection 3, and that the appeal be and it hereby is *granted on condition* that a fire escape, complying with the requirements of the labor law, shall be constructed within the existing open wall from the 2nd to 7th floors and connecting to the primary means of exit from the 2nd floor to the street; that the existing wall shall be enclosed as shown with fireproof partitions, except that doors shall be constructed therein for access to the fire escape; that such floors shall be fireproof, self-closing and comply with the requirements for stairway doors; that the exit from the rear stair, comprising the secondary means of exit to the street through a fireproof passage shall be constructed and maintained as indicated on plans filed with this appeal marked "Received March 6, 1945"; that vestibules shall be maintained at the secondary means of exit, as indicated, on the 1st and 2nd floors; that a second means of exit shall be provided for reaching the cellar and also sub-cellar that the factory work shall be restricted to the first floor and a portion of the 2nd floor, as shown on filed plans, and the balance of the floors shall be used only for storage of materials not considered unduly hazardous by the fire commissioner; that such portable fire appliances shall be maintained as the fire commissioner shall direct; that the occupancy of the building shall not be greater than proposed and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and *withdrawn* to comply as to objection 4.

60-43-S

APPLICANT—Jacob Fogelson, for Sark Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Variation of the labor law as cited in a decision of the borough superintendent (previously granted on condition for temporary term).

PREMISES AFFECTED—21-02 to 21-30 44th road and 44-29 to 44-35 21st street, southeast corner (Block 438, Lot 6), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Irving Berman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (60-43-S)

WHEREAS, this application from a decision of the borough superintendent, affecting premises 21-02 to 21-30 44th road and 44-29 to 44-35 21st street, southeast corner (Block 438, Lot 6), Long Island City, Borough of Queens, was granted by the Board on June 22, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit relative to the continuance of the combustible partitions.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 22, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted on condition,* that the partitions in question shall be entirely removed within two (2) years from the date of this *amended* resolution, * * * and that other than as herein *amended,* the conditions of the resolution of June 22, 1943, shall be complied with (Misc. Applic. 1337-43)."

309-44-A

APPLICANT—Raymond Irrera, for John P. Guiler, owner (Alice Randall Schwartz, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—116-09 to 116-15 84th avenue, north side, from 116th to 117th streets, 83-79 to 83-97 116th street and 83-96 117th street (Block 3321, Lots 146-155 and 159), Kew Gardens, Borough of Queens.

APPEARANCES—
For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (309-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 116-09 to 116-15 84th avenue, north side, from 116th to 117th streets, 83-79 to 83-97 116th street and 83-96 117th street (Block 3321, Lots 146-155 and 159), Kew Gardens, Borough of Queens, was granted by the Board on June 6, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 6, 1944, only so far as it has reference to the requirements for a one inch sprinkler head to be maintained in the kitchen, so as amended, the resolution shall read:

"*Resolved,* that the decision of the borough superintendent acting on Alt. Applic. 231-44, Objections 4 and 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in addition to the exits as indicated on plans filed with this appeal, exit shall also be provided by means of casement doors opening outwardly from each of the two rest rooms on the south side of the second floor, giving access to the roof and with a steel stairway from the rear of the porch roof leading to grade; that a sprinkler head shall be maintained in the kitchen which may be fed from the domestic water supply; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied substantially as proposed."

559-44-A

APPLICANT—Kitzler and Nurick, for Lasky Motor Car Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—84-92 Montrose avenue, 86-102 Leonard street, southeast corner and 99-101 Johnson avenue (Block 3060, Lots 1-33 and part of 34), Borough of Brooklyn.

APPEARANCES—
For Applicant: Sidney H. Kitzler and Herman Lasky.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (559-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 84-92 Montrose avenue, 86-102 Leonard street, southeast corner and 99-101 Johnson avenue (Block 3060, Lots 1-33 and part of 34), Borough of Brooklyn, was granted by the Board on October 24, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 24, 1944, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent dated September 7, 1944 on Alt. Applic. 2586-44, and that the appeal be and it hereby is *granted,* as to objection 2, *on condition* that the exits as proposed on plans filed with this appeal marked 'Received October 3, 1944' shall be maintained, except that instead of the proposed fire escape on the Johnson avenue side, a stairway shall be constructed along the easterly wall, enclosed in accordance with the Code requirements, leading directly to Johnson avenue and that the scuttle shown toward the center, shall instead be constructed inside of such enclosure; that the existing fire escape on Leonard street shall have a gooseneck ladder leading to the roof; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in the event the owner decides to postpone the proposed extension to Johnson avenue as shown on plans filed with this appeal, such extension may be temporarily omitted, provided that the exits and all other requirements mentioned for maintaining the building are complied with, and also provided that such extension is constructed within one year after the termination of the present war emergency."

59-45-A

APPLICANT—Henry George Greene, for 3164 Park Avenue Corp., owner.

MINUTES

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—851-861 Courtland avenue and 313 East 160th street, northwest corner and northeast corner of Park avenue and East 160th street (ground and 1st floors); (Block 2419, Lot 28), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (59-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 851-861 Courtland avenue and 313 East 160th street, northwest corner and northeast corner of Park avenue and East 160th street (ground and 1st floors); (Block 2419, Lot 28), Borough of The Bronx, was granted by the Board on March 6, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, relative to the applicant's statement of the existence of a standpipe system in the building; and

WHEREAS, the applicant has requested amendment to his statement, and to the resolution, so as to omit reference to a standpipe system as he has found that there is no standpipe system within the building as represented in the appeal.

Resolved, that the Board of Standards and Appeals does hereby *amend* the statement of applicant and the resolution adopted on March 6, 1945, so as to omit the words in the applicant's statement—"a standpipe system"; and in the resolution the clause reading—"that the standpipe system shall be maintained to the satisfaction of the fire commissioner."

154-45-A

APPLICANT—Howard H. Snyder, for Arjento Realty Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—110-112 West 40th street, south side, 175 ft. west of 6th avenue (Block 815, Lot 39), Borough of Manhattan.
APPEARANCES—
For Applicant: Howard H. Snyder.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn by applicant, after complete discussion.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

208-45-A

APPLICANT—Irwin Clavan, for Stuyvesant Town Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—Block bounded by north side of East 14th street to south side of East 20th street, between 1st avenue, Avenue C and East River drive (Blocks 946-951 inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1), Borough of Manhattan (Stuyvesant Town Housing).
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

739-44-A

APPLICANT—Elsie Parodney, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—11 East 17th street, north side, 225 ft. east of 5th avenue (Block 846, Lot 11), Borough of Manhattan.
APPEARANCES—
For Applicant: Nathan Permut.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to May 15, 1945 at 2 P. M., at request of applicant.

198-45-A

APPLICANT—Allen A. Blaustein, for Rose Millman, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: Allen A. Blaustein, Rose Millman and Herman Baskin.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to June 5, 1945 at 2 P. M., for an inspection by a committee of the Board, without further discussion.

231-45-A

APPLICANT—Harry P. Jaenike, for Guaranty Trust Co. of New York and Charles Dunlap, executors u/w of Edwin Berwind, deceased.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFFECTED—2 East 64th street, southeast corner of 5th avenue (Block 1378, Lot 69), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry P. Jaenike, Lester D. Gardener and Allen D. Emil.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 8, 1945 at 2 P. M., for an inspection by a committee of the Board.

ZONING CASES

633-17-BZ

APPLICANT—Freeman P. Imperato, for John De Mario, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district the extension of an existing garage to the building line on the front of lot.
PREMISES AFFECTED—544-546 Henry street, west side, 97 ft. south of President street (Block 349, Lot 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Freeman P. Imperato.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.

MINUTES

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (633-17-BZ)

WHEREAS, this application, permitting in a business use district, the extension of an existing garage to the building line on the front of the lot, affecting premises 544-546 Henry street, west side, 97 ft. south of President street (Block 349, Lot 26), Borough of Brooklyn, was granted by the Board on June 4, 1917, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, dated October 16, 1944, acting on Alt. Applic. 2950-44, which reads:

"1. The original alteration to extend the building was approved by the Board of Standards and Appeals, Permit 2415-1917. The approval of the Board should be obtained for this application to change the front entrance layout before it can be considered by this Department."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 4, 1917, by adding thereto:

"* * * that in the event the owner desires to reconstruct the front wall of the building as to the entrance doors as indicated on revised plans marked 'Received April 20, 1945,' and to install certain plumbing fixtures indicated thereon, such changes may be made and the decision of the borough superintendent acting on Alt. Applic. 2950-1944, under date of October 16, 1944, Objection 1, is hereby *modified* to permit such alteration as proposed, provided that in all other respects, the requirements of the resolution adopted June 4, 1917 are complied with."

469-27-BZ

APPLICANT—Kitzler and Nurick, for 902 Franklin Ave. Garage, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) previously granted on condition under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—933-943 Franklin avenue, northeast corner of Montgomery street (Block 1294, Lot 3), Borough of Brooklyn.

APPEARANCES—
For Applicant: Sidney H. Kitzler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (469-27-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 933-943 Franklin avenue, northeast corner of Montgomery street (Block 1294, Lot 3), Borough of Brooklyn, was granted by the Board on September 20, 1927, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, dated April 10, 1945, acting on Alt. Applic. 879-45, which reads:

"1. The original application for the erection of this building was approved by the Board of Standards and Appeals under Cal. 469-27-BZ. No change in occupancy of a portion of the building may be made unless approved by the Board."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 20, 1927, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e thereof, *on condition* that the building shall not exceed two stories in height, above grade; that the rear and gable walls shall be unpierced throughout their entire height and length; that the front elevation shall be finished with face brick, with architectural terra cotta or natural cut stone trimming, substantially in accordance with the design filed with this application; that not more than one vehicular entrance shall be permitted on the Montgomery street front, located at the extreme easterly end; that any gasoline storage equipment installed, shall be located approximately in the centre of the building at the Franklin avenue front and that any illuminating signs erected shall be located on the Franklin avenue front.

Resolved further, that in the event the owner desires to occupy the second story temporarily as a storage place for the Red Cross, such occupancy may be permitted during the term of the present emergency, provided no other use on the second floor is included, and to permit the continuation of the first floor as a public garage, with the privilege of restoring the entire building to public garage after the present emergency is over, provided the number of occupants on the second floor at no time exceeds three persons and such portable fire fighting appliances are maintained as the fire commissioner shall direct; that in addition, a fire escape in lieu of the required means of exit, shall be constructed on the Franklin avenue front, toward the south."

44-45-BZ

APPLICANT—William E. Kennedy, for Henry A. Bonori, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, for a term of five years, permitting partly in a business use and partly in a residence use district, the relocation of an accessory building to a gasoline service station.

PREMISES AFFECTED—46-03 Laurel Hill boulevard, northeast corner of 46th street (Block 2296, Lot 1), Woodside, Borough of Queens.

APPEARANCES—
For Applicant: William E. Kennedy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (44-35-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station, affecting premises 46-03 Laurel Hill boulevard, northeast corner of 46th street (Block 2296, Lot 1), Woodside, Borough of Queens, was granted on certain conditions, by the Board May 21, 1935,

the resolution amended June 18, 1935 and May 9, 1939, the permit extended under section 7f for a term of five (5) years and time to obtain permits and complete work extended, May 20, 1941, April 28, 1942, April 27, 1943 and April 25, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 21, 1935, as amended April 25, 1944, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended*, the conditions of the resolutions of May 21, 1935, June 18, 1935 and May 20, 1941, shall be complied with (N.B. 1720-34 and Alt. 9993-38)."

489-38-BZ

APPLICANT—Colonial Beacon Oil Company, new owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work and approval of plans—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block 3820, Lot 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3

Negative: Chairman Murdock..... 1

THE RESOLUTION (489-38-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, affecting premises 219-01 North Conduit boulevard (avenue) and 144-01 to 144-09 Springfield boulevard, northeast corner (Block 3820, Lot 4), Springfield Gardens, Borough of Queens, was granted by the Board December 3, 1940, on certain conditions; time extended on June 2, 1942, May 25, 1943 and May 9, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1940, as amended May 9, 1944, only so far as it has reference to obtaining permits and completion of work, so as amended this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution, and that the revised plans submitted are not approved and that the plans as approved previously by the Board shall be adhered to and that other than as herein *amended,* the conditions of the resolution of December 3, 1940 as amended October 24, 1944 as to term of the permit, shall be complied with (N.B. 3290-36)."

1022-40-BZ

APPLICANT—Henry Nordheim, for E. J. B. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309-313 East 149th street, north side, 400 ft. west of Courtlandt avenue and 308-310 East 150th street (Block 2331, Lots 23, 24, 60, 61 and 62), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1022-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 309-313 East 149th street, north side, 400 ft. west of Courtlandt avenue and 308-310 East 150th street (Block 2331, Lots 23, 24, 60, 61 and 62), Borough of The Bronx, was granted by the Board on April 29, 1941, on certain conditions; and

WHEREAS, the permit was extended on May 11, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 29, 1941, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of April 29, 1941, shall be complied with, and that a certificate of occupancy shall be obtained.

1116-40-BZ

APPLICANT—Wood, Cooke and Seitz, for Brooklyn Children's Aid Society, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2100-2116 Surf avenue, southwest corner of West 21st street (Block 7071, Lots 106 to 115, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Nash.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1116-40-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles affecting premises 2100-2116 Surf avenue, southwest corner of West 21st street (Block 7071, Lots 106 to 115, inclusive), Borough of Brooklyn, was granted by the Board March 25, 1941, on certain conditions; and

WHEREAS, the resolution was amended on October 15, 1941 and the permit was extended on April 6, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 25, 1941, as amended through April 6, 1943, only so far as it has reference to the term of the permit, so as amended, the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of March 25, 1941 and October 15, 1941, shall be complied with under the following conditions: that only motor vehicles of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and treated with binder so as to prevent dusting, and to provide surface drainage; that any buildings and uses now on the premises shall be entirely removed, and during the term of this permit no buildings shall be erected thereon, except that there may be erected near the entrance a building as a shelter and office for the attendant, provided such building does not exceed 100 sq. ft. in area and one story in height, and which may be of frame; that there shall be erected on the interior lot lines continuously, except where walls of adjoining buildings occur, a substantial woven wire fence with anchored steel posts not less than 6 ft. in height; that a similar fence shall be erected along the street line of West 21st street and Surf avenue with no openings therein, except one to Surf avenue and one to West 21st street, such openings not to exceed 15 ft. in width, with curb cuts opposite of similar width; that proper aisles shall be maintained at all times for entrance and exit; that a space of not less than 18 in. shall be left at all times between cars for access thereto; that such portable fire fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that there shall be no signs erected on the premises except there may be a sign attached to the fence near the entrance advertising the parking and storage use, such sign shall not exceed 15 sq. ft. in area, and shall not extend beyond the building line, and shall not be illuminated; that in the event the owner is unable to obtain sufficient steel posts for the fence herein required, wooden posts 4 in. by 4 in. with 2 in. by 4 in. rails may be used along the easterly end, provided such wood posts and rails are painted aluminum or gray and the wire mesh is of the chain link type and the fence is erected to the height specified; and that the existing refreshment stand toward the southerly end on West 21st street may be continued, provided it is fenced off from the parking lot by fencing as herein required."

302-41-BZ

APPLICANT—L. A. Kiesewetter, for Frieda Block, owner. (Staten Island Oil Co., Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a retail use district, the relocation of an accessory building and gasoline dispensing pumps on an existing gasoline service station.

PREMISES AFFECTED—2505 (2485 displayed) Victory boulevard and 538 Willowbrook road, northeast corner (Block 486, Lot 8), Willowbrook. Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (302-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a retail use district, the erection of a new accessory building on an existing gasoline service station, affecting premises 2505 Victory boulevard (2485 displayed) and 538 Willowbrook road, northeast corner (Block 486, Lot 8), Willowbrook, Borough of Richmond, was granted by the Board on June 10, 1941, on certain conditions; and

WHEREAS, the resolution was amended and time extended on June 9, 1942 and the resolution further amended on March 23, 1943; and

WHEREAS, the time was further extended on April 11, 1944 and the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 10, 1941, as amended through April 11, 1944, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by applicant that all permits have been obtained, and the work substantially completed, that all work shall be completed within one year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of June 10, 1941, June 9, 1942 and March 23, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

82-43-BZ

APPLICANT—Ferdinand Savignano, for Louis L. Ahlers and Mary Fromer, owners (Celtic Circle, Inc., Sheepshead Bay Unit No. 1, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting partly in a residence use and partly in a business use district, the erection of a grandstand for an athletic field, the use of which is primarily for business purposes.

PREMISES AFFECTED—1232-1254 Avenue Z and 2602-2644 East 13th street, southwest corner and 2601-2649 Homecrest avenue (Block 7457, Lots 1 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter L. Siciliano, Edward A. Tamm and Frank J. Meehan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (82-43-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a residence use and partly in a business use district, the erection of a grandstand for an athletic field, the use of which is primarily for business purposes, affecting premises 1232-1254 Avenue Z and 2602-2644 East 13th street, southwest corner and 2601-2649 Homecrest avenue (Block 7457, Lots 1 and 15), Borough of Brooklyn, was granted by the Board on October 5, 1943, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on April 4, 1944 and October 31, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 5, 1943, as amended through October 31, 1944, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within two months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of October 5, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

182-44-BZ

APPLICANT—Frank C. Keller, for John Celmer and Stanley Celmer, owners.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits—re Application (decision of the borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard.

PREMISES AFFECTED—70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (182-44-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the erection of a garage for two (2) commercial cars (trucks) and the maintenance of a contractor's equipment storage yard, affecting premises 70-01 to 70-07 71st place, southeast corner of 70th (Edsall) avenue (Block 3663, Lots 1, 2 and 4), Glendale, Borough of Queens, was granted by the Board on February 6, 1945, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 6, 1945, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) month from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of February 6, 1945, shall be complied with and that a certificate of occupancy shall be obtained (N.B. 7-44)."

596-42-BZ

APPLICANT—Koch and Wagner, for Roberts Numbering Machine Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting in a residence use district the change of occupancy of a five-car garage granted by the Board to a factory for a temporary period; now desires change to office use.

PREMISES AFFECTED—30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry L. Yakel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

203-45-BZ

APPLICANT—Walter Eberhart, for Burgi Contner, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from multiple dwelling to commercial use on 1st and 2nd floors, residence use above.

PREMISES AFFECTED—536 East 85th street, south side, 223 ft. west of East End avenue (Block 1581, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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NEW

BULLETIN

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MAY 29 1945

OF THE

BOARD OF STANDARDS AND APPEALS

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Notice of a Public Hearing on Proposed Amendments to Rules for Inspection of Opening Protective Assemblies.

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Fire Drill Rules.

PUBLIC HEARINGS

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Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to May 8, 1945.

Cal. No. Dept. Premises Affected.

256-45-BZ—H.B.B.—1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn, Alt. 212-45.

257-45-A—F.D.—74 Broad street and 2 Marketfield street, southwest corner (Block 11, Lot 17), Borough of Manhattan, 15796-LF and Decision.

258-45-A—H.B.B.—235-237 Pearl street, east side, 75 ft. south of Concord street (Block 117, Lot 23), Borough of Brooklyn, Alt. 1050-45.

259-45-A—F.D.—30-50 Church street, west side, from Cortlandt to Fulton streets (Concourse level and ramps); (Block 61, Lot 1 and Block 81, Lot 1), Borough of Manhattan, 39787-LC, 39785-LC, 39783-LC, 39790-LC, 39764-LC, 39794-LC, 37701-LC, 40086-LC, 37586-LC, 39900-LC and Decisions.

260-45-SA—Star Electromatic Fire Extinguishing Equipment, Appliance.

261-45-A—H.B.Bx.—338 East 148th street, south side, 129.29 ft. east of College avenue (1st and 2nd floors); (Block 2329, Lot 64), Borough of The Bronx, Alt. 189-45.

262-45-BZ—H.B.Q.—16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens, Alt. 409-45.

263-45-SM—Lo-K Flameproofed Cotton Insulation, manufactured by Lockport Cotton Batting Co., Material.

264-45-A—H.B.B.—1052-1054 Greene avenue, south side, 51 ft. 8 in. west of Broadway (Block 1623, Lot 33), Borough of Brooklyn, Alt. 337-45.

265-45-A—H.B.B.—287-473 Maspeth avenue, northeast corner of Varick avenue (Block 2838, Lot 1), Borough of Brooklyn, Alt. 1228-45.

266-45-A—F.D.—30-30 Thomson avenue, south side, entire block bounded by Thomson avenue, Mount (31st) street, Nelson (47th) avenue, and Manly street (30th place), (2nd floor); (Block 277, Lot 1), Long Island City, Borough of Queens, 99363-LC.

Restored to Calendar.

636-44-A—H.B.Q.—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens, Alt. 1117-44.

556-20-BZ—H.B.Bx.—1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx, Amendment to Alt. 9-45.

71-35-BZ—H.B.Q.—147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens, Viol. 934-45.

1339-27-BZ—H.B.B.—1607-1615 Coney Island avenue and 1101-1111 Locust avenue, northeast corner (Block 6731, Lot 65), Borough of Brooklyn, N.B. 109-45.

381-27-BZ—H.B.Q.—88-01 to 88-19 Roosevelt avenue, north side, between 88th and 89th streets, 37-53 to 37-69 88th street and 37-54 to 37-70 89th street (Block 1476 (617), Lots 38 and 34), Elmhurst, Borough of Queens, Misc. 1467-45.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
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Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
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Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

CALENDAR

MAY 15, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 15, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

136-45-BZ—Application, March 9, 1945, under sections 7i and 7A of the zoning resolution, of Paul Friedman, applicant on behalf of William A. White, Jr. (as executor and trustee under will of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee), to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard, premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

753-44-BZ—Application, December 29, 1944, under sections 7e, 7f and 21 of the zoning resolution, of Chester A. Cole and Maurice G. Uslan, applicants, on behalf of Emanuel M. Honig, owner, to permit partly in a residence use and partly in a business—1 use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court area; building to be occupied as a garage for more than 5 motor vehicles, motor vehicle repair shop, show rooms and gasoline service station; premises 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

Appeals from Administrative Decisions.

690-44-A—Re Transportation of Petroleum Oil in Tank Truck (capacity of tank not in conformity with Administrative Code requirements governing Tank Trucks) in New York City.

238-45-A—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens.

266-45-A—30-30 Thomson avenue, south side, entire block bounded by Thomson avenue, Mount (31st) street, Nelson (47th) avenue and Manly street (30th place), (2nd floor); (Block 277, Lot 1), Long Island City, Borough of Queens.

Appliance for Approval.

287-43-SA—Castle Surgical Instrument Washer and Sterilizer #100.

HARRIS H. MURDOCK, *Chairman.*

MAY 15, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 15, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

739-44-A—11 East 17th street, north side, 225 ft. east of 5th avenue (Block 846, Lot 11), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

246-45-A—303-311 4th avenue and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan.

258-45-A—235-237 Pearl street, east side, 75 ft. south of Concord street (1st, 2nd and 3rd floors); (Block 117, Lot 23), Borough of Brooklyn.

278-45-A—135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (Block 4958, Lots 55 and 18), Flushing, Borough of Queens.

220-45-A—105 Pennsylvania avenue, east side, 125 ft. 1 in. south of Atlantic avenue (Block 3687, Lots 10 and 25), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 22, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

60-45-BZ—Application, February 6, 1945, under section 7c of the zoning resolution of Lama & Proskauer, applicants, on behalf of General Linen Supply Co., Inc., owner, to permit in a residence use C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry; premises 449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

188-45-BZ—Application, April 2, 1945, under section 7c of the zoning resolution, of Kitzler and Nurick, applicants, on behalf of Dora Tatarsky, owner, to permit in a residence use district, the change of occupancy of an existing building from garage for ten motor trucks to garage for five motor vehicles and manufacturing of lamp bases; premises 170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn.

Appeal from Administrative Decision.

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 22, 1945 at 2 o'clock in Room

CALENDAR

1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

100-45-A—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May 29*, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

556-20-BZ—Application of Michael Glick, applicant, on behalf of B-J Holding Corporation, owner, reopened May 8, 1945, for consideration re amendment of resolution as to additional use—Application previously granted on condition, under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection of a garage for more than five motor vehicles; premises 1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx.

71-35-BZ—Application of John Krupski, applicant and owner, reopened May 8, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 21 of the zoning resolution, for a term of two years, permitting in a residence use district, the maintenance of a garage for the storage of one commercial truck; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens.

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

30-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

284-45-BZ—Application, May 7, 1945, under section 7b of the zoning resolution, of Andrew A. Oliveri, applicant, on behalf of Frank Ray Howe, Director, Bureau of Real Estate, Board of Estimate, for the City of New York, owner, to permit the extension of a business use on a lot located partly in a restricted retail district and partly in a residence use district, into the more restricted (residence) use district; premises 102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1) (old Lot 89), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May 29*, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

202-45-A—20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens (Under section 35, General City Law re bed of proposed mapped street—Powells Cove road).

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June 5*, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June 5*, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning, June 8*, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Rules.

1139-39-SR—Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

170-39-SR—Proposed Amendments to Rules on Uses of Insulating Fibre Board.

465-44-SR—Proposed Rules on Exterior Veneering Materials.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 20, 1945, as they appeared in Bulletin No. 13, Vol. 30, are hereby corrected to read as follows:

32-45-A

APPLICANT—K. Stenzel and Sons, lessees, for The Newspaper PM, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan.
APPEARANCES—
For Applicant: Hyman Stenzel.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: 0
Absent: Chairman Murdock 1

THE RESOLUTION (32-45-A)

WHEREAS, K. Stenzel and Sons, lessees, for the Newspaper PM, Inc., owner, filed January 20, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 21-29 Hudson street and 164-166 Duane street, southwest corner (12th floor); (Block 141, Lot 32), Borough of Manhattan; and

WHEREAS, Order 39925-LC, issued by the fire commissioner December 6, 1944, and repeated in a decision of the fire commissioner dated January 19, 1945, reads:

"With reference to your application for a permit to store and use celluloid and acetone, at the above location, I regret to inform you that this department is without power to grant such a permit for the reason:

A. Building is used for the storage of paints, varnishes or lacquers. Sec. C19-110.0-1-b-7.

B. Building is used for the storage of matches, rosin, turpentine, oil, hemp, cotton. Sec. C-19-110.0-1-b-8, Administrative Code.

You are hereby advised to:

1. Remove all nitro cellulose products from the above premises."

and

WHEREAS, the applicant states the building is 12 stories (148 ft.) in height; 121 ft. by 98 ft. in area, of Class 1 construction; erected 1910; located in an unrestricted use, A area, Class 2 height district, and occupied as follows: cellar, printing, 15 persons; 1st to 4th floors, inclusive, publishing, 40 persons; 5th floor, manufacturing shoes, 50 persons; 6th floor, manufacturing cosmetics, 6 persons; 7th floor, photographic work, 15 persons; 8th floor, manufacturing pills, 39 persons; 9th floor, manufacturing marine lights, 25 persons; 10th floor, manufacturing toys, 50 persons; 11th floor, manufacturing sweaters, 75 persons; 12th floor, manufacturing celluloid glass frames, 50 persons; that no change in use or occupancy is proposed, except for the 12th floor, which will be increased in occupancy to 75 persons; that the building is equipped with a two source sprinkler system and an interior fire alarm system, but fire drills are not maintained; that there are three 35 in. fireproof stairs, one of which extends from the street to the roof; and

WHEREAS, the applicant contends that it was the first tenant to sign a lease with the owners and consequently at that time there were no other occupants in the building storing paints, matches, rosin, turpentine, etc.; that the owners had a vault constructed specially for the purpose of storing the applicant's stock of celluloid and acetone; that before leasing the premises, the applicant ascertained that the building was fireproof, sprinklered, had three exits and was equipped with a fire alarm system; that the applicant has gone to considerable expense to see that all other precautions were taken, necessary for the conduct of its business; that the applicant is engaged in an essential industry of manufacturing celluloid optical frames; that to be required to remove all nitro cellulose products from its premises as directed by the order, would mean that they would have to vacate the premises; that an investment of $20,000 was made in installing the plant to meet all fire, health, labor and Building Department standards and that these installments were made with a view of a long term occupancy; it is therefore requested that this appeal be granted; and

WHEREAS, examination of the Fire Department records indicates that permit was applied for to store 10,000 pounds of nitro-cellulose and 10 gallons of acetone.

Resolved, that the order of the fire commissioner, acting on Order 39925-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed storage of celluloid and acetone may be permitted, provided such nitro-cellulose materials as are not actually in process, shall be stored in a vault approved for this purpose by the borough superintendent; that the two source sprinkler system shall be maintained throughout the building; that such other portable fire fighting appliances shall be maintained, including receptacles with water for nitro-cellulose waste, as the fire commissioner shall require; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. 724-44-A.

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* Correction—The calendar number, referred to in the last line of the resolution, changed from 722-44-A to 724-44-A.

REGULAR MEETING

TUESDAY MORNING, MAY 8, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, May 1, 1945, and Tuesday afternoon, May 1, 1945, were approved as printed in Bulletin No. 19, Volume 30.

ZONING CASES

46-45-BZ

APPLICANT—Reuben Siskin, owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area.
PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.
APPEARANCES—
For Applicant: David Toplitz and Reuben Siskin.
For Opposition: Thomas Bress for L. Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 5, 1945 at 10 A. M.

60-45-BZ

APPLICANT—Lama and Proskauer, for General Linen Supply Co., Inc., owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use, C area district,

the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry.

PREMISES AFFECTED—449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama and Carl E. Troy.

For Opposition: A. Blaustein, J. Monahan, F. Macre, G. Casper, J. Brown, J. Fragasso, W. Babinski, Mrs. McGuinness, Ann Jagad, Mrs. P. McGlenn and J. Cullinan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 22, 1945 at 10 A. M., for further consideration.

78-45-BZ

APPLICANT—Lama and Proskauer, for The Greater New York Brewery, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory.

PREMISES AFFECTED—284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 22, 1945 at 10 A. M., on request of applicant.

1321-39-BZ

APPLICANT—P. J. Keating, lessee, for 39 Corporation, new owner.

SUBJECT—Application reopened April 17, 1945, for consideration as to extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting partly in a residence use and partly in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. P. J. Keating.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1321-29-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a residence use and partly in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block 5020, Lot 47), Flushing, Borough of Queens, was granted by the Board on December 10, 1940, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on April 17, 1945, restored to the calendar and set for hearing on May 8, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 10, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the portion of the premises unbuilt upon towards the rear, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of December 10, 1940, shall be complied with and that a certificate of occupancy shall be obtained (Misc. 7188-39)."

109-43-BZ

APPLICANT—Lama and Proskauer, for Samuel Sym, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension in area of a building used as a wet wash laundry.

PREMISES AFFECTED—64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lots 12 and 13), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (109-43-BZ)

WHEREAS, Lama and Proskauer, for Samuel Sym, owner, filed on March 12, 1943, an application under section 7c of the zoning resolution, to permit in a business use district, the extension in area of a building used as a wet wash laundry, affecting premises 64-08 Perry avenue, south side, 47.73 ft. east of Willow avenue (Block 2716, part of Lots 12 and 13), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Perry avenue is in a residence and business use district; 64th street is in a business and unrestricted use district and Grand avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent dated March 8, 1943, on Alt. Applic. 180-43, reads:

"1. The extension of the building for the use as a 'wet wash laundry' within a business district is contrary to Art. II, Section 4(50) Building Zone Resolution."

and

WHEREAS, the application was amended to include the adjoining Lot No. 13 under the same ownership to be occupied for exit purposes from the laundry; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, as to Alt. Applic. 108-43, reads:

"1. The extension of the building for the use as a wet wash laundry within a business district, is con-

trary to Art. II, Section 4, Subdivision 51, of the Building Zone Resolution."

and

WHEREAS, this latter decision was intended to apply to the inclusion of Lot No. 13 in the plot even though no building is proposed to be erected on such Lot 13; and

WHEREAS, the applicant states that the premises consist of a plot of ground consisting of Lots 12 and 13 in Block 2716, having a total frontage of 50 ft. 4 in. on Perry avenue, and Lot 12, having a frontage of 25 ft. 9 in. on Grant avenue and a depth of approximately 180 ft., and Lot 13 having a depth of 100 ft. 1 in.; and

WHEREAS, portions of Lot 12 and 13 are in the residence use district and portions are in the business use district; that upon the Perry avenue frontage of Lot 12, there is located a one story frame building approximately 17 ft. by 37 ft. 8 in. in area, occupied as a garage and store room and at the rear of this building, there is a one story brick building, 25 ft. 4 in. by 50 ft. in area, occupied by a laundry; that it is proposed to remove the frame building on the Perry avenue frontage and to erect a two story brick extension, approximately 17 ft. by 37 ft. 8 in. in area, to be used in conjunction with present wet wash laundry approved by the Department of Building under Alt. Applic. 4144-1943; that the adjoining Lot 13, now included in this application is to be left vacant, as at present and to be used solely as a means of exit from the rear by means of a doorway as shown on plans filed with this application; and

WHEREAS, the portion of Lot 12 facing Grand avenue is improved with a three story brick building used as a store and three families and has no connection with the laundry building, although under the same ownership; that the present owner purchased Lot 12 and the buildings thereon in 1942, after having occupied same since 1933; that the character of the area has not changed since 1933, at which time the wet wash laundry was a permissible use in a business use district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulation of the zoning resolution and that the application be and it hereby is *granted* under section 7c, to permit the extension of use as proposed on Lots 12 and 13, *on condition* that Lot No. 13 shall remain vacant and unbuilt upon although used as a means of exit, and for delivery and receipt of laundry through the 6 ft. exit door shown at the rear of the building on Lot 12, which it is proposed to extend, as indicated on revised plans filed marked "Received May 8, 1945"; that this action modifies the objection of the borough superintendent, acting on Alt. Applic. 180-43, Objection No. 1, as of March 8, 1943, and Objection No. 1, as of May 2, 1945; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution; that there shall be no storage of motor vehicles on Lot 13, the use of which shall be solely as permitted under this resolution.

661-44-BZ

APPLICANT—Max Horn, for Kaymos Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an F area district, the erection of an apartment house covering a greater area than permitted in an F area district.

PREMISES AFFECTED—147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn, John Souyak, Abner H. Pike, George Wolpert, Viola L. Watts and W. F. Brunner.

For Opposition: L. A. Conway, A. Dittrich, N. Blate, N. Levine, L. Coth, Mrs. A. Mischlich, Mrs. J. E. Auerbach and Eleanor Conolly.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (661-44-BZ)

WHEREAS, Max Horn, for Kaymos Realty Corporation, owner, filed November 22, 1944, an application under section 21 of the zoning resolution, to permit in an F area district, the erection of an apartment house covering a greater area than permitted by the building zone resolution; affecting premises 147 Beach 117th street, west side, 440 ft. south of Rockaway Beach boulevard (Block 757, Lots 28, 32 and 34), Rockaway Park, Borough of Queens;

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 117th street is in a residence use, F area and 1 times height district; Beach 118th street is in a residence use, F area and 1 times height district; and

WHEREAS, the decision of the borough superintendent, dated November 13, 1944, re N. B. Applic. 335-44, reads:

"1. Side yards as required by Sec. 16-B of the zoning resolution are not provided.

2. Rear yard is less in depth than that required in Sec. 16-B of the zoning resolution.

3. Percentage of lot occupied exceeds the allowable area in violation of Sec. 16-D of the zoning resolution.

4. Floor area exceeds 1.6 the area of lot in violation of Section 16-E of the zoning resolution. Not further examined."

and

WHEREAS, the applicant states the premises consist of a plot, 180 ft. frontage by 100 ft. in depth; now vacant, on which it is proposed to erect a six story, 60 ft. in height, Class 3 construction, multiple dwelling, 159 ft. by 70 ft. in area; and

WHEREAS, the applicant contends that the purpose of this appeal is to permit a greater coverage of this land than is possible under the zone F regulation, Article IV, Sec. 16; that the present owner acquired the property on April 29, 1932 and at that time, there was some talk about relaxing the zone F restrictions in the area between Rockaway Beach boulevard and the boardwalk and between Beach 117th street and possibly Beach 122nd street, to permit greater coverage of the land; that this would have made possible the erection of apartment houses in this section; that this is what prompted the owner to purchase the property; that the only change made was of a strip 100 ft. deep along the Ocean promenade in 1937 to a C area zone; that an inspection of the location will clearly show that this plot is not properly suited for a zone F residence purpose; that it is directly opposite the bathing establishment, hotel, and concessions, which is set off with a fence enclosure, with prominently painted signs; that directly opposite the plot is a big six story apartment house, built under area C zone regulations; that many of the other houses on this street, and on Beach 118th street, are rooming houses; that this is not a fit location for a one or a two family house subject to zone F regulations; that this section is very well suited for an apartment house, because it is near the L. I. R. R. station on Beach 116th street near the beach, boardwalk, shopping and other conveniences; that the factors which are objectionable for one and two family homes, would not be serious bars for an apartment house; that this parcel is now assessed for $19,200; that un-

less the owner gets reasonable relief from the burdensome zoning restrictions, he will not build and it will continue to be a burden to him, and a loss of full tax possibilities to the city; that it is proposed to comply with all the requirements of the Multiple Dwelling Law, including yards, courts, etc. and also to set back 15 ft. from the street property line; that the building will be a modern apartment house, costing approximately $300,000, and will be an improvement for the street; that the data on this proposed building is as follows: Area of land, 18,000 sq. ft. Area of land covered, about 9,200 sq. ft. Percentage of land covered, about, 52 percent. Total floor area—6 floors, 55,200 sq. ft. or about three times the area of the plot, not including the walls. The height to top of roof beams about 60 ft., the total maximum height, including parapets about 64 ft. 6 in.; that in view of the above facts, it is respectfully requested that the requirements of the Zone F restrictions be waived; that the applicant desires to point out to the Board, the disadvantages of a sudden demarcation from a business C, to a residential C zone and then to a residential F zone; that the change should be gradual, in several stages, as for example—from business C on one side of the street to residence C on the other side of the same block; to residence D in the next block; to Residence E in the following block, and finally to residence F; it is not suggested that the Board consider any such proposition, but it can now right a specific situation that does not fit into the proper class, by granting this appeal; and

WHEREAS, the Board of Standards and Appeals under Cal. #515-40-BZ on February 18, 1941, denied an application for the parking and storage of more than five motor vehicles on these premises; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief.

Resolved, that the decision of the borough superintendent acting on N. B. Applic. 335-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

191-45-BZ

APPLICANT—Pomerance and Breines, for National Maritime Union of America, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c, 7d and 21 of the zoning resolution, to permit in a residence and partly in an unrestricted use district, the change of occupancy from garage building (previously granted by the Board) and telephone exchange building to union headquarters with unemployment office and meeting room.

PREMISES AFFECTED—346-352 and 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Rosenfeld, Julian Roth, Hadley Stone and Simon Breines.

For Opposition: Mollie Korman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (191-45-BZ)

WHEREAS, Pomerance and Breines, for National Maritime Union of America, owner, filed March 28, 1945, an application under sections 7c, 7d and 21 of the zoning resolution, to permit in a residence and partly in an unrestricted use district, the change of occupancy from garage building (previously granted by the Board) and telephone exchange building to a union headquarters with unemployment offices and meeting rooms; affecting premises 346-352 and 354-360 West 17th street, south side, 100 ft. east of 9th avenue and 355 West 16th street (Block 740, Lots 7 and 55), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals, and

WHEREAS, the use district maps accompanying the zoning resolution show that West 16th street is in an unrestricted use, B area and Class 1½ height district; West 17th street is in an unrestricted, retail and residence use, B area and Class 1½ height district and Ninth avenue is in an unrestricted and retail use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated March 23, 1945 on Alt. Applic. 224-45, reads:

> "2. For corrected zone districts now stated on application, proposed use is not permitted in the residence portion of the building, Section 3, Z.R."

and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 101-45, dated March 27, 1945, reads:

> "1. Building is in a residence district and proposal to change use of building from telephone exchange to employment offices, and meeting rooms, may not be permitted as per Sec. 3, Art. II, zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 175 ft. frontage by 194 ft. in depth, on which is located two buildings, one 6 stories, formerly occupied as a telephone exchange and one two stories, formerly occupied as a garage; and that it is proposed to convert the occupancy to a union headquarters with employment office, etc.; and

WHEREAS, the applicant contends that the two properties in question together with two additional properties on West 16th street are operated by the owner as its headquarters; that they contain offices, assembly rooms, school rooms and hiring halls, as well as storage space and the usual mechanical equipment required for maintenance; that for the convenience of union members, a small book stall is operated in the lobby of building at 346 West 17th street; that building at 346-352 West 17th street was originally erected in 1902 as a central telephone exchange and offices and purchased by the National Maritime Union in June 1941; that after extensive alterations were completed, all approved by the department, the union entered into possession; that improvements valued at some $160,000 have been installed, and added to the cost of purchase, represents an investment of approximately $195,000, exclusive of the cost of operation; that it was not until January 26, 1945, when application for approval of the extension of the elevator shaft to the cellar was filed (Alt. 101-45), did the Department object to the use on the ground that the conversion from a telephone exchange to union office was unauthorized; that this was 3½ years after the acquisition of the premises and after a large investment had been made with the Department's approval; that the building at 354-360 West 17th street is now joined with 346-352 West 17th street, but was originally occupied as a garage from its erection in 1919, until its purchase by the union in September, 1943 for $60,000 and with the approval of the Department, the union made extensive alterations at a cost of $55,000, completely changing the character of the building and for which Certificate of Occupancy 30632-44 was issued; that on February, 1945, plans for the installation of additional toilet facilities were filed and not until February 23rd, 1945, was the union advised that the Department considered the use to be in violation of the zoning resolution; and

WHEREAS, the applicant contends that its occupancy of the premises is not in violation of the zoning resolution; that if there is a violation, a variance should be granted on the ground of hardship; that Article II, Sec. 3(2) of the resolution provides that there may be erected in a residence district, buildings devoted to the use of "clubs, excepting clubs the chief activity of which is a service customarily carried on as a business"; that by Section 3(4) of the same Article,

schools are likewise exempted; that the union maintains a shipping hall from which men are assigned to ships as calls come in; that a close relationship has been established between this pool of manpower and that maintained by the Recruitment and Manning Organization of the War Shipping Administration; that the U. S. Coast Guard occupies the 2nd and 3rd floors of 346-352 West 17th street, where it conducts an upgrading school to qualify seamen for promotion; that one of the most important of the Union's activities is the Personal Service Department, where seamen and their dependents in need are assisted by a staff of experienced social workers; that the publication of the Union's weekly paper is another phase of its activities; that the National Maritime Union is thus manifestly a "club" and exempt from the provisions of the resolution; that it is an organization supported by regular voluntary payments of its members and devoted to their common purposes; that it is apparent, the intention of the zoning resolution was to exclude from its application, all non-profit making enterprises as well as certain profit making ones, such as schools; that the union clearly belongs in this category as it is not organized for profit; that the total investment on these premises exclusive of the cost of maintenance to date is $305,000 and unless the Board grants relief, very little if any part can be salvaged and a modern well equipped building will have to be abandoned; that a financial loss will thus be inflicted upon the members of the Union; that the threat to continued enjoyment of the fruits of careful organization presented by the Department's objections, a threat which, if fulfilled, may endanger the Union's operations in aid of the war effort is more difficult to bear, since the prime responsibility for the situation rests with the Department, although the applicant's architect, relying upon an old map, designated the use district incorrectly as business use instead of residence use; that the determination whether the zone permitted the use, was not for the architect, but was a duty imposed upon the Department; that in violation of this duty and contrary to the accepted practice, no verification of the zone designation was made; that the architect and applicant had a right to rely upon the approval then granted and assume that they were not being led into a position where a large investment might be endangered; that it is inequitable to impose the burden of redeeming the error upon the applicant, which is only the representative of maritime workers whose voluntary contributions created the original fund; that the Board has the power to relax the provisions of the zoning resolution, in a case where substantial hardship may result; that no possible detriment can be worked upon the neighborhood by permitting the Union to remain; that the residence zone is completely surrounded by less restrictive uses; that directly abutting on the west is a business zone, to the south and encroaching upon the premises to within 84 ft. of the building line, is an unrestricted zone in which parts of the buildings are located; that to the east along 8th avenue is a business zone and east of 8th avenue it is unrestricted; that on the block occupied by the premises are numerous business occupancies as follows: 325 West 17th street, Laundry; 329 West 17th street, Grocery; 337 West 17th street, grocery and office; 341 West 17th street, restaurant; 343 West 17th street, barber shop and dry cleaning; 357 West 17th street, stable; 320 West 17th street, grocery and stationery and 328 West 17th street, barber shop and grocery; that out of a total frontage of 877 ft., 202 ft. are devoted to business use; that Article II, Section 7(c) permits the extension of a use into a more restricted district; that part of the premises extending 100 ft. north of 16th street is in an unrestricted zone; that the two portions of the building are inseparable and no harm would be done to the character of West 17th street if a variance is permitted under these circumstances, on the contrary, the neighborhood would be benefited; and

WHEREAS, the Board found that the use proposed is not a permitted use in a residence use district as claimed; and

WHEREAS, it is well established in law, that no reliance can be placed on a permit obtained through misrepresentation; that in this case, the permit was obtained by representing in 1941, that the premises on West 17th street were in a business use district; and

WHEREAS, the premises were and had been in part in a residence use district since 1936; that as stated by the Court in S. B. Garage vs. Murdock "a municipality may not be held equitably estopped by the original misfeasant or malfeasant act of its officers or agents in having issued a permit contrary to the plain mandate of a zoning provision"; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7c thereof, to permit the extension of use from the unrestricted use district into the residence use district, as proposed and as indicated on plans filed with this application marked "Received March 28, 1945", *on condition* that the building shall not be increased in height and area; that this resolution shall be deemed to supersede the resolutions adopted by the Board under Cal. Nos. 175-17-BZ and 186-19-BZ, having relation to the use of the building at 354-360 West 17th street and 355 West 16th street as a garage; that inasmuch as this resolution permits a different use, such garage use shall be deemed abandoned; that guards shall be maintained by the union at all times to police the exterior of the building along West 17th street and West 16th street to maintain order; that the use herein permitted shall also be in connection with the buildings in the unrestricted use district now owned by the National Maritime Union and occupied in conjunction with the buildings affected by this application, namely buildings on Lots 5, 8 and 9 in Block 740; that except for during the term of the present war emergency, the buildings shall be occupied only during regular working hours; that in all other respects, the buildings and occupancy shall comply with all laws and rules applicable thereto; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

200-45-BZ

APPLICANT—George G. Miller, for 1063 Madison Avenue Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a B area district, a two story extension out to the building line of a five story business and residential building; the area being in excess of the requirements for a B area and restricted retail use district.

PREMISES AFFECTED—1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Saul Mandelbaum and George G. Miller.

For Opposition: Harry Berger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (200-45-BZ)

WHEREAS, George Miller, for 1063 Madison Avenue Corporation, owner, filed April 5, 1945, an application under section 21 of the zoning resolution, to permit in a B area district, a two story extension out to the building line of a five story business and residential building, the area being in excess of the requirement for a B area and restricted retail use district; affecting premises 1063 Madison avenue, east side, 76 ft. 7½ in. south of East 81st street (Block 1492, Lot 52), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

MINUTES

WHEREAS, the use district maps accompanying the zoning resolution show that Madison avenue is in a restricted retail use, B area and class 1¼ height district; 80th and 81st streets are in residence use, B area and class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated March 15, 1945, re Alt. Applic. 222-45, reads:

"Proposed front extension of building is not permitted being contrary to Sec. 12, Article IV, Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 22⅔ ft. frontage by 100 ft. in depth, on which is located a 5 story (50 ft.) one family dwelling, class 3 construction, 22 ft. 8 in. by 90 ft. in area at first story and 22 ft. 8 in. by 58 ft. in area above; it is proposed to extend the building out to the building line on the 1st and 2nd stories and to occupy the building as a store, showroom and one family; and

WHEREAS, the applicant contends that the existing building is set back 5 ft. from the building line; that it is proposed to erect a two story extension at the front, so as to extend the building to the building line and to occupy the first floor front as a retail store, with the rear work room used in conjunction with the second floor occupancy, which will be that of a showroom and stockroom for lamps; that the work done in the rear of the first story in the work room will consist of only such incidental manufacturing, as is necessary in connection with the alteration of lamps sold in the showroom on the second story; that the owners will conduct the showroom and stockroom on the 2nd story and the work room on the first story and will occupy the upper floors conjunctively as a single family dwelling; that the adjoining buildings on both sides have been extended to the building line; that the only buildings on the block which are not extended to the Madison avenue building line are Nos. 1071 and 1069, at the corner of East 81st street; that the position of the owner of the building in question is different from that of the other owners, in that by extending the proposed first and second story to the building line, the owner will not jeopardize the light and air of any other building on the block; that the owner seeks to alleviate an existing hardship and to obtain equal rights with the owners adjoining on both sides; that if the building is extended as proposed, its area on the first and second stories will be 87% of the area of the lot; that the building now occupies 82.2% at curb level not including the front stoop, furnishing entrance to the first floor and basement and an integral part of the building; that no change is proposed at the rear and therefore the block ventilation will not be interfered with; that the use of the proposed building for business, necessitates the extension at the front in place of the existing stoop, in order to harmonize with the facades of the other buildings on the street; that the extension could be erected legally if it were not for the fact that the building extends to the rear and within 5 ft. of the rear lot line and exceeds the area above curb now permitted; that the lot upon which this building is erected has a depth of 100 ft., as compared with the adjoining lots to the north, which are 85 ft. deep and the lot to the south which is 95 ft. in depth; that the use district was changed June 4, 1937, from business use to restricted retail use; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and is therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the building to be extended to the street line as proposed, *on condition* that such extension shall not be greater in height than as proposed and as indicated on plans filed with this application marked "Received April 5, 1945"; that the building shall not be increased further in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

107-45-A

APPLICANT—James E. Casale, for 18 East 71st Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Sal Martorana.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 22, 1945 at 10 A. M., on request of applicant's representative.

690-44-A

APPLICANT—John J. Beatty, for Atco Tank Service, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner re Transportation of Petroleum oil in tank truck (capacity of tank not in conformity with Administrative Code requirements covering Tank Trucks in New York City.

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to May 15, 1945 at 10 A. M. on request of applicant.

148-45-A

APPLICANT—Charles M. Spindler, for Fannie Rothschild, owner (R. L. Carlisle Chemical and Manufacturing Co., lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—207-213 Norman avenue and 750-760 Humboldt street, northeast corner (1st floor); (Block 2628, Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (148-45-A)

WHEREAS, Charles M. Spindler, for Fannie Rothschild, owner (R. L. Carlisle Chemical and Mfg. Co., lessee), filed March 14, 1945, an appeal from an order of the fire commissioner, affecting premises 207-213 Norman avenue and 750-760 Humboldt street, northeast corner (1st floor); (Block 2628, Lot 38), Borough of Brooklyn; and

WHEREAS, order 98578-LC issued by the fire commissioner January 8, 1945 and repeated in a decision of the fire commissioner dated March 12, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store oils, varnishes, etc., shows that the following must be done before the permit requested can be issued:

1. Discontinue the manufacture of inflammable mixtures (Poly-Butene Adhesives)

OR

Discontinue the manufacture of paints, varnishes and lacquers on the same premises. C19-85.0, Administrative Code."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft.) in height, 100 ft. by 25 ft. in area, of class 1 construction, erected in 1921, located in an unrestricted use, A area, class 2 height district and used and occupied since 1921 as follows: 1st floor—paint factory and story of paints and chemicals—6 persons; 2nd floor—manufacturing, storage, office and laboratory—4 persons, for which no certificate of occupancy has been issued; that no change in use or occupancy is proposed; that the building is equipped with two 3 ft. 8 in. wide fireproof stairs, one of which leads to the roof and both lead directly to the street; and

WHEREAS, the applicant contends that it is proposed to construct a fireproof mixing room on the first floor, to be used for manufacturing of rubber cement, paint remover and allied substances containing volatile inflammable oils, which oils will be stored in the existing approved storage system consisting of three 550 gallon buried tanks, located in the yard as indicated on diagram filed with this appeal; that plans for these tanks were approved under Misc. Applic. 2340-43 and the installation was inspected and tested by the Fire Department; that three 300 gallon mixing tanks will be installed in the mixing room and the oils will be transferred from the storage tanks to the mixing tanks through fixed piping; that the mixing room will comply with all requirements of the Administrative Code; that the order is based on C19-85.0, which prohibits the manufacture of inflammable mixture in any building in which drygoods or other materials of a highly inflammable nature are manufactured, stored, or sold; that this provision was obviously intended to apply to such materials not connected with the trade in which the volatile oil is used and was certainly never intended to affect the handling of oils and chemicals of varying flashpoints used by one manufacturer in manufacturing allied products; that in view of the fact that the plant will remain a paint and allied chemical products factory and in view of the small area, the fireproof construction, the exits, the low occupancy and the fact that the rubber cement products will be used for war work, it is requested that a variation of the requirements be granted; and

WHEREAS, an application was filed with the Borough Superintendent for the construction of a room shown for storage, under Alt. Applic. 554-45.

Resolved, that order 98578-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the manufacture of inflammable mixture (Poly-Butene Adhesives) shall be carried on within a room as proposed on the first floor, separated from the balance of the premises by fireproof partitions, as indicated on plans marked "Received March 14, 1945" (3 sheets); that the automatic closing fire wall door indicated, shall be an approved swing type self-closing firewall door, instead of a sliding door and in addition that a swing door shall be installed leading from the room directly to Humboldt street; that such automatic CO-2 or foamite extinguishers shall be maintained and installed as required by the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that a certificate of occupancy for the building shall be obtained.

MATERIAL SUBMITTED FOR APPROVAL

604-44-SM

APPLICANT—Alpha Portland Cement Company, owner.
SUBJECT—Alpha Hi-Early Strength Portland Cement, approval of.
APPEARANCES—
For Applicant: Louis Anderson and Harold Maloney.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (604-44-SM)

WHEREAS, the Alpha Portland Cement Company, owner, filed on October 23; 1944, an application with the Board of Standards and Appeals for approval of the material known as Alpha Hi-Early Strength Portland Cement; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 604-44-SM
Subject: Alpha Hi-Early Strength Portland Cement, approval of.

On October 23, 1944, the Alpha Portland Cement Company filed an application with the Board of Standards and Appeals for approval of Alpha Hi-Early Strength Portland Cement as manufactured by it at its Martin's Creek mill, Martin's Creek, Pa., for use in New York City, pursuant to Section C26-191.0 of the Administrative Code, as required by subdivision b, of section C26-178.0 and in conformance with section C26-312.0, c-1, of the Administrative Code.

The representatives of the Committee on Tests of the Board visited the mill and quarry at Martin's Creek, Pa. for the purpose of inspecting the potential supply of raw material, the manufacturing methods and the process controls and to witness the physical tests and chemical analyses to determine whether the material conformed to the minimum requirements of Section C26-312.0, c-1 of the Administrative Code.

The raw material used for the manufacture of this material is a natural cement rock containing the necessary silica, iron and alumina contents but is slightly deficient in calcium carbonate. To compensate for the deficiency in calcium carbonate a small percentage of high limed limestone containing better than 96% calcium carbonate is added at the quarry. This limestone is obtained from the Lebanon Valley of Pennsylvania near Annville. The applicant's quarry at Martin's Creek contains 20,000,000 tons of cement rock or sufficient to produce about 70,000,000 barrels of cement. This supply of rock is sufficient to maintain a maximum rate of production for at least 50 years.

The manufacturing processes are as follows: 6" holes are drilled by means of electric well drills the entire depth of the quarry face. Five to twenty holes are blasted at a time. The rock is loaded into 12 ton cars by means of electric shovels and elevated to a roll crusher where it is crushed to sizes between 2 and 4 inches. The crushed rock is conveyed to the spot by a belt conveyor. A small percentage of high calcium limestone is added at this conveyor under the supervision of the plant chemist. The rock then passes through hammer mills to dryers and to preliminary pulverizing mills where it is ground to a fineness of approximately 45% passing 200 mesh. It is then conveyed to the finishing raw mills where it is pulverized to a fineness of approximately 95% passing 200 mesh. The finished raw material is then stored in 15 raw blending bins. The raw material is burned in kilns ranging from 8½' to 10' in diameter and 146' long. Kilns are fired with pulverized bituminous coal injected by means of low air pressure. The burned clinker goes directly from the kilns to an Allis-Chalmers air quenching cooler where it is cooled to approximately 100 deg. F. The cool clinker is then ground in preliminary mills to approximately 45% passing 200 mesh and then finished in tube mills to a surface area of approximately 1,800 sq. cm. per gram. It is then pumped to silos and allowed to cool for approximately

two weeks, when it is pumped back to the finishing tube mills in closed circuit with separators where it is pulverized to a fineness of approximately 2,700 sq. cm. per gram. The finished product is then pumped to storage silos and is packed from these silos either in bulk or by means of a packing machine in moisture-proof paper or cloth bags of 94 lb. capacity.

The controls of the manufacturing processes are as follows:

Highlimed limestone is added at the quarry after the quarry rock is sampled during drilling and analyzed. The finished raw material is sampled and analyzed during filling of the blending bins. The final mix is made by withdrawing from at least five blending bins at one time in the proper proportions to insure a uniform composition. The twenty-four hour variation of the composition is not more than .4 of one percent. The quarry mixing and raw blending is under the supervision of the plant chemist. The uniformity of the raw material insures a uniformly burned clinker.

Results of chemical and physical analyses made in the presence of representatives of the Committee on Tests are as follows:

PHYSICAL TESTS

	Test Results	ASTM D-C74-38	Fed. Spec. SS-C-201
% passing 200 mesh sieve	99.9		
% passing 325 mesh sieve	98.7		
Surface Area, cm. 2/g	2705		1900
% Expansion	.298		
Setting Time—Initial	1 hr. 20 min.	not less than 45 min.	not less than 60 min.
Setting Time—Final	2 hr. 56 min.	not more than 10 hrs.	
Soundness	OK	Sound	Sound

TENSILE STRENGTH (Average of 6 spec.—p.s.i.)		AS TESTED	ASTM D-C74-38	Fed. Spec. SS-C-201
Age— 1 day:				
Spec. No.	1	345		
	2	328		
	3	368		
	4	334		
	5	388		
	6	373		
	Avg.	356	275	275
Age— 3 days:				
Spec. No.	1	361		
	2	383		
	3	385		
	4	407		
	5	426		
	6	360		
	Avg.	387	375	375
Age— 7 days:				
Spec. No.	1	522		
	2	490		
	3	500		
	4	400		
	5	457		
	6	486		
	Avg.	476		425
Age—28 days:				
Spec. No.	1	468		
	2	425		
	3	415		
	4	520		
	5	473		
	6	465		
	Avg.	461	more than at 3 days	

COMPRESSIVE STRENGTH Average of 6 spec.—p.s.i.) ASTM Method:		ASTM D-C74-38	
Age— 1 day:			
Spec. No.	1	1865	
	2	1838	
	3	1825	
	4	1795	
	5	1725	
	6	1835	
	Avg.	1822	1300
Age— 3 days:			
Spec. No.	1	3950	
	2	4000	
	3	3875	
	4	3875	
	5	3950	
	6	3950	
	Avg.	3933	3000
Age— 7 days:			
Spec. No.	1	5252	
	2	5475	
	3	5300	
	4	5325	
	5	5125	
	6	5475	
	Avg.	5321	
Age—28 days:			
Spec. No.	1	6750	
	2	6475	
	3	6375	
	4	6550	
	5	6375	
	6	6500	
	Avg.	6475	

FEDERAL Method:			Fed. Spec. SS-C-201
Age— 1 day:			
Spec. No.	1	1920	
	2	1860	
	3	1895	
	4	1850	
	5	1785	
	6	1825	
	Avg.	1856	1250
Age— 3 days:			
Spec. No.	1	3825	
	2	3900	
	3	3950	
	4	3875	
	5	3950	
	6	3975	
	Avg.	3912	2500
Age— 7 days:			
Spec. No.	1	3825	
	2	3900	
	3	3950	
	4	3875	
	5	3950	
	6	3975	
	Avg.	3912	2500
Age— 7 days:			
Spec. No.	1	5150	
	2	4975	
	3	5150	
	4	5200	
	5	5200	
	6	5125	
	Avg.	5133	3500
Age—28 days:			
Spec. No.	1	6425	
	2	6450	
	3	6625	
	4	6200	
	5	6450	
	6	6500	
	Avg.	6442	

CHEMICAL ANALYSIS AND COMPOUNDS

	Test Results	ASTM D-C74-38 (Limits)	Fed. Spec. SS-C-201
Silica (SiO_2)	19.78%		
Iron (Fe_2O_3)	2.39		6.00
Alumina (Al_2O_3)	6.39		7.50
Lime (CaO)	64.01		
Magnesia (MgO)	3.12	5.00	5.00
Sulphuric Anhydride (So_3)	2.26	2.50	2.00
Ignition Loss	0.82	4.00	3.00
Tri-Cal-Silicate (C_3S)	57.0		
Di-Cal-Silicate (C_2S)	13.8		
Tri-Cal-Aluminate (C_3A)	12.9		
Tetra-Cal-Al-Ferrite (C_4AF)	7.3		

RECOMMENDATION

On the basis of the foregoing results of physical and chemical analyses it is recommended that Alpha Hi-Early Strength Cement and Portland Cement as manufactured by the Alpha Portland Cement Company, Easton, Pa., at its Martins Creek mill, be approved for use in New York City, as meeting the requirements of

MINUTES

Section C26-312.0, c-1 of the Administrative Code, as required by subdivision B of section C26-178.0 of the Administrative Code pursuant to Section C26-191.0 of the Administrative Code provided the applicant shall file monthly mill test reports of physical and chemical analyses, certified by its Chief Chemist at the Martins Creek mill and that each bag be marked, tagged or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 604-44-SM" and when marketed in bulk for use in New York City the bills of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Alpha Hi-Early Strength Portland Cement, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

Adjourned: 12:55 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 8, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

620-42-S

APPLICANT—Herman Kron, for Pitt Holding Co., Inc., owner.

SUBJECT—Application reopened and restored to calendar March 7, 1944—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—123 Pitt street, west side, 125 ft. north of Stanton street (Block 345, Lot 65), Borough of Manhattan.

APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (620-42-S)

WHEREAS, Herman Kron, for Pitt Holding Company, Inc., owner, filed August 14, 1942, an application for variation of the requirements of the labor law on appeal from a decision of the borough superintendent, affecting 123 Pitt street, west side, 125 ft. north of Stanton street (Block 345, Lot 65), Borough of Manhattan; and

WHEREAS, said appeal was withdrawn May 18, 1943; and

WHEREAS, on March 7, 1944, the appeal was reopened and restored to the calendar, based on a new decision of the borough superintendent, issued February 18, 1944, on Alt. Applic. 153-44; and

WHEREAS, the decision of the borough superintendent, dated February 18, 1944, which was then the subject of this appeal reads:

"1. Correct height district.
2. State present occupancy to agree with C.O.
3. As building was erected after Oct. 1, 1913, same is required to comply with Sec. 270, L.L. in all respects.
4. Specify nature of second floor occupancy.
5. Floor construction shall be sufficient for 120 lbs. per sq. ft. (locate boiler room).
6. Plan filed with Appl., Alt. 926/42 inconsistent with new application.
7. Provide proper dressing rooms and toilets and ventilation for same.
8. Note fire resist. value of stair enclosure.
9. Cancel Alt. 926/42 and file new 4 in. scale plan."

and

WHEREAS, on March 28, 1944, this appeal was removed from the calendar by the Board to be returned to the Engineering Division for further examination; and

WHEREAS, on April 28, 1945, the applicant amended the appeal so that it is now predicated only on Objections 3, 10 and 11, issued by the borough superintendent, April 10, 1945, on Alt. Applic. 153-44; and

WHEREAS, Objection 3, issued by the borough superintendent, March 27, 1944, on Alt. 153-44, reads:

"3. As the building was extended after Oct. 1, 1913, same is required to comply with Sections 270 and 272 Labor Law in all respects."

and

WHEREAS, on April 10, 1945, said Objection 3, issued March 27, 1944, was repeated and the following additional objections issued:

"Additional objections
10. Fire escape shown on plan not permitted as per Section 270 Labor Law.
11. Complete plan. Provide two remote means of egress from 1st floor."

and

WHEREAS, the applicant states the building is two stories (25 ft.) in height, 25 ft. by 100 ft. in area; of Class 3 construction; erected 1869; located in a business use, B area district and used as follows: 1st floor, garage for not more than 5 cars; 2nd floor, offices; proposed to be used and occupied as follows: 1st floor, glass carving shop and shipping, 20 persons; 2nd floor, offices and studios, 8 persons; that the building is equipped with one 3 ft. 8 in. steel stairs from the 2nd story to the street and one fire escape at the front; and

WHEREAS, the applicant contends that the building was erected about 1869 as an old law tenement house; that in 1931 it was altered, by removing the upper three floors and leaving two stories, which were converted for use on the 1st floor for garage for not more than 5 motor vehicles and 2nd floor as offices; that Certificate of Occupancy 17372 was issued for such use; that the building is now occupied on the first floor as shipping and glass carving shop and on the second floor as offices and studios; that the borough superintendent objected to the application made for the change of occupancy, on the grounds that the building should comply with Section 270 of the Labor Law; that the building has no cellar and is equipped with one 3 ft. 8 in. wide iron stairs leading from the 2nd floor to the street and a scuttle in the roof, with a ladder leading thereto; that in lieu of erecting a second stair, it is proposed to construct a fire escape and balcony at the front, as shown on plans filed with this appeal; that two exist doors will be provided at the front of the first floor, remote from each other as shown on plan filed with this appeal; it is therefore requested that the Board make a variation of the requirements of the Labor Law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 153-44, Objections 3, 10 and 11, dated

April 10, 1945, and that the application be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the existing means of exit as indicated on plan filed with this appeal marked "Received March 7, 1944" shall be maintained; that a scuttle shall be constructed in the roof at the rear of the 2nd story, with a double rung ladder leading thereto; that such scuttle shall be fitted with an easy opening device; that the lot line windows at the rear of the first floor shall be maintained so as to be readily openable at all times for emergency exit; that in addition, two proposed means of exit at the front of the building shall be constructed and maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

657-44-A

APPLICANT—Scott and Prescott, for Central Gospel Chapel of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan.

APPEARANCES—

For Applicant: William O. Prescott and Duncan McKinley.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (657-44-A)

WHEREAS, Scott and Prescott, for Central Gospel Chapel of New York, owner, filed November 20, 1944, an appeal from a decision of the borough superintendent, affecting premises 166 East 73rd street, south side, 130 ft. east of Lexington avenue (3rd floor); (Block 1407, Lot 47), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 904-44, dated November 3, 1944, reads:

"Obj. 2 repeated.

The change of occupancy of a Class 3 residence building, as established by the Certificate of Occupancy 12369 and subsequently by Alt. 1760-1935, exceeding 20 ft. in height, into a public building is contrary to C26-254.0 Building Code.

5. Means of egress are inadequate as per C26-276 and C26-278 Building Code."

and

WHEREAS, the applicant states the building is 3 stories (38 ft. 10 in.) in height; 40 ft. by 102 ft. in area at 1st floor, 40 ft. by 55 ft. in area at typical floor; of Class 3 construction; erected 1883; located in a residence use, B area, Class 1½ height district, and used and occupied since 1927 as follows: cellar, boiler room; 1st floor, religious assembly, 200 persons; 2nd floor, rest rooms, lounge caretaker, 15 persons; 3rd floor, dwelling, one family and proposed to be used and occupied as follows: cellar, same; 1st floor, same; 2nd floor, lounge, rest rooms, 15 persons; 3rd floor, one family, 5 persons; that the building is equipped with one 3 ft. wide steel interior stairs, enclosed in fire retarded partitions and extending from the roof bulkhead to the street; and

WHEREAS, Violation 3606 was issued May 26, 1944, for occupying the building contrary to Certificate of Occupancy 12369; and

WHEREAS, Certificate of Occupancy 12369 issued in 1927, permits the use of the building as follows: cellar, boiler room; 1st floor, residence club, 200 persons, 100 lbs. live load; mezzanine, residence club, 40 lbs. live load; 2nd floor, residence club, 15 persons, 40 lb. live load; 3rd floor, residence club, 15 persons, 40 lb. live load; and

WHEREAS, the applicant contends that under Alt. Applic. 1760-35, the building was classified as a club house, Class B multiple dwelling of non-fireproof construction; that the present owners use the 1st and 2nd story for religious purposes only; that Alt. Applic. 904-44 was approved for this occupancy on the 1st and 2nd stories; that on the 3rd story which is practically a pent house, there were formerly studios, bedrooms, baths, etc. for club residents; that the owner desires to occupy this story with one family connected with the religious activities; that it would be a hardship to be unable to use this floor; that the one family occupancy does not present a hazardous situation and in fact is less hazardous than that permitted under Certificate of Occupancy.

Resolved, that the decision of the borough superintendent on Alt. Applic. 904-44, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; as to objection 5, that an additional stairway from the 2nd floor toward the rear shall be constructed, leading down to a fireproof vestibule near the rear of the first story, from which direct access may be had to the exterior door leading to an exterior stair attached to this building, but erected on the adjoining premises with free passage at all times to East 73rd street; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

715-44-A

APPLICANT—Robert Teichman, for George F. Corlis, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert Teichman and George F. Corlis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (715-44-A)

WHEREAS, Robert Teichman, for George F. Corlis, owner, filed December 8, 1944, an appeal from a decision of the borough superintendent, affecting premises: 174-176 South Portland avenue, west side, 430 ft. south of Hanson place (Block 2003, Lot 53), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 10, 1944, on amendment to Alt. Applic. 11857-38 reads:

"6. The floor space used for factory work is in excess of that permitted by the Zoning Resolution in a business use district. Sect. 4.c."

and

WHEREAS, the applicant states the building is two stories (29 ft.) in height, 45 ft. by 96 ft. in area; Class 3 construction; located in a business use, B area, Class 1½ height district; erected in 1891 originally as a stable and changed to factory use prior to 1916; used and occupied as follows: cellar, factory, 8 persons; 1st floor, office and factory, 18 persons; 2nd floor, sign factory, 8 persons; no change in use or occupancy is proposed; that the building is equipped with one 40 in. wide wood stairs, enclosed in partitions of metal lath and plaster and leading directly to the street, equipped with wood, self-closing doors and provided with a ladder and scuttle to the roof, one fire escape at the front, leading to the roof by a ladder and to the street by counter-balanced stairs; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, Certificate of Occupancy 2142 issued July 28, 1921, permits the use of the building as altered under Permit

5449-21 as a one-car garage and for the storage of merchandise; and

WHEREAS, Violation 2810-38 was issued May 18, 1938 for maintaining present occupancy of stores and sign painting shop inconsistent with Certificate of Occupancy 2142-A, in violation of Section C26-185.0 of the Administrative Code, in that sign painting shop on 2nd floor has ten employees and no fire escape or secondary means of egress and existing stairs at the center of the building, not enclosed and open cans of paint stored near the head of the stairs; and

WHEREAS, the applicant contends that the building was erected in 1891 as a stable, later changed to business use as a factory; that the owner in August 1913, leased entire premises for three years for the manufacture and sale of mattresses, beds and bed springs; that before the expiration of this lease, the business was succeeded by W. V. Staib Company, who entered into a new lease for the entire premises, dated January 1, 1915 for a term of five years; that this lease was renewed until 1919; that in 1930 a lease was made with Dayton & Montgomery, heating, roofing, plumbing and sheet metal works, for the south half of the 1st floor and south half of the cellar, indicated as "A" on plans filed with this appeal; that the tenant is still in possession of this part of the building; that in 1930 the north half of the 1st floor and north half of the cellar and second floor were leased to John Fitzgibbons, engaged in peanut roasting, as indicated as spaces "B-C" on plans filed with this appeal; that in 1931, the lease was continued for the north half of the first floor and cellar, as indicated as Space "B" and a new lease made for the second floor, as indicated as Space "C" with the New Art Sign Company, who are still in possession; that from 1932 to 1942, the north half of the 1st floor and cellar was occupied by John Fitzgibbons and the Budin Specialty Co., who rebuilt pin ball machines; that in 1942, the north half of the 1st floor and north half of the cellar, indicated as space "B" on plans, was leased for the cutting and decorating of ornamental glass; this tenant is still in possession; that in 1921 W. V. Staib Co. filed an alteration application to maintain a trucking space in the south part of the first floor, indicated as "T.S." on plans filed with this appeal, which space was in conjunction with the manufacturing done in the building, and upon completion the tenant, without the owner's consent, obtained Certificate of Occupancy 2142; that the entire building was used for manufacturing for more than twenty-five years before the owner received a violation in 1938; that the building complies with the Labor Law; that the owner has applied for a corrected Certificate of Occupancy, which has been refused by the Building Superintendent, one of the reasons given is that the records in the Department are not clear (applications have been faulty) and, irrespective of the fact that the Department's record book, known as the "Factory" book records the building as a "Work Shop"; therefore an appeal is made to the Board to uphold the owner's right to maintain this building as a factory, which prior right he has legally held since 1913, and to order the Superintendent to issue a correct certificate of occupancy; and

WHEREAS, after study of all the available records of the Department of Housing and Buildings and the Fire Department and copies of leases as well as inspection of the building by a committee of the Board, the Board is of the opinion that the building has, in fact, been occupied throughout for factory purposes since prior to 1916 and that factory occupancy throughout should be approved in spite of an error of judgment that was made by an applicant in applying for a certificate of occupancy for storage use instead of factory use in 1921; and

WHEREAS the committee found the requirements of the Labor Law, as approved by the Borough Superintendent have been met.

Resolved, that the decision of the borough superintendent on amendment to Alt. Applic. 11857-38, Objection 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* to permit the use throughout as a factory provided the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

160-45-A

APPLICANT—Richard Shutkind, for Demoil Realty Corp., owner (M. and W. Manufacturing Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—842-846 Greenwich street and 46-50 Gansevoort street, southwest corner (2nd floor); (Block 643, Lot 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Richard Shutkind.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (160-45-A)

WHEREAS, Richard Shutkind, for Demoil Realty Corporation, owner (M. and W. Mfg. Co., lessee), filed March 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 842-846 Greenwich street and 46-50 Gansevoort street, southwest corner (2nd floor); (Block 643, lot 54), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 14, 1945, on Alt. Applic. 81-45, reads:

"1. The change of occupancy from storage to a factory, results in the following requirements:

a. Building must conform with Section 270, sub. 3, 4, 5, Labor Law."

and

WHEREAS, the applicant states that the building is 1 and 2 stories (27 ft. 9 in.) in height, 69 ft. 2 in. by 92 ft. 9 in. in area at 1st floor, 69 ft. 2 in. by 51 ft. in area at 2nd floor, of class 3 construction, erected in 1939, located in an unrestricted use, A area, class 2 height district and used and occupied since April 1, 1944 as follows: cellar—storage; 1st floor—produce stores; mezzanine—office—16 persons; 2nd floor—manufacturing of radar parts—8 persons; that Certificate of Occupancy 26143 issued May 23, 1940, permits the use of the cellar for storage, 1st floor for produce stores, 2nd floor for produce storage and mezzanine—office; and

WHEREAS, it is proposed to use and occupy the building as follows: cellar—storage—no persons; 1st floor—produce stores; mezzanine—office—16 persons; 2nd floor—manufacturing of radar parts—14 persons; that the building is equipped with one 44 in. wide interior stairs of iron and cement treads, enclosed in 4 in. terra cotta on 1st floor and studs fire retarded on 2nd floor, equipped with kalamein self-closing door and leading directly to the street and provided with a ladder and scuttle to the roof; proposed to be equipped with one new fire escape on the Greenwich street front leading to the street by counter-balanced stairs with a fireproof door leading thereto; and

WHEREAS, Violation 7618 was issued October 20, 1944, for changing the use of the 2nd floor to manufacturing, contrary to Certificate of Occupancy; and

WHEREAS, the applicant contends that the second story, which has been used as a machine shop for manufacturing radar parts for Army and Navy contracts since April 1, 1944, will have a maximum of 14 male employees; that this floor is provided with an interior 44 in. wide stair of iron and cement tread construction, leading directly to the street and enclosed in 4 in. terra cotta partitions at 1st floor and fire-retarded partitions at 2nd floor; that the 2nd floor door to the stairs is kalamein self-closing 44 in. wide and the door to the street is 44 in. wide, and both doors swing in the direction of egress; that the fire escape will be erected as proposed, as a secondary means of egress; it is requested

that the Board grant a variance, due to the small number of occupants and as the use is of non-hazardous building of similar type erected prior to 1913.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 81-45, Objection 1a, and that the appeal be and it hereby is *granted on condition* that the existing stairway, as shown and as proposed leading directly to Greenwich street, shall be maintained and also the construction and maintenance of the proposed fire escape to Greenwich street, as indicated, except that the door thereto shall be moved northerly to approximately the middle of the space; that in addition, a door shall be constructed in the westerly wall as a means of escape to the roof of the adjoining one story building; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

231-45-A

APPLICANT—Harry P. Jaenike, for Guaranty Trust Co. of New York and Charles Dunlap, executors u/w of Edwin Berwind, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2 East 64th street, southeast corner of Fifth avenue (Block 1378, Lot 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Allen D. Emil and J. D. Gardener.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (231-45-A)

WHEREAS, Harry P. Jaenike, for Guaranty Trust Co. of New York and Charles Dunlap, executors u/w of Edwin Berwind, owner, filed April 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 2 East 64th street, southeast corner of Fifth avenue (Block 1378, Lot 69), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 12, 1945, on amendment to Alt. Applic. 448-45, reads:

"1. Exterior stairs not permitted as a required means of egress as per Sec. 6.1.2.2.3 B.C.

2. All required stairways should be 3 ft. 8 in. wide as per Sec. 6.4.1.1 B.C.

3. All doors along public corridors should be ¾ hr. f.p.s.c. Sec. 10.8.3. B.C.

4. Wood flooring within public hallways not permitted as per Sec. 10.9.2.3 B.C."

and

WHEREAS, the applicant states that the building is 6 stories (77 ft. 6 in.) in height, 30 ft. by 110 ft. in area; Class 1 construction; erected 1898; located in residence use, B area, Class 1½ height districts; used and occupied as a private dwelling; proposed to be used and occupied as follows: Cellar, storage of books, 20 persons; 1st to 5th floors, library and Museum for Advancement of Aeronautical Sciences for purposes similar to that of a club; 50 persons on the 1st floor, 50 persons on the 2nd floor, 20 persons on the 3rd floor, 20 persons on the 4th floor, 20 persons on the 5th floor; 6th floor, caretaker's apartment, 3 persons; that the building is equipped with one 2 ft. 6 in. wide and one 3 ft. 8 in. and wider steel stairs, enclosed in fireproof partitions and leading directly to the street; that a ladder and scuttle to a sloping roof is provided, and proposed to be equipped with one fire escape at the easterly end of the building, leading to the roof by a ladder and to the yard by stairs, leading to the street directly through a 6 ft. wide passage; that windows on the course of the fire escape will be fireproof, self-closing; and

WHEREAS, the applicant contends as to objection 1, that the main stair is more than sufficient for the total occupancy of each floor and in addition, there is a second interior fireproof stairway, that permission is requested to install a 3 ft. wide outside staircase with fireproof, self-closing doors leading thereto, from each floor as a secondary means of egress; and contends as to objection 2, that there is only 6 ft. 6 in. clearance in the yard and it is proposed to install a 3 ft. wide stair in lieu of the 3 ft. 8 in. stair; and contends as to objection 3, that the main stair will be entirely enclosed in fireproof walls, equipped with fireproof, self-closing doors; that it will be a hardship to be required to change the existing 2 in. hardwood doors in the large finished rooms and decorative corridors leading thereto; that the building is fireproof with the exception of the hardwood floor finish, doors and trim; and contends as to objection 4, permission is requested to allow the existing hardwood floors to remain, due to the conditions described; that the building is equipped with a substandard standpipe riser in the rear stair enclosure, consisting of 2 in. riser equipped with valve and 1½ in. hose on each story and that this riser is fed from existing 2 in. domestic connection to the city main; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent on Alt. Applic. 448-45, Objections 1, 2, 3, and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be altered and new stairways and exterior fire stair installed, as indicated on plans filed with this appeal marked "Received April 19, 1945"; that in addition, the well in the floor of the 3rd floor shall be floored over with fireproof construction; that the vent shafts on the 4th, 5th and 6th floors, east and west toward the south, shall be floored over, except for lawful ducts for ventilating bathrooms; that the existing substandard standpipe system shall be maintained and such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that exit signs shall be posted at exit doors and at doors to rooms leading to the exterior fire stair; that all doors leading to existing stairs and proposed stairs shall be fireproof and self-closing; that no cooking shall be maintained on the premises, except in the superintendent's apartment on the 6th floor; that this modification shall continue only so long as the building is occupied for non-commercial purposes as proposed, as a library and museum for the advancement of aeronautical sciences; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

249-45-A

APPLICANT—Sidney L. Strauss, for L. Rabinowitz, owner.

SUBJECT—Appeal from decisions of the fire commissioner.

PREMISES AFFECTED—1208 Manor avenue, northeast corner of Westchester avenue (Block 3775, part of Lot 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Peter J. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (249-45-A)

WHEREAS, Sidney L. Strauss, for L. Rabinowitz, owner, filed on April 30, 1945, an appeal from decisions of the fire commissioner, affecting premises 1208 Manor avenue, northeast corner of Westchester avenue (Block 3775, part of Lot 1), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated July 20, 1944, in connection with an application for a day nursery for 30 children from 2 to 6 years and 40 children from 6 to 12 years of age, reads:

"1. Install an approved interior fire alarm system, or reduce the total number of children proposed to not more than 30."

and

WHEREAS, the decision of the fire commissioner, dated April 19, 1945, reads:

"In reply to your letter in reference to the proposed use of the 1st story as a day nursery for 45 children, you are advised that the approval of such occupancy may not be considered until an approved interior fire alarm system is installed."

and

WHEREAS, the applicant states the building is one story (14 ft.) in height; 100 ft. by 101.77 ft. in area; of Class 3 construction; erected 1926; located in a business use, B area, Class 1½ height district, and used and occupied for stores, now vacant and a portion of which is proposed to be used for day nursery, 70 children, and that no certificate of occupancy has been issued for the building; and

WHEREAS, the plans filed with this appeal indicate that the portion of the building in question is approximately 34 ft. 6 in. by 100 ft. in area; and

WHEREAS, the applicant states that it is proposed to install four 6 in. vibrating bells with push buttons below each bell, all interconnected so that any push button will sound all of the gongs, the system to be connected with bell wiring supplied from two sets of dry batteries contained in a wood box painted Fire Department red; and

WHEREAS, the applicant contends that the building is occupied by stores, with that portion indicated on plans filed with this appeal, to be occupied as a nursery under the program of the Mayor's Committee on wartime care of children; that ample exits are maintained; that all partitions which separate the nursery portion from the business portion are filled with rock wool for their entire height; that in view of the fact that there will be more than 30 children, the Fire Department has recommended the installation of a fire alarm system in accordance with the rules of the Board and that it is respectfully requested that the system proposed be accepted, in lieu of the requirements.

Resolved, that the decision of the fire commissioner dated April 19, 1945 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a substandard fire alarm system substantially as proposed and as may be required by the fire commissioner and located as he may determine, shall be installed and maintained throughout the premises used as a nursery; that such system shall be used only in connection with fire drills, which shall be held at least once in two weeks under the charge of competent supervisors; that all doors leading into and from the kitchen shall be made self-closing; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

250-45-A

APPLICANT—Sidney L. Strauss, for Harry Kriger, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—89-16 to 89-18 Northern boulevard, south side, 20 ft. west of 90th street (1st floor); (Block 1437, Lots 8 and 9), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (250-45-A)

WHEREAS, Sidney L. Strauss, for Harry Kriger, owner, filed on April 30, 1945, an appeal from an order of the fire commissioner affecting premises 89-16 to 89-18 Northern boulevard, south side, 20 ft. west of 90th street (1st floor); (Block 1437, Lots 8 and 9), Jackson Heights, Borough of Queens; and

WHEREAS, Order 14919-LF, issued by the fire commissioner April 23, 1945, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals and the enclosed approved layout. 487 E-2.0-c-1. Adm. Code."

and

WHEREAS, the applicant states the building is 3 stories (38 ft.) in height; 40 ft. by 58 ft. in area; of Class 3 construction; erected 1925; located in a business use, B area, Class 1¼ height district, and used and occupied as follows: cellar, boiler room; 1st floor, one store in each half; 2nd floor, one apartment each half; 3rd floor, one apartment each half; proposed to be used and occupied without change, except the first floor will be used as a day nursery in each half, 45 persons throughout; that the buildings are equipped with a 3 ft. 8 in. wide wood stairs in each building extending from the roof bulkhead to the street, enclosed at the basement (cellar) with 4 in. cinder block partitions and above with partitions of wood studs, lath and plaster; that the stairway doors are wood, but not self-closing; and

WHEREAS, the applicant states that it is proposed to install a modified interior fire alarm system, consisting of two 6 in. vibrating bells with push buttons below each bell interconnected, so that either button can sound both bells, the system to be installed in bell wiring and the supply to be from two sets of dry batteries, housed conspicuously in a wood box painted Fire Department red and that the system will be what is termed an open circuit system; and

WHEREAS, the applicant contends that the premises consist of two, two story and cellar buildings, each of which is to be occupied on the 1st floor as a nursery, included in the Mayor's Committee on Wartime Care of Children Program; that the order issued by the fire commissioner is occasioned by the fact that there will be more than 30 children occupying the premises; that the nursery will use two communicating openings connecting the play areas; that a means of egress will be maintained at the 1st floor from each of the areas and in addition, egress to the rear yard will be maintained in the westerly area, directly from the playroom and in the easterly area, directly through the kitchen; that in view of the compactness of the area to be used, its accessibility from the street and yard, it is requested that a modification be granted for the acceptance of the proposed alarm in lieu, of the system required.

Resolved, that the decision of the fire commissioner as to Order 14919-LF, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a substandard fire alarm system substantially as proposed and as may be required by the fire commissioner and located as he may determine, shall be installed and maintained throughout the premises used as a nursery; that such system shall be used only in connection with fire drills, which shall be held at least once in two weeks under the charge of competent supervisors; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

255-45-A

APPLICANT—Sidney L. Strauss, for Port Richmond Day Nursery, Inc., owner.

SUBJECT—Appeal from the decisions of the fire commissioner.

PREMISES AFFECTED—93 Park avenue, southeast corner of Ann street (1st floor); (Block 8, Lot 236), Port Richmond, Borough of Richmond.

MINUTES

APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Peter J. Maher, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (255-45-A)

WHEREAS, Sidney L. Strauss, for Port Richmond Day Nursery, Incorporated, owner, filed May 1, 1945, an appeal from decisions of the fire commissioner, affecting premises 93 Park avenue, southeast corner of Ann street (1st floor); (Block 8, Lot 236), Port Richmond, Borough of Richmond; and

WHEREAS, the decision of the fire commissioner dated October 11, 1944, in connection with an application for inspection of an existing occupancy of a day care agency occupying the entire first floor (child health station included) for 30 children between two to six years of age and 15 children for after school care over 6 years of age, reads:

"If more than 30 children, under a permit from the Department of Health, are to be on the premises at any time, an approved type of an interior fire alarm system for use in fire drills must be installed and approved by this Department. An appeal may be filed with the Board of Standards and Appeals within 30 days, for the installation of a fire drill gong."

and

WHEREAS, the applicant states the building is 2 stories (25 ft.) in height; 58 ft. irregular by 51 ft. irregular in area; of Class 4 construction; erected 1900; located in a residence use, B area, Class 1 height district, and used and occupied: cellar, heater room; 1st floor, day nursery, 30 persons; 2nd floor, dwelling, one family; that no change in use or occupancy is proposed, except that the occupancy of the first floor will be increased to 45 persons; that the building is equipped with one 3 ft. 6 in. wide wood stair, enclosed in wood lath and plaster partitions, equipped with wood doors, which are not self-closing, and extending from the top story to the first floor; that the building has been used as at present, since 1915; and

WHEREAS, the applicant states that it is proposed to install 6 in. vibrating bells and push buttons, as indicated on plans filed with this appeal, with the entire system interconnected, so that any push button can sound all of the bells to be installed, the system to be connected with bell wiring and to be supplied from two sets of dry batteries contained in a wood box painted Fire Department red; and

WHEREAS, the applicant contends that the premises have been used as a day nursery for approximately 30 years; that this nursery has now been included in the program of the Mayor's Committee on Wartime Care of Children and its capacity has been increased, so that there will be more than 30 children on the premises, thus requiring an interior fire alarm system; that the nursery will be confined to the first story and ample exits are maintained, as indicated on plans filed with this appeal; that the entire cellar ceiling has been fire retarded and cellar stairs enclosed in fireproof partitions, with one hour test door at the foot thereof and that it is requested a modification be granted, to permit the installation of the vibrating bells system, in lieu of an interior fire alarm system in accordance with the Rules of the Board.

Resolved, that the decision of the fire commissioner dated October 11, 1944 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a substandard fire alarm system substantially as proposed and as may be required by the fire commissioner and located as he may determine, shall be installed and maintained throughout the premises used as a nursery; that such system shall be used only in connection with fire drills, which shall be held at least once in two weeks under the charge of competent supervisors; that all doors leading into and from the kitchen shall be made self-closing; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

261-45-A

APPLICANT—Michael Glick, for Irving Maidman, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—338 East 148th street, south side, 129.29 ft. east of College avenue (1st and 2nd floors); (Block 2329, Lot 64), Borough of The Bronx.
APPEARANCES—
For Applicant: Michael Glick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (261-45-A)

WHEREAS, Michael Glick, for Irving Maidman, owner, filed May 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 338 East 148th street, south side, 129.29 ft. east of College avenue (1st and 2nd floors); (Block 2329, Lot 64), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 19, 1945, on Alt. Applic. 189-45 reads:

"1. Provide two means of exit and otherwise comply with Sections 270-272 Labor Law.

3. Floor load of second floor is approved for 100 lbs. per sq. ft. (C.O. N.B. 2587-24); required liveload is 120 lbs. per sq. ft."

and

WHEREAS, the applicant states that the building is two stories (30 ft.) in height, 76.03 ft. by 103.31 and 106.03 ft. irregular in area, of class 3 construction, erected in 1924, located in an unrestricted use, B area, class 1½ height district, and used and occupied since 1924 as a public garage; and proposed to be used and occupied as follows: cellar—boiler room 1st floor—garage and canned food storage, 3 persons; 2nd floor—manufacture of surgical supplies, 25 persons; that the building is equipped with one 3 ft. 8 in. wide steel stairs (8 in. brick enclosed), leading directly to the street from the 2nd floor and an iron ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the construction of the first tier of beams is of steel and cinder concrete arches, and was designed for 100 lbs. per sq. ft. capacity; that the roof construction consist of wood trusses, which span from wall to wall; that the present stairs are 3 ft. 8 in. wide, of steel construction, and although they do not extend to the roof with a bulkhead, there is an iron ladder and scuttle to the roof; that there is at present, a ramp leading from the street to the 2nd floor, and this ramp was used by cars to get to the second floor; that the present owner of the building has converted the former garage to its present use of manufacturing and garage, due to the fact that a garage became a non-paying business, because there are less cars now than formerly; that it is the owner's intention to convert this building back to garage use after the war, and permission is now requested to erect a counterbalanced fire escape at the front where shown, to conform to the requirements of the Labor Law; that the present stairs and ramp will remain untouched; that the total number of occupants requested on the 2nd floor do not exceed the capacity of persons allowed for the present stairs; that the present liveload is 100 lbs. per sq. ft. and it is requested that the Board approve this load, as the carrying capacity of the floor will not be exceeded and the liveload will be posted; that the building will be used for manufacturing only for the time of the duration of the emergency and six months thereafter.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 189-45, objection 1, and that the appeal be and it hereby is *granted on condition* that the existing primary means of exit shall be maintained and that, in addition, a fire escape, complying with the requirements of the Labor Law as proposed, shall be constructed on the front of the building; that the existing ramp may be maintained, but not considered as an exit for computing occupancy and no openings from such ramp shall be maintained between the ramp and the first floor, except by door to the stairway as shown; that the number of persons engaged in factory work on the 2nd floor shall not at any time exceed the lawful capacity of the primary means of exit; as to objection 3, that the floor load of the building previously approved for garage occupancy may be accepted; that this variance shall continue only during the term of the present emergency; that the garage use may be restored throughout the building after the termination of the present emergency; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1177-24-A

APPLICANT—Frank Hatton, for Street & Smith Publications, Inc. owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—79-89 7th avenue, northeast corner of West 15th street (Block 791, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: William Hackenburger and N. J. Villaime.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1177-24-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 79-89 7th avenue, northeast corner of West 15th street (Block 791, Lot 1), Borough of Manhattan, was granted by the Board on September 22, 1925, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 22, 1925, so that as amended the resolution shall read:

"Resolved, that the order of the fire commissioner, 43426, item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that an approved standpipe system shall be maintained in accordance with the requirements therefor, with a 4 inch riser in each stairhall and that not less than two 2½ gallon fire extinguishers shall be installed in each story."

348-34-A

APPLICANT—Samuel Rosenblum, for The Montrose Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—136 41st street, south side, 240 ft. east of First avenue (Block 716, Lot 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (348-34-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 136 41st street, south side, 240 ft. east of First avenue (Block 716, Lot 20), Borough of Brooklyn, was granted by the Board June 18, 1935, on certain conditions, the resolution amended November 19, 1935, December 1, 1936, January 11, 1928, January 17, 1939, January 30, 1940, February 4, 1941, February 10, 1942, February 24, 1943 and February 15, 1944 and applicant requested a further extension of permit.

Resolved, that the Board of Standards and Appeals does amend the resolution adopted June 18, 1935, as amended by resolutions adopted through February 15, 1944, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * that this variance may continue for one year from the date of this *amended* resolution * * * and that other than as herein *amended,* the conditions of the resolution of November 19, 1935, as amended through November 12, 1941, shall be complied with."

902-42-S

APPLICANT—William O. Staber, Acme Fur Dressing Company, Inc. owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the labor law as cited in a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—57-09 59th street, east side, 25 ft. south of Maspeth avenue (Block 2692, Lots 6 and 9), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (902-42-S)

WHEREAS, this application from a decision of the borough superintendent, affecting premises 57-09 59th street, east side, 25 ft. south of Maspeth avenue (Block 2692, Lots 6 and 9), Maspeth, Borough of Queens, was granted by the Board on January 12, 1943, on certain conditions; and

WHEREAS, the resolution was amended on March 21, 1944, and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted January 12, 1943, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. 2014-42, and that the application be and it hereby is *granted,* as to objections 1 and 2, dated February 29, 1944, *on condition* that the two stairways shall be constructed and maintained from street to roof, as indicated on revised plans, marked "Received March 14, 1944"; that the existing fire escape shall be maintained, but need not be carried to the roof; that such portable fire-fighting appliances shall be main-

tained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in the event the requirements of this resolution are complied with and a continuous hallway is constructed, as indicated on plans filed with this appeal, marked "Received March 14, 1944", that the existing doors leading to the stairs at each floor may be omitted, provided the enclosure and door thereto comply with the requirements therefor (Alt. Applic. 2014-42)."

279-44-A

APPLICANT—Walter Eberhart, for Isabella Home, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—West side of Amsterdam avenue, from West 190th street to West 191st street and from Amsterdam to Audubon avenues (Block 2160, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Walter Eberhart.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (279-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises, west side of Amsterdam avenue, from West 190th street to West 191st street and from Amsterdam to Audubon avenues (Block 2160, Lot 1), Borough of Manhattan, was granted by the Board on May 16, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 16, 1944, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent, acting on B. N. Applic. 834-44, Objections 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the porch enclosure shall be maintained substantially as proposed; that the interior panels as proposed shall be fire retarded or constructed of incombustible materials; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that the decision of the borough superintendent, acting on Bldg. Notice 569-45, objections 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the porch enclosure as proposed on the north wing, and identical with the porch enclosure hereinbefore permitted for the south wing, shall be maintained substantially as proposed and in accordance with the foregoing conditions."

589-44-A

APPLICANT—Jules Lewis, for Abgus Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—461-467 10th avenue and 500-504 West 36th street, southwest corner (1st to 6th floors); (Block 707, Lot 39), Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (589-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 461-467 10th avenue and 500-504 West 36th street, southwest corner (1st to 6th floors); (Block 707, Lot 39), Borough of Manhattan, was granted by the Board on October 31, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of his statement and the resolution, to omit reference to a standpipe system, which he has ascertained does not exist, as previously represented.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 31, 1944, so as to omit the words "standpipe and" in the applicant's statement and the words "standpipe system" in the resolution.

636-44-A

APPLICANT—Max Horn, for Goldwein Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

662-44-A

APPLICANT—Lama and Proskauer, for George C. Tilyou and George C. McCullough, et al., owners.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1501 Bowery Walk and 3002-3024 West 15th street, northwest corner (1st floor); (Block 7074, part of Lot 170), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

MINUTES

736-44-A

APPLICANT—Jacob W. Sherman, for David Sidewitz and Benjamin Wooster, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1704 Pitkin avenue (1706 displayed), south side, 100 ft. 3½ in. west of Thatford avenue (2nd floor); (Block 3522, Lot 17), Borough of Brooklyn.
APPEARANCES—
For Applicant: Jacob W. Sherman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

234-45-A

APPLICANT—S. J. Kessler and Sons, for 1523-1529 63rd Street Corporation, owner (Air King Products Co., Inc., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6201-6223 15th avenue, east side, between 62nd and 63rd streets (3rd floor); (Block 5530, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: S. J. Kessler and J. P. Lieberman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on request of applicant. Application for a zoning variance to be filed.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

100-45-A

APPLICANT—Ben C. Block, for 744 East 138th Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—744 East 138th street, southeast corner of Bruckner (Eastern Boulevard); (1st and 2nd floor); (Block 2566, Lot 52), Borough of The Bronx.
APPEARANCES—
For Applicant: Ben C. Block.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to May 22, 1945 at 2 P.M. at request of applicant.

ZONING CASES

262-37-BZ

APPLICANT—Henry W. Schober, for Herbert H. Peters, owner.
SUBJECT—Application reopened April 24, 1945 for consideration as to extension of permit (decision of the borough superintendent)—Application previously granted on condition, under section 7h of the zoning resolution for a temporary term of two years, permitting that portion in the business use district to be used for the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens.
APPEARANCES—
For Applicant: Henry W. Schober.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Permit extended.
THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (262-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting that portion in the business use district to be used for the parking and storage of more than five motor vehicles, for a term of two years, affecting premises, 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block 2204, Lots 68, 71 and 80), Ridgewood, Borough of Queens, was granted by the Board on October 4, 1938, on certain conditions; and

WHEREAS, the permit was extended on December 3, 1940 and on January 26, 1943 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on April 24, 1945, restored to the calendar and set for hearing on May 8, 1945 at 2 P.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 8, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 4, 1938, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit that portion in the business use area to be used for the storage and parking of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of October 4, 1938, shall be complied with and that a Certificate of Occupancy shall be obtained (B.N. 85-39)."

98-25-BZ

APPLICANT—George Alexander, Jr., for 305 West 67th Street Corp., owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of superintendent of buildings), previously granted on condition under section 7b of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for the storage of more than five motor vehicles.
PREMISES AFFECTED—305-313 West 67th street north side, 80 ft. west of West End avenue and 308 West 68th street (Block 1179, Lots 25 and 40), Borough of Manhattan.
APPEARANCES—
For Applicant: George Alexander, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

MINUTES

THE RESOLUTION (98-25-BZ)

WHEREAS, this application under section 7b of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for the storage of more than five motor vehicles, affecting premises 305-313 West 67th street, north side, 80' ft. west of West End avenue and 308 West 68th street (Block 1179, Lots 25 and 40), Borough of Manhattan, was granted by the Board on April 14, 1925, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the second floor to be occupied as a factory.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted April 14, 1925, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted on condition* that the building shall be restricted to a two-story structure above grade; that there may be a basement story; that the floor arches shall be constructed of steel beams and reinforced concrete slabs; that the roof shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the gable walls shall be unpierced throughout their entire height and length, except that lot line windows may be installed, provided same are fireproof, self-closing windows or fixed fireproof windows; that any skylight installed shall be glazed with plain glass protected with wire guards above and below; that there shall be no vehicular entrance within the business use area of the plot; that the front elevation shall be finished in face brick with architectural terra cotta or stone trimmings; that the second floor may be occupied as a *factory,* provided it is entirely separated from that portion of the building occupied as a garage, and complies with the requirements of the Labor Law and all other laws applicable to factory occupancy; and that all permits necessary to the prosecution of the work shall be obtained and all work completed within three (3) months from the date of this *amended* resolution and that a certificate of occupancy shall be obtained."

224-39-BZ

APPLICANT—Garofalo and Garofalo, for Amodio Caruso, lessee; Andon E. Andon, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—85-37 Van Wyck boulevard (137th street), northeast corner of 86th avenue (Block 9647, Lot 19), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Anthony A. Garofalo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (224-39-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a residence use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 85-37 Van Wyck boulevard (137th street), northeast corner of 86th avenue (Block 9647, Lot 19), Jamaica, Borough of Queens, was granted by the Board May 23, 1939, on certain conditions; and

WHEREAS, the permit was extended on April 15, 1941, and on April 27, 1943 and the applicant requested a further extension on the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted May 23, 1939, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the plot to be occupied for the parking and storage of more than five motor vehicles, restricted to the pleasure-car type, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 23, 1939, shall be complied with and that a new Certificate of Occupancy shall be obtained (B.N. 52-39)."

27-40-BZ

APPLICANT—Paul Friedman, for Frank Derasmo, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a residence use district, the erection of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—144-25 North Conduit avenue, north side, 215 ft. west of 135th avenue and 144-40 135th avenue (Block 2873, Lot 18), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (27-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the erection of an accessory building on an existing gasoline service station, affecting premises 144-25 North Conduit avenue, north side, 215 ft. west of 135th avenue and 144-40 135th avenue (Block 2873, Lot 18), South Ozone Park, Borough of Queens, was granted by the Board on May 5, 1942, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was granted on May 4, 1943 and on May 2, 1944 and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 5, 1942, only so far as it has reference to the time within which to obtain permit and complete the work, so that as amended, this portion of the resolution shall read:

"* * * that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of May 5, 1942, shall be complied with and that a certificate of occupancy shall be obtained (Alt. Applic. 33-42)."

1211-40-BZ

APPLICANT—Andrew J. Constantine, for Louis Seitz, owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—88-17 to 88-19 (now 88-11) 168th street, east side, 100 ft. south of 88th avenue (Block 9819, Lot 6), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Andrew J. Constantine and M. Augusta Constantine.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 0
Negative: 0

THE RESOLUTION (1211-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 88-17 to 88-19 (now 88-11) 168th street, east side, 100 ft. south of 88th avenue (Block 9819, Lot 6), Jamaica, Borough of Queens, was granted by the Board on May 6, 1941, on certain conditions; and

WHEREAS, the permit was extended on May 25, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 6, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution adopted May 6, 1941, shall be complied with and that a new Certificate of Occupancy shall be obtained (Misc. applic. 10302-40)."

556-20-BZ

APPLICANT—Michael Glick, for B. J. Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment as to additional use—Application (decision of the superintendent of buildings) previously granted on condition, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx.

APPEARANCES—
For Applicant: Michael Glick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on May 29, 1945 at 10 A. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

381-27-BZ

APPLICANT—The Cord Meyer Company, owner; Ranger-Aircraft Engines, Div. Fairchild Engine and Airplane Corporation, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition for a temporary term of two years, under section 7e of the zoning resolution, permitting in a residence use district, the erection and maintenance of a driveway and loading platform to be used in conjunction with an existing garage and stores building (granted by the Board) for light manufacturing limited to 25% of total floor space of the building.

PREMISES AFFECTED—88-01 to 88-19 Roosevelt avenue, north side, from 88th to 89th street, 37-53 to 37-69 88th street and 37-54 to 37-70 89th street (Block 1476 (617), Lots 38 and 34), Borough of Queens.

APPEARANCES—
For Applicant: Jacob Rubenstein, Sergt. M. O. Pearl and Walter Adikes.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

1339-27-BZ

APPLICANT—Lama and Proskauer, for Israel Rosenblum, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—previously denied for a gasoline service station and repair shop. New application (decision of the borough superintendent) under section 7f of the zoning resolution, permitting in a business use district, the maintenance of a gasoline service station, auto laundry, lubritorium and minor repairs.

PREMISES AFFECTED—1607-1615 Coney Island avenue and 1101-1111 Locust avenue (Block 6731, Lot 65), Borough of Brooklyn.

APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

(Remaining minutes of the meeting of May 8, 1945 will be printed in the Bulletin of May 22, 1945.)

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *paragraph* 2, *Charter of the City of New York and C*26-189.0 *Administrative Building Code and C*26-610.0 *Administrative Building Code and C*26-660.0, 661.0 *and* 662.0 *Administrative Building Code.*

Note: New matter in italics.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labeling Requirements.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency. *When opening protective assemblies are manufactured for stock, the inspection agency shall furnish a report to the manufacturer of his inspection of each assembly including all data as is herein required.*

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly. *When opening protective assemblies are installed in a building as building maintenance, the manufacturer shall furnish similar data on forms obtained from the Borough Superintendent.*

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

3.5 Where opening protective assemblies are manufactured up to 25% in excess of the sample as tested and as permissively allowed under C26-610.0a, the permitted increase in area shall not exceed width and height dimensions greater than 15 percent of the sample as tested. In all cases the permissively allowed increase in area of 25% shall apply only to the sample when constructed identically in all respects with the tested sample.

3.6 When opening protective assemblies are manufactured for stock, such assemblies shall be inspected as provided herein. As the doors are shipped, the Borough Superintendent shall be furnished with the data as specified in Rules 3.1 and 3.2. When such opening protective assemblies are shipped to jobbers for stock, the manufacturer shall obtain the data from the jobber, as required under rules 3.1 and 3.2 and immediately submit such data to the Borough Superintendent.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES ON USES OF INSULATING FIBRE BOARD

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939 AND RULES AMENDED JUNE 16, 1942, EFFECTIVE JULY 6, 1942.

(170-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, 1945, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules on Uses of Insulating Fibre Board.

Matter in brackets [ ] to be deleted; new matter in italics, except where applicable sections of the Administrative Building Code appear.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0 [Administrative Code (2.2.1.1)], C-26-462.0 [of the Administrative Code (8.4.10.6)], C-26-458.0, sub. g, [Administrative Code (8.4.10.2),] C-26-538.0, sub. b, [Administrative Code (8.7.2.3),] C-26-541.0, sub. a, [Administrative Code (8.7.2.6.1),] C-26-667.0, paragraphs, 4 and 8, [Administrative Code (10.9.2.4),] sub. c, [and (10.9.2.4), Building Code,] C-26-680, sub. 21, [Administrative Code (10.12.11.1),] C-26-541.0, [Administrative Code (8.7.2.6.1),] C-26-619.0, [Administrative Code (10.3.1),] and C-26-721.0, Administrative Building Code. [(12.2)].

[NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.]

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Purpose: *It is the purpose of these rules to carry out the intent of Section C 26-3.0 of the Administrative Building Code and to supplement the present requirements of the Administrative Building Code, by including the uses of insulating fibre board as an acoustical or decorative material, when applied to walls and ceilings which use is specifically unprovided for in the Administrative Building Code.*

Rule 1. Classes of Fibre Board.

(1) Wood Fibre
(2) Exploded Wood Fibre
(3) Balsam and Wood Fibre
(4) Western Wood Fibre
(5) Cane Fibre (Bagasse)
(6) Pulp from waste papers
(7) Straw Fibre
(8) Ground Wood Pulp Fibre
(9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature *under related humidity conditions* so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin *and with properties as shown in Table 1.*

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement *or other approved means.* Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof *insulation* boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

1.4 The surfaces of fibre board when used for acoustical or decorative purposes shall be finished smooth and flat and reasonably free from projecting, coarse or hairy fibres.

1.5 Fibre board shall be approved by the Board.

1.6 Fibre board treated to reduce and retard its combustibility may be used in accordance with limitations as may be approved by the Board.

[TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10
Maximum linear expansion, per cent	½	½	—
Nail holding strength lb	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.72 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.
NOTE 2. This requirement is based upon specimens ½ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be double, etc.
NOTE 3. Minimum deflection at rupture shall be not less than .25".
NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.
NOTE 5. Edges shall be square for building board.
NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.
NOTE 7. Edges shall be square unless ship lapped or offset.]

TABLE I

	Building Board	*Plaster Base*	*Roof Insulation Board*	*Interior Boards*	*Sheathing Boards*
Max. thermal conductivity, B.t.u. per hr. per sq. ft. per deg. F. per in. of thickness	*0.36*	*0.38*	*0.38*	*0.38*	*0.42*

	Building Board	*Plaster Base*	*Roof Insulation Board*	*Interior Boards*	*Sheathing Boards*
*Min. transverse load at rupture, each direction pounds per sq. in.**	*14*	*14*	*7*	*10*	*14*
*Deflection at rupture, inch, min.**	*0.25*	*0.25*	*0.25*	*0.15*	*0.25*
Deflection, inch, max. ...	*0.85*	*0.85*	*1.25*	*1.00*	*0.75*
*Min. tensile strength, pounds per sq. in.****	*175*	*175*	*100*	*150*	*175*
Water absorption, percent	*5*	*5*	*10*	*10*	*5*
Moisture permeability, time of penetration through the board, not less than, hours	..	..	..	..	*20*
Max. linear expansion, percent	½	½	½	½	½
Nail holding strength lb...	*100*	*70*	*60*	*60*	*100*
Bond strength per sq. ft. of bonded surface	..	700	..	..	..

* *This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be increased in direct proportion, that is, for a thickness of 1 inch, it shall be doubled, etc.*

** *This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be decreased in inverse proportion, that is, for a thickness of 1 inch, it shall be halved, etc.*

*** *Tensile strength requirements shall be applicable only on thicknesses up to and including 1 inch.*

1.5 EDGE FINISH

1.5.1 Building board edges shall be square.

1.5.2 Plaster base fibre boards shall have short edges square or fabricated and long edges specially fabricated.

1.5.3 ½" roof insulation shall be square edged. For thickness of 1 inch and over, edges shall be square unless offset is specified. When offset material is specified, the amount of the offset shall be 1 inch.

1.5.4 Interior board edges shall be either square, or specially fabricated.

1.5.5 Sheathing board edges shall be either square or specially fabricated as required.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 PLASTER BASE.

Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding ½ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative *Building* Code [(8.4.10.2) and C-26-462.0, Administrative *Building* Code (8.4.10.6)].

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. [C-26-462.0, Administrative Code (8.4.10.6).]. [They] *Each length* shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1⅛" No. 13 gauge blued or galvanized plaster board nails, with ⅜" heads for ½" board and 1¾" nails with ⅜" heads for ¾" or 1" board, and with proportionately longer nails for thicker fibre board. *No nail shall be driven closer than ¼ inch of the edge of fibre board.* All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. [No board shall be run through from room to room.]

2.1.1 Fibre board when used as a plaster base shall comply with the requirements of the Administrative Building Code as follows:

C26-458.0. Combustible lath.—a. It shall be unlawful, in the case of structures exceeding three stories in height, to apply combustible lath on wood studs more than two stories in advance of the scratch coat plastering.

b. It shall be unlawful to run combustible lath through from room to room.

[2.1.1] C26-462.0. It shall be unlawful to wet fibre board before plastering. [C26-462.0, Administrative Code (8.4.10.6).]

2.1.2 "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than ⅔ by weight of sand and ⅓ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1½ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than ¼" thick.

2.1.3 "BROWN OR SECOND COAT."

The brown coat shall contain not more than ¾ by weight of sand and the remaining ¼ shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.4 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.5 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of ½" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Fibre board when used as a sheathing material shall comply with the requirements of the Administrative Building Code as follows:

C26-538.0b. Approved fibre board sheathing at least one half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on four studs and fastened to each bearing with nails spaced six inches or less apart, except that where necessary for fitting around openings and similar purposes, the dimension of each board used for such purpose shall be the maximum possible if such board is less than four feet in width.

When fibre board is ½" thick the nails used shall be 1½" long with ⅜" head and when the fibre board is ¾" or 1" the nails used shall be 2" long with ⅜"

head. Nails shall be driven not closer than ¼ inch of the edge of the sheathing board.
[Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width and in full lengths where possible may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1½" wire nails, 6" or less c-c, with ⅜" head, and for ¾" or 1" board, the nails shall be 2" long. See C26-538.0, sub. b.] When using fibre board in widths of 2 ft. in addition to the requirements of C-26-538.0b, supplemental bracing of the framework of the wood frame structure shall be provided by means of let-in diagonal braces of 1" x 4"'s sound and free from knots at all external corners in the outside face of the studs at approximately 45° and crossing at least three studs, or supplemental bracing may be by a series of 2" by 4" struts diagonally cut and placed between the studs at an angle of 45° with the horizontal and extending from sill to plate wherever possible. All braces shall be securely nailed to each stud and to sill and plate. Where openings occur near the corners, 1" x 4"'s let-in knee braces in the face of the studs shall be installed above and below the openings at approximately 45°, extending across not less than 3 studs. When used over doorways and under windows, vertical and horizontal 2" x 4"'s shall be provided to afford nailing bases along all edges. Equivalent bracing of steel may be substituted for the required wood bracing. The use of fibre board as roof sheathing is not permitted except as insulation over *approved* sheathing material.

2.3 ASBESTOS CEMENT COVERED FIBRE BOARD. Fibre board protected with at least ⅛" asbestos cement and secured to the fibre board may be used as a siding material in Class 4 and Class 5 construction and as an interior partition material in places where no fire resistive rating is required and when approved by the Board.

[2.3 MINOR FRAME STRUCTURE.
Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).]

[2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE. Untreated combustible insulation board of a single layer or thickness not to exceed ½" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).]

[2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.
Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1).]

3.0 USES OF FIBRE BOARD AS WALL AND CEILING COVERING. MATERIAL SUPPLEMENTING THE REQUIREMENTS OF THE ADMINISTRATIVE BUILDING CODE.

3.1 CLASS 1 AND CLASS 2 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as an acoustical material in ceilings only of spaces not exceeding 2,000 sq. ft. in area and when such spaces are separated from the remainder of the floor area by fireproof partitions and fireproof doors. Fibreboard, when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the strips shall be of fireproofed wood meeting the requirements of C26-331.0 or of approved incombustible materials and the spaces in between the furring strips and the fibre board shall be densely filled with approved incombustible material. Fibre board shall not be applied to side and soffits of beams. When fibre board is used on a suspended ceiling system, all hangers, purlins and cross furring shall comply with C26-461.0 and the fibre board shall be applied directly to a plastered ceiling on approved lath or over a base of approved incombustible board at least ⅜" thick with all joints adequately sealed with gypsum plaster.

3.2 CLASS 3 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways, public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as a decorative, thermal or acoustical material without restriction except that in places of assembly (C26-116.0) fibreboard may be used in areas not exceeding 3,000 sq. ft. but not more than 50% of the area of any floor provided the ceiling construction meets the requirements of C26-669.0 and the walls surrounding the space and opening protective assemblies therein shall be fireproof. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material.

3.3 CLASS 4 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall be permitted without restriction except when specifically prohibited by the Administrative Building Code or the Board's rules. When fibreboard is used as exterior sheathing, it shall be protected from the elements.

3.4 CLASS 5 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall not be permitted except within spaces not exceeding 2,000 sq. ft. in area, in elsewhere than stair enclosures, public hallways, public spaces, kitchens or cooking spaces and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner when separated from the rest of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material. Fibreboard may be used as an interior insulation material when protected by at least ⅜" of plaster or of approved incombustible board of similar thickness and the joints filled or covered with incombustible batten strips.

3.5 CLASS 6 CONSTRUCTION.

In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner the use of fibreboard as a decorative, thermal or acoustical material may be permitted in spaces not exceeding 2,000 sq. ft. in area when separated from the remainder of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material.

3.6 LABOR LAW.

The use of fibreboard as a decorative, thermal and acoustical material shall be prohibited except within spaces designated as non-manufacturing area and only when separated from the rest of the floor space by fireproof partitions and opening protective assemblies, except that in factories four stories or less in height, fibreboard may be used elsewhere than stair enclosures and public hallways and public spaces as permitted under the Labor Law.

3.7 MULTIPLE DWELLING LAW.

The use of fibreboard shall be prohibited in kitchens and cooking spaces in class 3 construction elsewhere than in stair enclosures, public hallways and public spaces, except as a plaster base, when the area of floor partitions shall not exceed 15% of the entire partition area of any floor. Fibreboard may be used on the top floor ceiling as a plaster base without restriction as to area.

In old law tenements and converted dwellings the use of fibreboard as a decorative, thermal and acoustical material may be permitted elsewhere than in stair enclosures, public hallways, public spaces, kitchens, cooking spaces and in cellars.

2.4 ROOF STRUCTURES AND ROOFING

C26-619.0 FORM AND FIRE RESISTIVE RATINGS OF FLOOR AND ROOF CONSTRUCTION.—a. Floor and roof construction between supporting beams in class 1, fireproof structures, shall consist of arches or slabs of incombustible material or assemblies and shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least three hours, except as specifically provided otherwise. Nothing in this section shall prevent the application of cork or fibre insulation board or other combustible insulation material applied directly to the fire resistive floor or roof construction in cement, provided that in the case of floor construction such insulation is covered by at least one and one-half inch thickness of portland cement concrete or other equally fire resistive material of equal thickness. Similar floor and roof construction in class 2, fire-protected structures, shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least one and one-half hours, except as otherwise specifically provided.

2.4.1 Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

[2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.]

[2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.]

C26-680.0 ROOFING.—a. Materials for roofing.—

1. Roofing placed on any structure shall meet the requirements of section C26-605.0, except as provided in section C26-539.0, and subdivision b of section C26-680.0.

2. The use of cork or fibre board as roof insulation is lawful provided such cork or fibre board is covered with an approved type of fire resistive roof covering applied directly thereto.

2.5 ADDITIONAL ADMINISTRATIVE BUILDING CODE REQUIREMENTS PERTAINING TO THE USE OF FIBRE BOARD ARE AS FOLLOWS:

C26-541.0 MINOR WOOD FRAME STRUCTURES.—a. Wood frame sheds.—Wood frame sheds, open on at least one side, may be erected of wood or with approved fibre board siding, throughout the city, but such sheds shall be fifteen feet or less in heigbt, shall cover twenty-five hundred square feet or less, shall be placed at least four feet from any lot line, and shall be covered on the sides and roof with approved fire retarding material.

b. Wood frame outhouses.—Wooden outhouses used exclusively for domestic purposes may be constructed throughout the city to a wall height of eight feet, and may be one hundred fifty square feet in area, provided the roofs are covered with approved fire retarding materials and the walls are located at least three feet from the lot line.

c. Wood frame builders' shanties.—One story structures for the use of builders in connection with any building operation for which a permit has been issued, may be constructed of wood, or may be sheathed with approved fibre board, and placed on the lot where such building operation is carried on in any part of the city, or on adjoining lots if such structures do not interfere with the safe occupancy of any structures thereon, or on the sheds provided over the sidewalks in front of such building operation.

d. Wooden fences.—Wooden fences may be erected throughout the city to a maximum height of ten feet.

C26-667.0 PERMITTED USES OF WOOD OR OTHER COMBUSTIBLE MATERIALS IN CLASS 1, FIREPROOF STRUCTURES, AND CLASS 2, FIRE-PROTECTED STRUCTURES.—

4. Wearing surfaces.—

(c). Untreated combustible insulation board in a single layer not to exceed one-half of an inch in thickness, when cemented or attached directly to the surface of an approved type of fire resistive floor construction, may be used elsewhere than in stair enclosures and corridors when covered by an incombustible wearing surface in accordance with the rules of the board.

2.5.1 Except as provided in Section C26-619.0 wearing surface when installed over fibre board shall be of approved incombustible material bonded and sealed in accordance with the terms of the Board's approval of the wearing surface material.

C26-631.0 CONSTRUCTION OF FIRE WALLS

g. The application of cork or fibre insulation board may be permitted if cemented or attached directly to the face of the wall laid up with no intervening air spaces and protected as required by the rules of the board.

2.5.2 When used on fire walls, fibre board shall be protected by at least 3/8" of plaster or approved incombustible material of similar thickness with joints filled or covered by incombustible batten strips.

GROUP 2—FIRE PARTITIONS

C26-633.0 MATERIALS FOR FIRE PARTITIONS.

b. Where combustible insulation board is permitted, it shall be applied directly to the face of the partition by cement or other approved method, but in no case shall it be built into the required partition construction.

PUBLIC HEARING

PROPOSED RULES ON EXTERIOR VENEERING MATERIALS

(465-44-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, 1945, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules on Exterior Veneering Materials.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, Paragraph 2, Charter of the City of New York and C26-189.0 of the Administrative Building Code, these rules are to supplement the existing requirements of the Administrative Building Code, Sections C26-437.0, C26-438.0, C26-439.0, C26-544.0 through C26-550.0, C26-544.0 and C26-550.1 j.

SCOPE:

These rules are supplementary and additional to the requirements pertaining to thin not exceeding 2" exterior veneering materials so as to provide for the sufficiency of attaching and anchoring mediums on such exterior veneers in accordance with the intent of the Administrative Building Code as outlined in Section C26-3.0. They shall apply to veneering materials of metal, cement-asbestos, precast or natural stone, ceramic, tile, concrete masonry units, glass sheets, glass block, plastic materials and other veneering materials, as may be approved by the Board. Note: These rules shall not apply to interior veneering materials.

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Rule 1.0 General.

1.1 These rules shall apply to all materials used as exterior veneers of a thickness not exceeding two inches, bonded or unbonded, and with or without air spaces between the veneer and the supporting surface.

1.2 Veneer materials shall not be credited with contributing to the total wall thickness, the stress resisting sections, or to the fire resistive value of the composite construction unless specifically approved by the Board for any given combination of materials.

1.3 Veneer materials shall not be used to support vertical loads other than the veneering material above unless permitted otherwise as provided for in Rule 1.3. Where openings occur the veneer shall be supported by substantial lintels of incombustible materials.

1.4 All joints between masonry veneer materials shall be filled flush with mortar or approved mastic cement. Around wall openings the joints between the veneer and backing material shall be filled flush with similar materials. Gypsum shall not be used in veneer exposed to the weather.

1.5 All metal reinforcements, bolts, clips, tie wires and supports shall be of non-corroding metal and of a type and for uses as may be approved by the Board.

1.6 Veneering material shall not be placed over existing veneering material.

1.7 Veneering when placed on a structure shall not encroach beyond the building line.

1.8 Before attaching veneering materials to any surface, the soundness of structural members shall be examined by exposing the structural members and when found necessary, reinforcement or replacement of structural members shall be made to the satisfaction of the borough superintendent.

1.9 Signs shall be so hung that their weight shall not bear on the veneering material and shall be supported by grounds set in the supporting wall.

Rule 2.0 Metal Veneers.

2.1 Metal veneers shall be of non-ferrous materials or of steel sheets protected on all sides by porcelain enamel or other approved corrosion resistant surfacing.

2.2 Metal veneers shall be securely attached to the supporting construction with approved non-corroding metal hangers, clips, ties, screws, or bolts, secured to the metal veneer in a manner approved by the Board for each specific veneering material, and spaced not more than 16 o.c. vertically and 24 inch o.c. horizontally. Veneer units exceeding 4 sq. ft. in area shall be attached to the construction at not less than four points, so distributed as to render adequate attachment to the supporting construction.

2.3 Where allowed to be used all corrosive supports for metal veneers shall be adequately protected from the effects of the elements by painting with approved paint, galvanizing or other equivalent means. Where the use of wood is permissible all wood used with metal veneers shall be impregnated with creosote or other approved preservative material.

2.4 The joints and edges of all metal veneers shall be caulked or painted with approved waterproofing materials or other approved equivalent methods of providing resistance against moisture penetration.

2.5 The height of walls veneered with metal units on walls other than panel or enclosure walls shall be not more than 40 ft. above the foundations.

Rule 3.0 Precast or Natural Stone, Ceramic and Porcelain, Tile, Terra Cotta and Precast Concrete Units.

3.1 C26-157.0 Veneered Wall.—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability.

3.2 C26-437.0 Anchorage for veneered masonry walls.—When masonry walls are veneered with brick, architectural terra cotta, stone or other masonry, the material shall be securely tied into the backing with the equivalent of the following minimum anchorage requirements:

1. For anchorage of brick veneering on masonry, one substantial non-corroding metal wall tie for each three hundred square inches of wall surface.
2. For anchorage of architectural terra cotta and other moulded units on masonry, one non-corroding metal anchor at least equal to five-sixteenths of an inch round or one-eighth of an inch by three-quarters of an inch flat in sectional area to each piece and two or more such anchors to all pieces over 18 inches in length or more than three hundred square inches in superficial area, except where such architectural terra cotta facing is bonded and completely filled with the brick backing.
3. For anchorage of stone veneering on masonry, one non-corroding anchor at least three-sixteenths of an inch by one inch flat, or its equivalent in cross sectional area, to each piece over one-half of a square foot in face area and at least two anchors to all pieces over 24 inches in length or more than four hundred square inches in superficial area.

3.3 C26-438.0 Thickness and height of veneered walls.—In all cases the veneering shall be excluded in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations.

3.4 C26-439.0 Veneered wood frame structures.—a. Wood frame structures may be veneered with masonry laid up in cement or cement-lime mortar. Such veneer

shall be anchored to the frame by non-corroding metal ties equivalent to the following minimum requirements:

1. For anchorage of brick veneer on frame structures, one wall tie to every 160 square inches of wall area.
2. For anchorage of stone, architectural terra cotta and other moulded units on frame structures, one spike anchor or two wall ties to every two hundred sixty square inches of wall area.

b. It shall be unlawful to use such veneer on frame structures above a maximum height of 35 ft. above the foundation; it shall be unlawful also, to use such veneer on structures having more than two stories and a gable. The veneer shall be directly supported on the foundation.

c. Frame structures veneered with masonry shall be considered to be in a different class from masonry structures. It shall be unlawful to attribute any structural strength to the veneer.

3.5 Veneer units in this group shall be of approved type and not be greater than 2 in. in thickness. The surface bond of veneer units with the scored parging shall be adequately scored or provided with equivalent keys to obtain adequate anchorage. In addition to the attachment herein required, the anchorage requirements of C26-437.0 shall be complied with. Equivalent substitute methods of anchorage consisting of non-corroding pin and rosette or a continuous angle or anchor bolts secured to the reinforcement within the veneer may be used when approved by the Board for any specific veneering material.

3.6 The parging material in which veneer units are embedded shall consist of a portland cement mortar of 1:2 mix, 1 part of approved portland cement to two parts of screened sand passing through a 20 mesh screen not less than ¾ in. thick and reinforced with 4 in. mesh galvanized wire reinforcement. Such reinforcement to be secured to the masonry or concrete wall with approved non-corroding anchors at the rate prescribed in C26-437.0. When the supporting wall is of wood framework, approved paper backed wire lath or other approved material may be used when attached to the wood framework as provided in C26-459.0h, provided the weight of the veneering materials is carried on an incombustible base. The parged surface shall be troweled to a plane surface and then scratched to receive the setting bed. The setting bed of not less ⅜" thick shall not be applied until the scratched parged surface is set. Prior to parging masonry on concrete surfaces, such walls shall be thoroughly wetted prior to the application of the parging mortar.

3.7 Waterproofing material if used in mortar shall be of approved type.

3.8 Veneer units in this group shall be not greater than 144 sq. in. in area.

3.9 The base for supporting veneers shall be of suitable incombustible materials.

3.10 All veneer units used in Class 1, 2 and 3 buildings exceeding 20 ft. in height, regardless of thickness, shall be attached to the scored parged surface by mechanical anchorage as provided in C26-437.0, pars. 1, 2, 3 and shall have lugs, keys or equivalent scoring of the backside of the veneer unit.

Rule 4.0 Glass Veneer on the exterior of structures may be used only in accordance with the provisions of this title and the rule of the Board.

4.1 C26-545.0 Minimum thickness.—The minimum thickness of glass veneer shall be eleven-thirty-seconds of an inch, except where glass veneer extends within 4 in. or less of the sidewalk level, the minimum thickness of that portion of the veneer below a level of four inches above the sidewalk at its point of intersection with the veneer shall be seven-sixteenths of an inch.

4.2 C26-546.0 Maximum area and dimensions.—a. The maximum area of a single section of glass veneer shall not exceed 10 sq. ft. in area when 15 ft. or less above the level of the sidewalk directly below and shall not exceed 6 sq. ft. in area when more than 15 ft. above the level of the sidewalk directly below.

b. The maximum length of any section of glass veneer shall be 60 in.

4.3 C26-547.0 Edges.—All edges of each plate of glass veneer shall be ground square. It shall be unlawful to use mitred joints.

4.4 C26-548.0 Backing for glass veneer.—Glass veneer may be placed only against substantial, rigid, incombustible surfaces of true plane, plumb and straight. The backing shall in any case provide rigidity and stability equal to or greater than that provided by one-inch thick cement mortar on wire lath secured to studs spaced 12 in. or less on centers. It shall be unlawful to use wood backing surfaces, regardless of whether they are fireproofed.

4.5 C26-549.0 Setting of glass veneer.—a. Glass veneer shall be set only when the backing is thoroughly dry and after the application of a thorough and uniform bond coat of material approved by the board. The bond coat shall be such as to effectively seal the portions of the veneer backing and to insure against the absorption of the vital properties of the mastic cement.

b. Mastic cement approved by the board shall be applied to the back surface of each plate of the glass veneer, which veneer shall be applied to the backing with a substantial and uniform pressure over its entire area sufficient to flatten out the gobs of mastic cement to a thickness of between one-quarter of an inch and five-eighths of an inch. Sufficient mastic cement shall be applied to insure that at least 60% of the total area of the section is bonded to the backing.

c. The bond coat and the mastic cement shall be of one manufacture and shall be certified to be of such composition as to insure close affinity between the two materials.

d. Abutting edges of glass veneer shall be ground square and uniformly buttered with an approved pointing compound.

e. Where glass veneer extends to the sidewalk surface each such section shall rest on two cushions of approved resilient material, one near the end of each such section or plate. Cushions shall be one-quarter of an inch or more in thickness. The joint between the bottom edge of the glass section and the top of the sidewalk shall be caulked with a waterproof compound.

f. Where the glass veneer is permitted to extend below the level of the sidewalk surface, an expansion joint of one-quarter of an inch or more shall be provided between the outer face of the glass veneer and the edge of the sidewalk. Such expansion joint space shall be filled with a resilient caulking compound from the level of the sidewalk surface to a depth at least ¾ of an inch below such level.

g. Where glass veneer is applied at an elevation more than eight feet above the sidewalk surface, the mastic cement binding shall be supplemented by the use of metal clip angles of a design approved by the Board. Clips shall be located in each vertical or horizontal edge of each section of veneer and shall be secured through the backing directly into the wall behind by means of expansion bolts and in a manner satisfactory to the superintendent. Angle clips shall be two inches or more in length and shall be of at least No. 16 U. S. gauge, and shall be so designed as to furnish at least two-inch bearing support on each clip and shall hold the glass in a vertical plane independently of the mastic cement.

h. All horizontal joints shall be cushioned with pads of adhesive asphaltic tape which shall extend from the rear surface of the glass to one-eighth of an inch or less from the front surface. Horizontal joints shall be buttered with joint cement over the full depth of the joint, including the surface of the cushion tape.

i. Shelf angles of approved design shall be set at vertical intervals of 3 ft. or less, in all horizontal joints located 8 ft. or less above the sidewalk, except that, where there are show windows it shall be unnecessary to have shelf angles below the level of the tops of the show window bulkheads. Shelf angles shall be of a type approved by the board and shall be secured to the backing in a manner satisfactory to the superintendent.

j. Where glass veneer is confined between non-resilient materials at ends, expansion shall be provided for by means of an expansion joint at each end of one-quarter of an inch or more throughout the entire height of the veneer.

4.5.1 Clips required under C26-549.0, sub-section g shall be non-corroding and located in each vertical plane in horizontal edge of each section of veneer and shall be thoroughly secured

through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corrodible expansion bolts at least 1¼" long.

4.5.2 Shelf angles required under C26-549.0, subsection i shall be of non-corroding metal of a type approved by the board and shall be thoroughly secured through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corroding expansion bolts at least 1¼" long.

4.5.3 Glass veneer units shall be separated from each other and adjoining material by an expansion joint at least 1/32" wide. Between the bolts and the veneer units there shall be a clearance of 1/64". All expansion joints shall be filled with an approved waterproofing mastic compound.

4.5.4 Glass veneer material shall not be used above a point higher than 22 ft. above the foundation of the structure.

4.5.5 Exposed edges of glass veneer shall be flashed with non-corrodible sheet metal and caulked with an approved waterproofing mastic compound.

4.5.6 All awning brackets shall be set so as to be free of contact with the glass veneer. Glass veneer above awning boxes shall be carried by a continuous steel angle attached to the wall by anchors.

4.5.7 Signs shall be hung clear of the glass veneering material.

4.6 Glass Blocks.

4.6.1 C26-550.1.
j. Veneer or ashlar: Glass blocks may be used as exterior wall veneer under the rules of the Board.

Note: Investigation has shown that glass block is not used as a veneer material in building construction and when uses of glass block are developed as veneer, the Board will then consider including in these rules the safe provisions for use.

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1.

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION

Premises .....

Name of concern .....

Building No. .....**Story**.....

FOREMAN OR PERSON IN CHARGE

Regular **Substitute**

....

WATCHMAN

....

....

MALE SEARCHER

....

FEMALE SEARCHER

....

STREET ALARM BOX RUNNER

....

FIRE BRIGADE

....

....

....

EXIT GUARDS

..... **Exit**..... .....

..... " ....

..... " ....

..... " ....

..... " ....

..... " ....

SQUAD MONITORS

.....**Squad No. 1**.....

..... " " 2.....

..... " " 3.....

..... " " 4.....

..... " " 5.....

..... " " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

RULES

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET-ALARM-BOX-RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Notice of a Public Hearing on Proposed Amendments to Rules on Uses of Insulating Fibre Board.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to May 15, 1945.

Cal. No. *Dept.* *Premises Affected.*

267-45-SA—Standard 3 Circuit Indirect Fuel Oil Heating System, Appliance.

268-45-A—F.D.—372-378 Gates avenue, south side, 125 ft. west of Nostrand avenue (Block 1812, part of Lot 42), Borough of Brooklyn, 14402-LF and Decision.

269-45-A—F.D.—380-390 Gates avenue and 390-398 Nostrand avenue, southwest corner (Block 1812, part of Lot 42), Borough of Brooklyn, 14401-LF and Decision.

270-45-A—F.D.—534-552 11th avenue, east side, from West 41st to West 42nd streets, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan, 40781-LC and Decision.

271-45-SM—Lone Star Masonry Cement, manufactured by Lone Star Cement Corp., Material.

272-45-A—H.B.Bx.—814-838 Westchester avenue and 793-809 Prospect avenue, southwest corner (1st floor); (Block 2676, Lot 49), Borough of The Bronx, Amendment to Alt. 158-45.

273-45-A—F.D.—255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2239, Lots 42 and 43), Borough of Brooklyn, 99394-LC.

274-45-BZ—H.B.Q.—65-02 to 65-42 79th street (65-02 to 65-44 displayed) and 78-12 to 78-20 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens, Alt. 643-45.

275-45-BZ—H.B.B.—125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn, Alt. 277-45.

276-45-A—F.D.—454-468 18th street, south side, 200 ft. east of 8th avenue and 445-455 19th street (Block 882, Lot 17), Borough of Brooklyn, Decision.

277-45-A—H.B.B.—48-66 Forrest street, southwest corner of Evergreen avenue and southeast corner of Stanwix street (Block 3146, Lot 1), Borough of Brooklyn, Alt. 1314-45.

278-45-A—H.B.Q.—135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (Block 4958, Lots 55 and 18), Flushing, Borough of Queens, Alt. 360-45.

279-45-A—H.B.B.—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn, N.B. 110-45.

280-45-A—H.B.B.—190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn, Alt. 271-45.

281-45-A—H.B.Bx.—608 East 133rd street, south side, 328.56 ft. east of St. Anns avenue and 605 East 132nd street (Block 2546, Lots 23 and 24), Borough of The Bronx, Amendment to Alt. 559-44.

282-45-A—H.B.Bx.—1141 East 156th street, northeast corner of Barry street (1st floor); (Block 2736, Lots 123 and 189), Borough of The Bronx, N.B. 23-45.

283-45-A—H.B.Q.—184-10 Jamaica avenue, south side, 429.71 ft. east of 183rd street (4th floor, Building 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens, Alt. 628-45.

284-45-BZ—H.B.M.—102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1) (89), Borough of Manhattan, Alt. 684-45.

285-45-BZ—H.B.M.—329-335 and 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan, Amendments to Alt. 165-44 and Alt. 166-44.

286-45-A—F.D. and H.B.M.—329-335 and 337-341 Stanton street, southwest corner of Mangin street (ground and 2nd floors); (Block 324, Lots 15 and 21), Borough of Manhattan, 40821-LC and Decision and Amendments to Alt. 165-44.

287-45-A—F.D.—460 West 34th street, 406-416 10th avenue, southeast corner and 457 West 33rd street, northeast corner of 10th avenue (8th floor); (Block 731, Lot 1), Borough of Manhattan, 40742-LC and Decision.

288-45-A—H.B.M.—40-42 West 17th street, south side, 295 ft. east of 6th avenue (3rd floor); (Block 818, Lot 73), Borough of Manhattan, B.N. 404-45.

289-45-A—H.B.M.—40-42 West 17th street, south side, 295 ft. east of 6th avenue (7th floor); (Block 818, Lot 73), Borough of Manhattan, B.N. 659-45.

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531-37-BZ—H.B.Q.—23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent avenue (Block 572, Lots 37 and 38), Astoria, Borough of Queens, B. N. 5682-37.

123-45-BZ—H.B.Bx.—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx, Amendment to Alt. 386-44.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of.....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form .....Dec.	28, 1943—Vol. 28, No. 52A

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	Last Publication in Bulletin
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May 15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	Mar. 6, 1944—Vol. 30, No. 10
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Feb. 6, 1945—Vol. 30, No. 6
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 50b of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 28. No. 15A.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May 22,* 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

60-45-BZ—Application, February 6, 1945, under section 7c of the zoning resolution of Lama & Proskauer, applicants, on behalf of General Linen Supply Co., Inc., owner, to permit in a residence use C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry; premises 449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

330-29-BZ—Application of Lama and Proskauer, applicants, on behalf of Hannah Harmon, owner, reopened January 23, 1945, under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals, under Cal. 330-29-BZ, Vol. I; premises 70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh (70th) road, southwest corner (Block 6697; Lot 1), Flushing, Borough of Queens.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

188-45-BZ—Application, April 2, 1945, under section 7c of the zoning resolution, of Kitzler and Nurick, applicants, on behalf of Dora Tatarsky, owner, to permit in a residence use district, the change of occupancy of an existing building from garage for ten motor trucks to garage for five motor vehicles and manufacturing of lamp bases; premises 170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn.

Appeals from Administrative Decisions

107-45-A—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.

697-44-A—355 West 26th street, north side, 120 ft. east of 9th avenue (1st floor); (Block 750, Lot 9), Borough of Manhattan.

8-45-A—20-22 West 39th street, south side, 303 ft. west of 5th avenue (2nd floor); (Block 840, Lot 60), Borough of Manhattan.

44-45-A—203A Nassau avenue, north side, 25 ft. west of Russell street (1st floor); (Block 2654, Lot 30), Borough of Brooklyn.

235-45-A—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Manhattan.

251-45-A—33-67 35th street, east side, and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East Section C, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MAY 22, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May 22,* 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

10-45-A—218 Gates avenue, south side, 146.5 ft. east of Classon avenue (Block 1985, Lot 14), Borough of Brooklyn.

115-45-A—84-40 101st street, west side, 346.31 ft. south of Park Lane south (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

239-45-A—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

100-45-A—744 East 138th street, southeast corner of Bruckner (Eastern) boulevard (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

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246-45-A—303-311 4th avenue and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan.

4-45-A—68-94 Sackett street, 89-99 Van Brunt street, southeast corner and 69-87 Union street (1st floor); (Block 335, Lots 1 and 2), Borough of Brooklyn.

92-45-A—1431 Broadway, north side, 20 ft. west of Madison street (1st floor); (Block 3357, Lot 2), Borough of Brooklyn.

277-45-A—48-66 Forrest street, southwest corner of Evergreen avenue and southeast corner of Stanwix street (Block 3146, Lot 1), Borough of Brooklyn.

265-45-A—287-473 Maspeth avenue, northeast corner of Varick avenue (Block 2838, Lot 1), Borough of Brooklyn.

226-45-A—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

283-45-A—184-10 Jamaica avenue, south side, 429.71 ft. east of 183rd street (4th floor, Building 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 29, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

556-20-BZ—Application of Michael Glick, applicant, on behalf of B-J Holding Corporation, owner, reopened May 8, 1945, for consideration re amendment of resolution as to additional use—Application previously granted on condition, under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection of a garage for more than five motor vehicles; premises 1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx.

71-35-BZ—Application of John Krupski, applicant and owner, reopened May 8, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 21 of the zoning resolution, for a term of two years, permitting in a residence use district, the maintenance of a garage for the storage of one commercial truck; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens.

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

284-45-BZ—Application, May 7, 1945, under section 7b of the zoning resolution, of Andrew A. Oliveri, applicant, on behalf of Frank Ray Howe, Director, Bureau of Real Estate, Board of Estimate, for the City of New York, owner, to permit the extension of a business use on a lot located partly in a restricted retail district and partly in a residence use district, into the more restricted (residence) use district; premises 102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1) (old Lot 89), Borough of Manhattan.

Appeal from Administrative Decision

273-45-A—255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2239, Lots 42 and 43), Borough of Brooklyn.

Appliance for Approval

230-45-SA—Steiner-Ives Indirect Gas-Fired Heater, Model 45 and Industrial Baking Oven.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 29, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

726-44-A—109-115 York street, north side, 50 ft. east of Jay street (basement and 1st floors); (Block 54, Lot 12), (Buildings 9 and 10), Borough of Brooklyn.

221-45-A—36 West 34th street, south side, 300 ft. east of Broadway and 41 West 33rd street (1st and 2nd floors); (Block 835, Lots 14 and 63), Borough of Manhattan.

202-45-A—20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens (Under section 35, General City Law re bed of proposed mapped street—Powells Cove road).

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 5, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

531-37-BZ—Application of Joseph Mosgoffian, applicant and lessee, on behalf of Annie Zins, owner, reopened May 15, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary period of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

459-44-BZ—Application, July 21, 1944, under sections 21 and 7c of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Mary L. Richardson, owner, to permit in a business use C area district, manufacturing in excess of the permitted area; premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district,

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the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

146-45-BZ—Application, March 13, 1945, under section 7f of the zoning resolution, of James Whitford, applicant, on behalf of Adam V. Bell, owner, to permit in a business use district, the erection and maintenance of a gasoline service station, for a term of years; premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

585-42-BZ—Application, of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

772-41-BZ—Application of Arnold W. Lederer, applicant, on behalf of Fay Bloom, William A. Jones, Jennie Mateyko and Joseph Filosa, owners (Square Deal Laundry, Inc., lessee), reopened November 8, 1944, under sections 7c and 21 of the zoning resolution, to permit the extension of an existing laundry building from a local retail into a residence use district, the area of proposed building exceeding that permitted in a C area district; premises 427 Ralph avenue and 1813-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64 to 68, inclusive), Borough of Brooklyn.

162-45-BZ—Application, March 21, 1945, under section 21 of the zoning resolution, of Richard Shutkind, applicant, on behalf of Jack Altman, owner, to permit in a residence use G area district, the erection of a one car garage and shower building, increasing the occupied lot area in excess of 35% and not providing the required 15 ft. rear yard and 5 ft. side yard; premises 228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens.

298-45-BZ—Application, May 17, 1945, under section 21 of the zoning resolution, of S. J. Kessler & Sons, applicants, on behalf of 1523-1529 63rd Street Corp., owner (Air King Products Co., Inc., lessee), to permit in a C area unrestricted use district, the erection of a 3rd story to a building, plans for two stories of which have been approved, the 3rd story exceeding the area of coverage permitted by the zoning resolution; premises 6201-6223 15th avenue. east side, from 62nd to 63rd streets (Block 5530, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 5, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning, June* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Rules.

1139-39-SR—Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

170-39-SR—Proposed Amendments to Rules on Uses of Insulating Fibre Board.

465-44-SR—Proposed Rules on Exterior Veneering Materials.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 12, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of May 8, 1945.)

71-35-BZ

APPLICANT—John Krupski, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary term.

PREMISES AFFFECTED—147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Czelan J. Regula.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on May 29, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

473-44-BZ

APPLICANT—Edmund T. See, for Brooklyn Trust Company as Certificate Trustee.

MINUTES

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the conversion of occupancy of an existing building formerly used as a shipping center for a food company, to crating and manufacturing.

PREMISES AFFECTED—85-87 Tompkins street, 20 Quinn street (Block 532, Lot 18), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

REGULAR MEETING

TUESDAY MORNING, MAY 15, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The regular meetings of the Board held on Tuesday morning, May 8, 1945, and Tuesday afternoon, May 8, 1945, were approved as printed in Bulletin No. 20, Volume 30.

ZONING CASES

330-29-BZ

APPLICANT—Lama and Proskauer, for Hannah Harmon, owner.

SUBJECT—Application reopened January 23, 1945 (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station, beyond the temporary period granted by the Board under Cal. 330-29-BZ.

PREMISES AFFECTED—70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh road, suthwest corner (Block 6697, Lot 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 22, 1945 at 10 A. M. Applicant to file revised plans.

531-37-BZ

APPLICANT—James Mosgoffian, for Annie Zins, owner,

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—23-38, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street Block 572, Lots 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: James Mosgoffian.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on June 5, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

753-44-BZ

APPLICANT—Chester A. Cole and Maurice G. Uslan, for Emanuel M. Honig, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7f and 21 of the zoning resolution, to permit partly in a residence use and partly in a business—1 use district and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting the required yards and court areas; building to be occupied as a garage for more than five motor vehicles, motor vehicle repair shop, showrooms and gasoline service station.

PREMISES AFFECTED—140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Maurice G. Uslan, E. M. Honig and Chester A. Cole.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (753-44-BZ)

WHEREAS, Chester A. Cole, and Maurice G. Uslan, for Emanuel M. Honig, owner, filed December 29, 1944, an application under sections 7e, 7f and 21 of the zoning resolution, to permit in a residence and business-1 use district, and D and E area district, the erection of a building occupying more than the permitted percentage of lot and omitting required yards and court areas; building to be occupied as a garage for more than five motor vehicles, motor vehicle repair shop, show rooms and gasoline service station, affecting premises: 140 Main street, south side, 369.04 ft. west of Craig avenue (Block 8028, Lot 67), Tottenville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Main street is in a business-1 use, D area and Class 1½ height district and Butler avenue is in a residence use, E area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated December 13, 1944, re N.B. App. 106-1944 and Misc. App. 265-1944, reads:

"1. Garage for more than five motor vehicles is contrary to Sect. 4a subdiv. 15 Art. II Zone Resolution. Denied.

2. Repair shop for motor vehicles is contrary to Sect. 4a subdiv. 29 Art. II. Zone Resolution.

3. Gasoline service station is contrary to sec. 4a, subdiv. 46, Art. II Zone Resolution.

4. Garage for more than five motor vehicles, repair shop for motor vehicles and gasoline service station showroom and offices in a residential use district is contrary to Sect. 3 Art II. Zone Resolution.

5. Building proposed occupies more than 55% of D district area requirement and 50% of E district area requirement contrary to Art. IV, Sect. 14c and 15c Zone Res.

6. Rear yard and side yard and set back requirements of D and E are not complied with contrary to Art. IV, Sect. 14a and Sect. 15a, b, d. Zone Resolution. Denied."

and

WHEREAS, the applicant states the premises consist of a plot 75 ft. frontage by 204 ft. in depth, now vacant, on which it is proposed to erect a one-story, Class 3 constructed building, 74.5 ft. by 198 ft. in area, to be occupied as a garage for more than five motor vehicles, motor vehicle repair shop, gasoline service station and automobile showrooms; and

WHEREAS, the applicant contends that the owner of the aforementioned property, who has been associated with the automobile industry for the past 20 years, desires to erect a showroom, garage, repair shop and gasoline service station, to meet the demands of a post war clientele; that the property has a frontage of 74.91 ft. on Main street and extends to a depth of 203.96 ft. and is in a business-1 use district for the 100 ft. depth adjacent to Main street; that the balance of the lot is in a residence use district; that the entire block was in an unrestricted use district until April 16, 1938, when it was rezoned to its present use and area; that the proposed one story building will be of modern design and will not deteriorate the surrounding property; that a similar building for like uses is located across the street; that a lot of similar depth, with a frontage of 44 ft. on Main street and located on the same side of the street, is used for parking of cars; that as the proposed garage will also house used cars, it will be necessary to utilize all available area on existing lot; that the building will be only one story in height and no hardships will be created to the adjacent lots; that this application is made under Sections 7e, 7f and 21; the gasoline station will be for a single pump to accommodate cars in connection with the garage and repair shop; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under sections 7i, 7f and 21 of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7f and 21 thereof, to permit the use of the building as proposed, as an automobile show room and garage for more than five motor vehicles, *on condition* that it shall be constructed substantially as proposed, except that the total overall length of the building shall not exceed 150 feet; that it shall not be over one story in height, as proposed; and *granted* under section 7i, to permit motor vehicle repairing limited to the repair of cars sold and dealt in by the proposed agency; that such repair shall be done by hand tools only; that no forge or anvil shall be maintained on the premises; that any openings in the side walls of the entire length shall be filled with glass block, substantially as indicated on side elevation, as approved for use on exterior lot line walls; that any windows installed in the rear wall, shall be fireproof and self-closing; that no cellar shall be constructed under the building, except for boiler room as proposed and shown; that such boiler room shall be separated from the balance of the building by fireproof construction, enterable only from the exterior; that no signs shall be erected on the building, except such signs as are permitted under the zoning resolution for a business district; that no roof sign shall be constructed; that a gasoline storage system may be permitted in the building, as proposed, provided such gasoline is solely for use in cars sold and dealt in by the agency; that any gasoline pump installed shall be located in the front exterior alcove, not nearer than twenty feet from the street building line; that the building shall be primarily used as a showroom for an automobile agency, as proposed; that the balance of the lot unbuilt upon toward the rear, for a depth of approximately 52 feet, shall be graded and maintained unoccupied in a neat condition at all times, and a substantial steel picket or woven wire fence of the anchor post type constructed and maintained along the interior and rear lot lines; that such fence shall be not less than five feet in height; that any door opening, constructed in the rear wall of the building shall not exceed three feet in width; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

136-45-BZ

APPLICANT—Paul Friedman, for William A. White, Jr. as executor and trustee u/w of William A. White, deceased) and Nettie H. White, owners (General Outdoor Advertising Co., Inc., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom only, with driveway entrance more than 25 ft. from Merrick boulevard.

PREMISES AFFECTED—224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (136-45-BZ)

WHEREAS, Paul Friedman, for Nellie A. White and William A. White, Jr. trustees under the will of William A. White, deceased, owners (General Outdoor Advertising Co., Inc., lessee), filed March 9, 1945, an application under section 7i of the zoning resolution, to permit in a business use district, the erection of an automobile showroom and salesroom and motor vehicle repair shop, incidental to salesroom and showroom, only with driveway entrance more than 25 ft. from Merrick boulevard, affecting premises 224-01 to 224-09 Merrick boulevard and 133-29 to 133-37 224th street, northeast corner (Block 12963, Lot 308), Laurelton, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 15, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Merrick boulevard is in a business use, D area and Class 1 height district and that 224th and 225th streets are in a residence and business use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 2, 1945, on N.B. Applic. 51-45, reads:

"1. The construction of a building to be used partly as an automobile repair shop, on a plot located in a business use district, is contrary to Article 2, Sec. 4, Subsec. 29 of the zoning law."

and

WHEREAS, the applicant states the premises consist of a plot, 100 ft. frontage by 100 ft. in depth, now vacant except for billboard signs, on which it is proposed to erect a one story, Class 3 constructed building 61.5 ft. by 85 ft., to be occupied as an automobile showroom and limited repair shop; and

WHEREAS, the applicant contends that the use district maps attached to the zoning resolution show that Merrick boulevard is in a business use district and that 224th street and 225th street are partly in residence use districts and partly in a business use district; that the premises are located wholly within a business use, "D" area, Class 1 height district; that the premises consists of a corner lot

100 ft. by 100 ft. in area, on which there are erected two large, illuminated, billboard signs (erected in 1936, Permit 23720) ; that it is proposed to remove the billboard signs and to erect a one story building of Class 3 construction 14 ft. in height; 61.5 ft. by 85 ft., irregular in area, occupying less than 6,250 sq. ft. in area and complying with all area and rear yard requirements, to be occupied as follows: cellar, boiler room only, with entrance from the exterior of the building and separated from the rest of the building by fire-proof construction; 1st floor—automobile showroom, office, limited repair shop, gasoline tank and pump for personal use—not for sale; that under section 7i of the zoning resolution, the Board has specific jurisdiction to grant a variance to permit in a business use district, the erection of a repair shop for motor vehicles, subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the use district regulations; that this is an appropriate case for the Board to grant relief under Section 7i because: 1. The proposed limited repair shop will be incidental and accessory to the automobile showroom and is needed to carry on the business in order that automobiles may be conditioned for delivery and in order that customers' motor vehicles may be inspected, tested, adjusted and have minor repairs performed. (2) The proposed limited repair shop is proposed to be operated and maintained subject to conditions and safeguards to protect nearby property onwers, as follows: a. Repair work is proposed to be performed only during the hours from 8:00 A.M. to 7:00 P.M. except that no repair work is proposed to be performed at any time on Sundays and legal holidays; b. Repair work is proposed to be limited to work to be done by hand tools and by motor driven machines not greater than ½ h.p.; c. No. sign is proposed to be erected on the premises advertising the repair shop; d. The proposed limited repair shop is proposed to be used only under the same tenancy and operation as that of the automobile showroom and will be operated only in connection therewith; e. No openings are proposed to be constructed in the rear wall. (3) The proposed building is proposed to be attractive in design and would bring about the elimination of the existing billboard signs. (4) The granting of this application would benefit the neighborhood, because it would enable the Board to impose ameliorating conditions regulating the occupancy of the plot, which conditions could not otherwise be imposed. 5. The substantial investment at stake gives assurance of strict compliance with the conditions and safeguards which the Board may impose. 6. The granting of tihs application would benefit the neighborhood, because the proposed building would be a permanent, attractive improvement, located entirely within a business use district and would contribute to the logical, commercial development of Merrick Boulevard. 7. The granting of the application would do substantial justice, because it would permit a reasonable, beneficial use of the premises without adversely affecting nearby property owners; and

WHEREAS, the applicant further contends that the nearest house is separated from the instant property by its own driveway, leading to the garage toward the rear, an arrangement common to the houses on the side street; that it is proposed to separate by a latticed fence the rear of the plot from the adjoining residential plot and to maintain shrubbery along the fence to a depth of at least 20 ft., in order to make the premises and surroundings more attractive in appearance; that the number of cars entering the building during any one day is necessarily limited and if the Board should deem it necessary, a small portion of the rear of the building could be dedicated for parking for not more than 5 automobiles belonging to patrons; that in view of the foregoing, it is requested the application be granted, subject to such conditions as the Board may deem necessary or proper in the public interest; and

WHEREAS, revised plans have been submitted by the applicant and request made for variance under section 7-A was withdrawn; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7-i of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7-i thereof, to permit an auto repair shop in conjunction with the automobile showroom building as proposed and substantially as indicated on revised plans marked "Received May 8, 1945", *on condition* that the entire building shall be occupied as proposed, as a sales store for the sale of new motor vehicles and motor vehicles taken in trade; that the facades of the building facing Merrick boulevard and 224th street shall be constructed generally of face brick; that the building shall not exceed the area shown on such amended plans; that the 15 ft. yard shown shall be unbuilt upon; that a substantial lattice fence shall be constructed continuously along the rear lot line and an additional similar fence erected from the rear lot line to the rear line of the building, at a distance away from the building line of 224th street of twenty feet; that such latter space shall be kept planted and not used in any way in connection with the use of the building; that the rear yard shall also be unused and a brick wall constructed, continuing the rear line of the proposed building to the easterly building line; that along the easterly building line, where walls of adjoining building do not occur, there shall be erected a brick wall not less than 7 feet in height, from the end of such building to the rear line of the lot; that there shall be no openings in the wall along the street line of 224th street nor in the rear wall, except the windows in office and showroom, as indicated on plans, and except that openings filled with glass block may be constructed, provided such glass block is of a type approved for exterior walls; that signs shall be restricted to those permitted under the zoning resolution, excluding all roof signs; that the yard space to the east shall be cement paved; that gasoline storage may be permitted, provided the gasoline is used only as proposed, for personal use and not for sale to passing vehicles; that the repair work shall be restricted to hand tools, excluding anvils and forges; that no curb cuts shall be constructed, except there may be a curb cut to Merrick boulevard, as indicated, not exceeding 30 feet in length; that new sidewalks and curbs shall be constructed along Merrick boulevard and 224th street for the full length and depth of the site; that in all other respects, all laws, rules and regulations applicable thereto shall be complied with and that all permits required to be obtained and all work shall be completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

690-44-A

APPLICANT—John J. Beatty, for Atco Tank Service, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner re Transportation of Petroleum Oil in tank truck (capacity of tank not in conformity with Administrative Code requirements covering Tank Trucks) in New York City.

APPEARANCES—
For Applicant: John J. Beatty.
For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (690-44-A)

WHEREAS, John J. Beatty for Atco Tank Service, Inc., owner, filed November 28, 1944, an appeal from an order of the fire commissioner, affecting the transportation of petroleum oil in a tank truck operated by the owner; and

WHEREAS, Order 39795-LC, issued by the fire commissioner, November 20, 1944, reads:

"An inspection of truck #1270 with a Freuhauf tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-50,O-a, Title C, Part 1, Article 8, of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Reduce the capacity of engine fuel tank to thirty-two U. S. gallons. Section 20.1.

2. Locate engine fuel tank immediately back of cab, above the frame and so it shall not overhang the frame side members."

and

WHEREAS, the applicant states that the truck in question is an auto car Model C90-T tractor unit used for deliveries under government contract with over 90 delivery points for the Army, Navy, Coast Guard and many other U. S. agencies; and

WHEREAS, it appears from examination of the specifications of the tractor unit filed with the Board, that the truck is equipped with two engine fuel tanks, each holding 35 U. S. gallons; and

WHEREAS, the truck is identified as #1270; and

WHEREAS, the applicant states that similar trucks owned and operated by government agencies along parallel or identical routes are equipped with similar engine fuel tanks, but are not subject to the provisions of the Code; it is therefore requested that the Board grant a modification to permit the continuance of the operation of the truck in question.

Resolved, that order 39795-LC of the fire commissioner, items 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two engine fuel tanks, as located, each holding 35 U. S. gallons, shall be protected by a steel guard, constructed substantially as indicated on plan marked "Received May 14, 1945"; and that in all other respects, the tanks shall comply with the requirements of the fire commissioner.

238-45-A

APPLICANT—Sylvania Electric Products, Inc., Lessee, for Samuel J. Lefrak, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Bernard F. Brooks, R. J. Straub and Eugene P. Larson.

For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (238-45-A)

WHEREAS, Sylvania Electric Products, Inc., lessee, for Samuel J. Le Frak, owner, filed April 10, 1945, an appeal from an order of the fire commissioner, affecting premises 83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens; and

WHEREAS, the order of the fire commissioner, 99256-LC, dated March 19, 1945, reads:

"1. Discontinue the use of hydrogen gas as same constitutes a fire hazard and is against the interest of public safety. C19-11.0, A.C."

and

WHEREAS, the applicant states the building is two stories (35 ft.) in height, 111 ft. 3 in. (irregular) by 222 ft. 10¼ in. (irregular) in area; of Class 1 construction; erected in 1927; located in a business use, D area, Class 1¼ height district; used and occupied since February 1, 1945, as follows: Cellar, lunchroom, stock and testing, 20 persons; 1st floor, administrative offices and laboratories, 85 persons; 2nd floor, development, research and machine shop, 150 persons; that no change in use or occupancy is proposed; that the building has a two-source sprinkler system and an approved standpipe system; that the building is equipped with three, 48 in. wide, steel and concrete stairs, enclosed in masonry, equipped with metal self-closing doors, extending from the roof bulkhead directly to the street; that Violation 1392-45 was issued by the Dept. of Housing and Buildings, in that the building is used contrary to amendment approved February 5, 1945 (Alt. 440-44), for installing hydrogen and oxygen rooms after temporary certificate of occupancy for ninety days was issued; and

WHEREAS, the applicant contends that the premises are used as a research laboratory of the General Engineering Dept., for experimental research applicable to electronic devices, which are at present used by the military services; that the use of hydrogen is necessary in the daily conduct of these research problems and the laboratory could not function without it; that the hydrogen system installed conforms to the Company's high standards of safety and with consideration to those materials available at present; that the active hydrogen tanks are attached to an approved type of distribution manifold, housed in a separate enclosure on the street level of the first floor at the northeast corner of building, as shown on print #1 filed with appeal; that this enclosure has been placed within the building, as the Company has access to no adjoining property outside; that the enclosure is of masonry construction, with explosion-type ceiling (plaster on metal lath); that the vault is illuminated with explosion-proof lighting fixtures and is equipped with an approved metal fire door; that the room is ventilated by a fan with an explosion-proof motor and automatic louvers, which are synchronized and activated by a hydrogen detector made by the Davis Emergency Co., Inc., 45 Hallock Street, Newark, N. J.; that the detector system is known as the remote control type, with audible alarm attachment; that the hydrogen cylinders in use are attached to approved type manifolds supplied by the Gas Consumer Corp. of N. Y. C.; that the manifold, as shown on print #2 filed with appeal, is divided into two sections, containing attachments for five tanks each, which are connected to the manifold through a cylinder type valve ¼ in. high pressure copper tubing; that from the manifold, the gas passes through another cylinder type valve to a two-stage manifold regulator, where the pressure is reduced to 25 lbs.; that the gas from the two separate manifolds is then passed through a service line connection manufactured by the Air Reduction Sales Corp. of N. Y. C.; that the purpose of the service line connection is to afford the maximum amount of safety, plus the ability to operate each bank independently or together through a common 1¼ in. feed line; that this service line consists of a check valve with an escape outlet, to which is attached a ¼ in. copper vent line, running to the outside atmosphere; that the gas then passes from the check valve in the service line connection, through a triple type heavy duty flashback arrestor before being distributed to the laboratory by means of 1¼ in. heavy wall red brass pipe, which acts as a main feeder for ¾ in. red brass branch pipes, which in turn is reduced to ½ in. brass pipes for feeding the individual pieces of equipment in the laboratory; that at each piece of equipment, the hydrogen is passed through a reduction valve for again reducing the pressure to poundage required usually 1 to 1½ lbs. for laboratory use; that there is an additional flashback unit installed at each pipe of equipment where hydrogen is used; that the men handling the hydrogen gas are experienced and have certificates of fitness, in accordance with the N. Y. C. Code requirements; that these men, or those under their direct supervision, are the only ones in the laboratory permitted to handle or operate hydrogen equpiment; that the total number of hydrogen tanks on hand at any one time never exceeds twenty, ten tanks of which are attached to manifold and ten tanks kept in reserve; that the hydrogen tanks at all times are secured by means of non-sparking metal supports; that the floor of

the manifold is of spark-proof rubber matting, securely cemented to the floor and has a voltage rating up to 15,000 volts; the hydrogen manifolds are grounded, thus reducing the atmospheric static to a minimum; that the laboratory is now functioning under temporary Certificate of Occupancy Q 32116, issued on Alt. Applic. 440-44, expiring April 8, 1945; that the applicant has filed with the Borough Superintendent, an application for the use and storage of hydrogen at the aforementioned laboratory, along with plans showing the construction of a hydrogen vault and the complete installation of the hydrogen system.

Resolved, that order 99256-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to item 1, *on condition* that the hydrogen shall be maintained as proposed and to the satisfaction of the fire commissioner; that in addition to the construction and safeguards proposed, there shall be installed a duct, starting at the proposed hung ceiling and extending to and above the roof for a distance of not less than three feet; that such duct shall be at least nine square feet in cross sectional area and fitted with an open louvered loose skylight; that this use of hydrogen and the construction proposed may be permitted and not deemed to contravene the amended resolution adopted by the Board under Cal. 200-27-BZ under date of July 25, 1944; that the entire system shall be maintained at all times to the complete satisfaction of the fire commissioner; that the approval of the borough superintendent shall be obtained for the construction as proposed, in connection with the storage of hydrogen and as herein required; that this modification shall be co-terminous with the variance granted by the Board under Cal. 200-27-BZ, by resolution of July 25, 1944; that the sprinkler and standpipe systems shall be maintained in accordance with the requirements and to the satisfaction of the fire commissioner and such portable fire fighting appliances shall be maintained as he shall require; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other that as varied under calendar 200-27-BZ.

266-45-A

APPLICANT—American Chicle Co., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—30-30 Thomson avenue, south side, entire block bounded by Thomson avenue, Mount (31st) street, Nelson (47th) avenue and Manly street (30th place); (2nd floor); (Block 277, Lot 1) Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: John J. Morris.
For Administration: E. A. Meyer, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (266-45-A)

WHEREAS, American Chicle Company, owner, filed May 2, 1945, an appeal from an order of the fire commissioner, affecting premises 30-30 Thomson avenue, south side, bounded by Thomson avenue, Mount (31st) street, Nelson (47th) avenue and Manly street (30th place); (2nd floor); (Block 277, Lot 1), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, acting on Order 99363-LC, dated April 3, 1945, reads:

"Discontinue the storage of matches in excess of 60 matchman's gross on above premises, since no permit can be issued for said storage in a factory building, C19-46.b-1, Administrative Code."

and

WHEREAS, the applicant states the building is 5 stories (80 ft.) in height; 200 ft. by 600 ft. in area; of Class 1 construction; erected in 1919; located in an unrestricted use, A area, Class 2 height district, and used and occupied: sub-cellar, not used; cellar, gum manufacturing and storage, 117 persons; 1st floor, gum manufacturing, storage and office, 242 persons; 2nd floor, gum manufacturing, storage, Army rations and cafeteria, 180 persons; 3rd floor, gum manufacturing, 374 persons; 4th floor, gum manufacturing, storage and office, 200 persons; 5th floor, office, 220 persons; that the building is equipped with a two source sprinkler system, a standpipe system, and an interior fire alarm system and that fire drills are maintained and that there are six 6 ft. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant states that permission is requested to store book matches in excess of 60 matchman's gross, which is not permissible under the Administrative Code; and

WHEREAS, the applicant contends that they are assembling and packaging for the Quartermaster Department of the U. S. Army 10-in-1 and "K" rations for the armed forces; that a fireproof vault 20 ft. by 11 ft. has been erected, with a ceiling height 13 ft. 4 in. and 2 vents and a kalamein door; that the partition is a 4 in. terra cotta wall, plastered on both sides; that the owner has no control over the number of book matches that are forwarded to the building and therefore has to provide proper storage facilities for these matches from the time of their receipt until they are placed in the ration packages; that at the present time, the applicant is packaging approximately 60 matchman's gross every two hours, and that the storage facilities have been provided for 4,200 matchman's gross; that the requirements for a two weeks' supply are approximately 3,000 matchman's gross; that this is necessary in order not to have a break in the line assembly and in case there is any delay in shipments, etc.; that the packaging and assembling of the 10-in-1 rations will be discontinued in July, 1945, but will continue packaging the "K" rations; that the requirements for storage of book matches at that time will not be as great as it is at the present time; that the building is of reinforced concrete construction, fully equipped with sprinklers, and all of the partitions are of metal and glass; that there is an active fire organization in the building, that is kept up to date at all times; it is therefore requested that a modification be granted.

Resolved that order 99363-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the matches shall be of a type approved by the fire commissioner and shall not exceed 4,200 matchmen's gross, as proposed; that such matches shall be stored and handled substantially as proposed and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. Nos. 565-40-S and 51-45-A; that at the termination of the contract for K-rations, all matches shall be removed from the building.

APPLIANCE FOR APPROVAL

287-43-SA

APPLICANT—Wilmot Castle Co., owner.
SUBJECT—Castle Surgical Instrument Washer and Sterilizer #100, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with the report of the Committee of Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (287-43-SA)

WHEREAS, the Wilmot Castle Co., owner, filed on June 10, 1943, an application with the Board of Standards and Appeals for approval of the appliance known as the Castle Surgical Instrument Washer and Sterilizer No. 100; and

WHEREAS, this application was withdrawn on January 25, 1944 on written request of the applicant; and

WHEREAS, the applicant requested the reopening of the application and restoraton to the calendar; and

MINUTES

WHEREAS, this case was reopened by vote of the Board on November 14, 1944, restored to the calendar and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

May 2, 1945.

Cal. 287-43-SA.

Subject: Castle Surgical Instrument Washer and Sterilizer #100, approval of.

The Wilmot Castle Company, owner, filed an application with the Board of Standards and Appeals for approval of the Castle Surgical Instrument Washer and Sterilizer # 100, under the provisions of C26-1277.0.h, Administrative Building Code, and the rules relative to submerged inlets and protective methods to be applied to prevent contamination of water supply of the Board of Standards and Appeals.

Description

The sterilizer consists of a tin coated seamless cold drawn brass shell, capable of withstanding 100 lbs. hydrostatic pressure for operation at 27 lbs. gauge pressure. One end of the shell is securely riveted and sweated to a heavy bronze machined casting forming the door frame of the sterilizer. The rear of this casting has a knife edge overflow for carrying off waste water. The door is an accurately machined bronze casting with recessed gasket. The door swings open on a ball bearing. The door handles are of bakelite, heat resisting. Within the chamber is a water current baffle to direct the circulation of the water for correct washing of instruments and the carrying off of waste matter. There is also installed within the chamber, a steam coil of seamless copper tubing, tinned on the outside and capable of withstanding a pressure of 350 lbs..

The water supply line valve is a Jenkins Bros. 150 lb. heavy duty bleeder type, to prevent raw water seeping into the sterilizer. The control valve is of the bronze lever type in 3 positions. The steam control valve is of the automatic type, turned on manually, shutting off automatically at completion of sterilizing cycle. There are two safety valves, a steam pressure gauge, a thermostatic ejector to prevent passage of waste matter to the drain, a thermostatic steam trap and check valve on the return line. A pilot light indicates to operator, the completion of the sterilizing cycle. The sterilizer is mounted on a floor stand of welded steel tubing with adjustable nickel plated bronze floor plates.

Test

This appliance was inspected and tested by the Committee on Tests of the Board and representatives of the Department of Water Supply, Gas and Electricity, Department of Hospitals and Department of Health at the Kew Gardens Hospital, Queens, and at 32 Vandewater Street, Manhattan, in the presence of representatives of the Board, the Department of Water Supply, Gas and Electricity and the Department of Hospitals.

Approval of this unit is sought by the manufacturers under the provisions of Rule #5 (Sterilizers) of rules relative to submerged inlets and protective methods, etc., adopted by the Board of Standards and Appeals of February 3rd, 1939 as amended and effective as of December 28th, 1942.

The sterilizer was filled with cold water as is normal under sterilization procedure in this instrument, and the water in the unit was then raised to 240° Fahrenheit and a steam pressure of 10 pounds. This heating of the water in the unit was accomplished by a portable steam boiler. The heated water in the unit was colored a vivid green to simulate contamination. The unit was then subjected to 29½" Hg. vacuum for a period of five minutes, and varying vacuums from 7½", 15" up to 25" for a period of 10 minutes without any of the simulated contaminated water being forced back into the water supply piping.

The unit was then emptied and refilled with colored cold water and again subjected to 29½" Hg. vacuum and varying vacuums from 5" to 15" without any of the simulated contaminated water being drawn back into the supply piping.

The sterilizer is so designed that the water supply to the fixture is protected with an approved Sloan V-100 vacuum breaker, the water supply being further protected against water supply backflow, by an angle spring type positive check valve installed in the water supply piping at the low point of entry of the piping into the sterilizer.

The unit is also equipped with two steam relief valves, governing the steam feed, which are controlled by metallic thermostat and solenoid valves electrically operated. The unit is so designed that when the water is heated from the bottom by steam through coils, a diversion plate is so arranged as to cause constant circulation of the water in the process of heating. The expanded hot water overflows through an overflow chamber located at the top rear, and such overflow is drained through an indirect waste into the sewer connection. The emptying pipe is also indirectly wasted.

This unit is also provided with a 2" vent to be connected to an independent vent stack, thus providing atmospheric relief at all times for expansion or contraction within the unit due to temperature changes.

It is the opinion of the Committee that there would not be water contamination, considering the test to which the unit was subjected, and the fact that it is independently vented, that the water supply is protected with an approved vacuum breaker and check valve, and that ample means are provided to prevent back pressure developing by both the vent and the overflow through the indirect waste.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Castle Instrument Washer and Sterilizer #100, when constructed as described herein, under C26-191.0,a, Administrative Building Code, for use under the provisions of Rule 5 of the Rules relative to Prevent Contamination of Water and under C26-1277.0.h, provided that each sterilizer bear a name plate reading: Approved by the Board of Standards and Appeals for use in New York City under Cal. 287-43-SA," and that only vacuum breakers of approved type and equivalent performance be used with this equipment.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Castle Surgical Instrument Washer and Sterilizer No. 100, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:45 A. M.

JOSEPH J. DOYLE, Chief Clerk.

MINUTES

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

220-45-A

APPLICANT—Lama and Proskauer, for East New York Savings Bank, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—105 Pennsylvania avenue, east side, 125 ft. 1 in. south of Atlantic avenue (Block 3687, Lots 10 and 25), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (220-45-A)

WHEREAS, Lama and Proskauer, for East New York Savings Bank, owner, filed April 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 105 Pennsylvania avenue, east side, 125 ft. 1 in. south of Atlantic avenue (Block 3687, Lots 10 and 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 4, 1945, on Alt. Applic. 728-45, reads:

"1. Proposed change of occupancy of frame building in the fire limits, from residence to business use, is contrary to Sec. 4.2.1 and Sec. 4.1.2 as per Sec. 2.1.3.5 of the Bldg. Code.

2. Stairway to comply in all respects with C26-292 of the Bldg. Code."

and

WHEREAS, the applicant states that the building is 2½ stories (28 ft.) in height, 25 ft. by 52 ft. in area, of class 4 construction, erected in 1905, located in a business use, C area, class 1 height district. used and occupied since 1918 as follows: cellar—ordinary; 1st floor—dentist and one family; 2nd floor—one family; attic—unoccupied; proposed to be used and occupied as follows: cellar—same; 1st floor—office—6 persons; 2nd floor—office—6 persons; attic—unoccupied; that there is one interior stair at the front of the building, 3 ft. wide, of frame construction, unenclosed, with a wooden door; and

WHEREAS, the applicant contends that it is proposed to connect the building in question with the abutting bank building, by constructing a new opening from 1st floor of the bank building and 1st floor of the building in question; that this opening is to have a 3 hour test door; that it is proposed to use the frame building for additional offices in connection with the bank; that these offices are not to be used by the public and it is therefore requested that the existing 3 ft. wide stairway be permitted to remain, and it is requested this appeal be granted.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 728-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the building shall not be increased in height or area; that the attic story shall not be used; that the building shall be occupied only for office work as proposed; that the number of persons shall not exceed 6 persons on the 1st floor and 6 persons on the 2nd floor as proposed; as to Objection 2, that the existing primary means of exit shall be maintained, leading directly to the street; and that in addition, the rear exit on the 1st floor shall be maintained, and on the 2nd floor, a door shall be constructed in the rear wall in line with the central hall, leading to the porch extension roof and a steel stair to grade, constructed and maintained, to permit exit therefrom; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this modification shall continue only so long as the requirements of this resolution are complied with; that the proposed communication door between this building and the adjoining bank building shall be protected with a three hour fireproof sliding door as proposed, suitably housed in from the weather between this building and the adjoining building under the same ownership.

258-45-A

APPLICANT—Charles M. Spindler, for American Automatic Machine and Tool Co., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—235-237 Pearl street, east side, 75 ft. south of Concord street (1st, 2nd and 3rd floors); (Block 117, Lot 23), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joseph C. Haus.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (258-45-A)

WHEREAS, Charles M. Spindler, for American Automatic Machine and Tool Company, owner, filed May 2, 1945, an appeal from a decision of the borough superintendent, affecting premises 235-237 Pearl street, east side, 75 ft. south of Concord street (1st, 2nd and 3rd floors) (Block 117, Lot 23), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1945, on Alt. Applic. 1050-45, reads:

"1. Proposed change of occupancy to factory building violates Section 270 Labor Law. Structure is not provided with two fireproof enclosed stairs, in accordance with above section."

and

WHEREAS, the applicant states the building is three stories (37 ft.) in height; 39 ft. 6 in. by 75 ft. in area; of Class 3 construction; located in an unrestricted use, B area, Class 2 height district; erected in 1918; used and occupied as follows: cellar, boiler room, no persons; 1st floor, non-storage garage for more than 5 cars, 3 persons; 2nd floor, factory (machine shop) 20 persons; 3rd floor, one family dwelling; that Copy of Certificate of Occupancy 3706 issued May 23, 1918, permits the use of the 1st floor for garage; 2nd floor, shoe repair, 15 people; 3rd floor, 1 family; permissible live loads, 1st floor, 120 lbs.; 2nd floor, 120 lbs.; 3rd floor, 40 lbs.; and

WHEREAS, the applicant contends that it is proposed to use and occupy the building as follows: cellar, boiler room, no persons; 1st floor, factory (machine shop) 25 persons; 2nd floor, factory (machine shop) 20 persons; 3rd floor, office, 5 persons; that the building is equipped with two interior wooden exit stairways, 3 ft. 8 in. wide; one at the front and one at the rear of the building, enclosed in metal lath and cement plaster on wood studs; that the doors are fireproof and self-closing and lead directly to the street, but do not extend to the roof bulkhead, and there is an exterior iron stairs from the 2nd story roof to 3rd story roof; and

WHEREAS, the building was erected in 1918 as a garage factory and dwelling; that the plans were examined under Section 270 of the Labor Law and were approved by both the Building and Fire Departments and were approved with two non-fireproof stairways enclosed in fire-retarded partitions; that the exits from all floors of the building are substantially as approved by the Building and Fire Departments when the building was erected; that this building has now

been taken over and occupied throughout by a tool and machine manufacturer as a machine shop and office; that the objection herein appealed from, was issued on an application filed to change the occupancy of the first floor from garage to factory and to change the occupancy of the third floor from dwelling to office; that it is proposed to remove present exit door at the front of the first floor and hang a new 3 ft. 8 in. outwardly swinging door, leading into the stair hall and to install a new exit door at the foot of the rear stairway, which leads to Nutria Alley, thereby providing two exits from the 1st floor; that the two existing 3 ft. 8 in. wide wood exit stairways, enclosed in one hour partitions from the 2nd floor, will remain undisturbed; that these stairways were accepted as required labor law exits from the factory occupied by the Melville Shoe Company, who occupied the 2nd floor when the building was erected; that from the third floor, which is used as offices with a total of five occupants, there is in addition to the primary stairs, a stationary gooseneck iron ladder leading from the roof of the two story portion, down to Nutria Alley, which was accepted as an exit at the time of the original approval; that from this 2nd story roof, there is also a fixed iron stairway leading to the roof above the office; that the present occupant is a machine shop engaged in war work, so that there is no combustible material equipment in the building; that the area of the building is only 3000 sq. ft. and no portion of any floor area is more than 50 ft. from an exit; that the building is also located within the area designated by the City Planning Commission for demolition and rearrangement into super blocks; that since the building has been used, under authority of a Certificate of Occupancy, for factory purposes for the past 27 years, it would be a great hardship to compel the owner to install fireproof stairways now, when the building will be condemned and demolished within a short time; that in view of the above facts, it is respectfully requested that the requirements of Section 270 of the Labor Law be temporarily modified, to accept the present exits, together with the proposed new exits from the first floor, for the duration of the present emergency and for 6 months thereafter and that the owner does war work as a subcontractor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1050-45, Objection 1, and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that the existing exits, as indicated on plans filed with this appeal, shall be maintained; that the rear stairway shall have an unimpeded exit at all times from the rear of the building through to Jay street; that a new certificate of occupancy shall be obtained; that the proposed factory work shall be restricted to the 1st and 2nd floors and that the 3rd floor shall be occupied as proposed for office work only.

278-45-A

APPLICANT—Raymond Irrera, for Henry Bender and Gertrude Foley, owners (Carl L. Norden, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (1st and 2nd floors); (Block 4958, Lots 55 and 18), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (278-45-A)

WHEREAS, Raymond Irrera, for Henry Bender and Gertrude Foley, owners (Carl L. Norden, Inc., lessee), filed May 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (1st and 2nd floors) (Block 4958, Lots 55 and 18), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated May 4, 1945, on Alt. Applic. 360-45, reads:

"1. Provide two means of exit in compliance with sect. 270 of Labor Law.

2. Line of travel to exits more than 100 feet contrary to sect. 270 par. 3. of Labor Law.

3. Exits inadequate for number of occupants as per sect. 278 of Labor Law.

4. 100 liveload for manufacturing on second floor contrary to section 7.3.2.3 of B.C."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 44 ft. 6 in. by 278 ft. 5 in. at street level, of Class 3 construction; erected in 1929; located in business and an unrestricted use, C area, Class 1½ height district; used and occupied prior to March 15, 1945, as follows: Cellar, boiler room and storage, 1 person; 1st floor, store, 50 persons; 2nd floor, restaurant, 500 persons; proposed to be used and occupied: Cellar, boiler room and storage, 1 person; 1st floor, factory and offices, 125 persons; 2nd floor, factory, 125 persons; factory is for testing, adjusting, and assembling bomb sight parts; that the building is equipped with two steel stairs with cement treads, one 4 ft. 6 in. wide and one 3 ft. 8 in. wide, enclosed in terra cotta block, with kalamein, self-closing doors; that only the front stairway extends from the bulkhead in the roof, directly to the street; and

WHEREAS, applicant has filed copy of Certificate of Occupancy 41753, issued August 19, 1929, for use of building as follows: 1st floor, store; 2nd, restaurant; and

WHEREAS, the applicant contends that the plot runs through from street to street, having a frontage on Northern boulevard of 44 ft. 6⅝ in. and a depth of 360 ft. 7 in. through to 35th avenue; that the first floor of the building has a depth of 278 ft. 5⅛ in. and the second floor has a depth of 180 ft. 4 in.; that the proposed use of first floor is for office, inspecting and testing of bomb sight parts, also storing, packing and shipping of the same; that the 2nd floor to be used for disassembling, testing and adjusting bomb sight parts; that the number of occupants on each floor to consist of 125 persons, being 60 males and 65 females; that cellar occupancy to remain unchanged; that the applicant contends as to objection 1, that the front portion of building has a fireproof stairway and enclosure with fireproof enclosure, leading directly to the street; that the width of the stair from the second to the first floors is 4 ft. 6 in.; that it is proposed to erect a new wood stairway at the far end of the first floor 3 ft. 8 in. wide, enclosed in fire-retarded partition with self-closing ¾ hour door on the first floor; that this stairway leads directly to the rear yard and to 35th avenue through a 9 ft. 4 in. wide clear open passageway; this stairway will offer three exits from the first floor, one through entrance at the center of the building, serving the front or office portion, one through a fire-retarded enclosure from the center of the floor to the street, through the fireproof passage serving the stair area to the second floor, and the third exit serving the rear portion of the first floor, by new stairway to the rear yard; that the exits from the second floor consist of a fireproof stairway and to the rear exits, one through a metal-covered passageway, and the other by an exit, leading through the roof of extended portion of the first floor and thence by an open steel stair to the yard level; and contends as to objection 2, that the line of travel to exits in excess of 100 feet, occurs only at the center portion of the building, where the extension at the westerly side protrudes beyond the side walls of the building, at which point, the line of travel is exceeded by approximately 30 feet; and contends as to objection 3, that the exits from the 1st and 2nd floors, as indicated on plans filed with this appeal, will be of suffi-

cient size to accommodate the number of persons, if the exits at the rear of the 2nd floor, one through a metal-covered passageway and the other leading to the roof of extended 1st floor, are accepted as satisfactory exits; that these rear exits lead to a new steel stairway 6 ft. wide, 8 risers in height, leading to the rear yard and to 35th avenue; that the rear yard at this point is only about 5 ft. below the level of the rear extension roof; that a protective iron railing, 3 ft. high, is to be provided along the rear parapet wall above extension roof, to guide the occupants to the rear stairway from the roof to the yard; that a modification of objection permitting a liveload of 100 lbs. p.s.f. is requested in view of the type of work to be done on the 2nd floor, which is testing and adjusting bomb sight parts, and is similar to watch-making in its delicate nature, and also because the work is performed on large tables spreading the load over a considerable floor area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 360-45, and that the appeal be and it hereby is *granted* as to Objections 1 and 2, *on condition* that exits from the 1st and 2nd floors and rear one story roof shall be maintained, as indicated on plans filed with this appeal marked "Received May 9, 1945," except that the doors shall not be removed from the center portion of the 1st floor leading to the passageway to Northern boulevard and a pair of fireproof double doors shall be constructed toward the center between the men's and women's toilets at points marked "exit sign and light" on plans filed with this appeal, as required by resolution adopted under Calendar Number 406-31-A; that the open stair from the 2nd floor to the 1st floor as indicated, shall be maintained with a free passageway at all times through to Northern boulevard; that passageway from the rear to State street (35th avenue) shall be maintained free and unimpeded at all times, to provide the exit shown on both the 2nd floor and the 1st story and one story roof; as to Objection 3, that the number of persons on the 1st and 2nd floors shall at no time exceed 125 persons per floor; as to Objection 4, that the live load of 100 lbs. per superficial foot for the 2nd floor may be accepted, provided the loading at no time shall exceed such rating; that floor loads on each floor shall be posted, in accordance with the requirements; that in all other respects, the building and occupancy shall comply with all laws, rules, and regulations applicable thereto other than as varied under Calendar Number 406-31-A; that this variance shall continue only during the term of the present emergency and for not more than six months thereafter and for the occupancy of the lessee as proposed; that a new certificate of occupancy shall be obtained.

227-44-A

APPLICANT—Weinberg and Weinberg, for Sam Reisner, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—421-423 Classon avenue, east side, 60 ft. south of Lexington avenue (Block 1970, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reuben Weinberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (227-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 421-423 Classon avenue, east side, 60 ft. south of Lexington avenue (Block 1970, Lot 7), Borough of Brooklyn, was granted by the Board on May 9, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 9, 1944, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 652-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the building shall be maintained as proposed; that the exits shall be maintained as proposed and in addition, the rear fire escape shall be extended by a gooseneck ladder to the roof; that in the primary means of exit, there shall be a steel ladder within the stairhall, leading to a scuttle in the roof, which shall be equipped with an easy-opening device; that the front fire escape shall be constructed and maintained as proposed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that the fire escape proposed to be erected on the front of the building in accordance with the resolution adopted May 9, 1944, may be from the 2nd window from the north on the second floor, instead of the 1st window from the north, as indicated on plans filed with this appeal marked 'Received April 17, 1944'; that otherwise, it shall comply with the requirements of this resolution and with all requirements therefor."

80-44-A

APPLICANT—Arnold W. Lederer, for Anna Biondo, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1840 West 11th street, west side, 303 ft. south of Highlawn avenue (Block 6669, Lot 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

739-44-A

APPLICANT—Elsie Parodney, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—11 East 17th street, north side, 225 ft. east of Fifth avenue (Block 846, Lot 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Permut.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

745-44-A

APPLICANT—Lama and Proskauer, for Morris Goldberg, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

MINUTES

PREMISES AFFECTED—3042-3060 (3050-3060 displayed) West 23rd Street, west side, 99 ft. north of Boardwalk (Block 7070, Lots 142 to 145 and 155), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

647-44-A

APPLICANT—F. P. Platt and Brother, for Advertising Club of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles C. Platt and Charles C. Murphy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 12, 1945 at 2 P. M. for further consideration. Applicant to file complete plans.

246-45-A

APPLICANT—Remington Rand, Inc., lessee, for Milchester Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—303-311 4th avenue and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and William Huber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to May 22, 1945 at 2 P. M., pending an inspection by a committee of the Board.

ZONING CASES

137-26-BZ

APPLICANT—Arnold W. Lederer, for James W. McGrath, lessee; for Rose Morizio, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting for a stated term of years, partly in a business use and partly in a residence use district, the erection and maintenance of an extension to an existing garage for more than five motor vehicles.

PREMISES AFFECTED—8202-8226 18th avenue, west side, 70 ft. north of 84th street (Block 6314, Lots 130, 164 and 72), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (137-26-BZ)

WHEREAS, this application under section 7g of the zoning resolution, to permit in a business use district, the alteration and extension of a garage for the storage of more than five motor vehicles, affecting premises 8224-8226 18th avenue, west side, 70 ft. north of 84th street (Block 6314, Lot 72), Borough of Brooklyn, was withdrawn on December 21, 1926; and

WHEREAS, the applicant requested a reopening of the application, under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing garage for more than five motor vehicles, affecting premises 8202-8226 18th avenue, west side, 70 ft. north of 84th street (Block 6314, Lots 130, 164 and 72), Borough of Brooklyn; and

WHEREAS, this case was granted by the Board on June 15, 1943, on certain conditions, time extended on June 6, 1944 to obtain permits and complete the work and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 15, 1943, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution * * * and that other than as herein *amended,* the conditions of the resolution of June 15, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

153-36-BZ

APPLICANT—Milton L. Sloame, for The West End Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete and submit plans—re Application (decision of the commissioner of buildings) previously granted on condition under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—140-154 West End avenue, east side, from West 66th street to West 67th street (Block 1158, Lots 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton L. Sloame.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (153-36-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the erection and maintenance of a gasoline service station, affecting premises 140-154 West End avenue, east side, from West 66th street to West 67th street (Block 1158, Lots 1, 2, 3, 4, 61, 62, 63 and 64), Borough of Manhattan, was granted by the Board July 14, 1936, on certain conditions; and

WHEREAS, time to submit plans was extended on June 2, 1937, November 30, 1937, May 17, 1938, May 2, 1939, May 7, 1940, May 6, 1941, May 19, 1942, May 18, 1943 and May 16, 1944 and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 14, 1936, as amended through May 16, 1944, only in so far as it has reference to

submitting plans for approval, obtaining permits and completing the work, so that as amended, this portion of the resolution shall read:

"that all plans required shall be filed for approval with the Board within one (1) year from the date of this *amended* resolution and after such approval, all permits shall be obtained and all work completed within one (1) year thereafter and that other than as herein *amended,* the conditions of the resolution of July 14, 1936, shall be complied with and a certificate of occupancy shall be obtained."

84-37-BZ

APPLICANT—Frank G. Colgan, for T. A. Clarke Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—930-942 Halsey street, south side, 189 ft. east of Saratoga avenue (Block 1495, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank G. Colgan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (84-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 930-942 Halsey street, south side, 189 ft. east of Saratoga avenue (Block 1495, Lot 16), Borough of Brooklyn, was granted by the Board on July 7, 1937, on certain conditions; and

WHEREAS, the resolution was amended and permit extended on June 20, 1939 and the permit was further extended on May 13, 1941 and on May 25, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 7, 1937, as amended through May 25, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of five (5) years from the date of this *amended* resolution, to permit the plot to be used for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolutions of July 7, 1937 and June 20, 1939 shall be complied with; that a Certificate of Occupancy shall be obtained."

411-37-BZ

APPLICANT—Abraham H. Brodsky, for Brooklyn and Queens Transit Corporation, owner (Philip Patti, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—366 Seneca avenue, southwest corner of DeKalb avenue (Block 3425, Lot 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (411-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 366 Seneca avenue, southwest corner of DeKalb avenue (Block 3425, Lot 7), Ridgewood, Borough of Queens, was granted by the Board on May 2, 1939, on certain conditions; and

WHEREAS, the permit was extended on May 20, 1941 and on May 25, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 2, 1939, as amended through May 25, 1943, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 2, 1939 shall be complied with and that a Certificate of Occupancy shall be obtained (B. N. Applic. 74-39)."

902-38-BZ

APPLICANT—Madison Square Garden Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—337-341 West 49th street, north side, 200 ft. east of Ninth avenue and 348-352 West 50th street, south side, 225 ft. east of Ninth avenue (Block 1040, Lots 54, 55, 9, 10, 11 and part of Lot 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward R. Farley, Jr. and Richard Donohue.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (902-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residential use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 337-341 West 49th street, north side, 200 ft. east of Ninth avenue and 348-352 West 50th street, south side, 225 ft. east of Ninth avenue (Block 1040, Lots 54, 55, 9, 10, 11 and part of Lot 14), Borough of Manhattan, was granted by the Board on June 17, 1941, on certain conditions; and

WHEREAS, the permit was extended on May 18, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 17, 1941, only in so far as it has reference to the term of the permit, so that as amended, the resolution shall read:

"*Granted* under section 7h for a term of five (5) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of West 49th street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and treated with an asphalt binder; that on the street building line of West 50th street, there shall be constructed a masonry wall not less than 7 ft. in height, with no entrances therein; that along the street building line of West 49th street, there shall be erected and maintained, a substantial woven wire fence not less than 6 ft. in height with no more than one opening therein, not to exceed 20 ft. in width with a curb cut opposite of similar width; that on the interior lot lines where walls of adjoining buildings do not occur, there shall be erected a similar woven wire fence or a solid board fence of similar height; that during the term of this variance, the premises shall be occupied for no use other than the parking and storage of more than five motor vehicles, as herein permitted and no building shall be erected thereon, except there may be erected, a building not over 100 sq. ft. in area as an office and shelter for the attendant; that any lights for general illumination shall be on pipe standards with metallic reflectors, so arranged as to reflect toward the center of the premises and away from adjoining occupancies, particularly on West 50th street; that proper aisles shall be maintained at all times for easy entrance and egress and a space of not less than 18 in. shall be left between alternate rows of cars; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no signs shall be erected on the premises, except that there may be a sign at the entrance on West 49th street, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line and that a certificate of occupancy shall be obtained."

289-40-BZ

APPLICANT—Irving M. Fenichel, for Lerad Realty Corporation, owner. (Samuel Adler, Inc., lessee.)

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension in height of an existing milk bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block 2278, Lots 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (289-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the extension in height of an existing milk bottling and distribution station, affecting premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block 2278, Lots 64 and 69), Borough of The Bronx, was granted by the Board July 16, 1940, on certain conditions; and

WHEREAS, the resolution was amended on February 24, 1942 and on March 31, 1942 and the time to obtain permits and complete the work was extended on May 9, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 16, 1940, as amended through May 9, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of July 16, 1940, February 24, 1942 and March 31, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

644-41-BZ

APPLICANT—George Edward Beatty, of Beatty and Berlenbach, for General Theological Seminary of the Protestant-Episcopal Church in the United States, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7g of the zoning resolution, for a term of 15 years, permitting in an unrestricted use district, the erection and maintenance of a garage for more than five motor vehicles, within 200 feet of an exit from or entrance to a school, maintained by an established religious group.

PREMISES AFFECTED—177-183 Tenth avenue and 500-504 West 21st street, southwest corner (Block 692, part of Lot 30), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (644-41-BZ)

WHEREAS, this application under section 7g of the zoning resolution, permitting in an unrestricted use district, for a term of 15 years, the erection and maintenance of a garage for more than five motor vehicles, within 200 feet of an exit from or an entrance to a school maintained by an established religious group, affecting premises 177-183 Tenth avenue and 500-504 West 21st street, southwest corner (Block 692, part of Lot 30), Borough of Manhattan, was granted by the Board on December 16, 1941, on certain conditions; and

WHEREAS, on November 24, 1942, November 9, 1943 and November 14, 1944, time was extended to complete the work and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 16, 1941 by adding thereto:

"that in the event the owner desires to lease this building to the present occupant of the building adjoining to the south and desires to connect such buildings with access doors, as indicated on plan marked 'Received May 9, 1945', such access doors may be permitted, provided the openings are protected with approved fireproof fire wall doors, as required by the Code and no opening exceeds 4 ft. in width; that all permits shall be obtained and all work completed within one (1) year from the date of

this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of December 16, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

1004-41-BZ

APPLICANT—Alexander A. Forman, 3rd, for Dougland Homes Corporation, owner. (Frederick Cornelius, lessee.)

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the reconstruction and extension of a gasoline service station.

PREMISES AFFECTED—175-42 137th avenue and 137-04 Farmers boulevard, southwest corner (Block 3237, part of Lot 24), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (1004-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the reconstruction and extension of a gasoline service station, affecting premises 175-42 137th avenue and 137-04 Farmers boulevard, southwest corner (Block 3237, part of Lot 24), Springfield Gardens, Borough of Queens, was granted by the Board on June 30, 1942, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on May 11, 1943 and May 9, 1944 and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 30, 1942, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of June 30, 1942, shall be complied with and that a certificate of occupancy shall be obtained (Alt. Applic. 2414-41)."

523-44-BZ

APPLICANT—Stanley H. Klein, for American Analytical Laboratories, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the change of occupancy from motor vehicle repair shop and dead storage of automobiles, to a chemical laboratory and factory.

PREMISES AFFECTED—326-328 West 70th street, south side, 279.3 ft. west of West End avenue (Block 1181, Lots 44 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Stanley H. Klein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (523-44-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the change of occupancy from motor vehicle repair shop and dead storage of automobiles, to a chemical laboratory and factory, affecting premises 326-328 West 70th street, south side, 279.3 ft. west of West End avenue (Block 1181, Lots 44 and 45), Borough of Manhattan, was granted by the Board on November 14, 1944, on certain conditions; and

WHEREAS, the applicant requested on extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 14, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within three (3) months from the date of this *amended* resolution and that the conditions of the resolution of November 14, 1944, shall be complied with and that a certificate of occupancy shall be obtained."

123-45-BZ

APPLICANT—B. H. Whinston, for Young Israel Synagogue of Claremont Parkway, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a B area district, the conversion and extension in area of a building now occupied as a 2-family dwelling with a synagogue, without complying with the area requirements for a B area district (previously withdrawn).

PREMISES AFFECTED—1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2784, Lot 2), Borough of The Bronx.

APPEARANCES—

For Applicant: B. H. Whinston.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (123-45-BZ)

WHEREAS, Benjamin H. Whinston, for Young Israel Synagogue of Claremont Parkway, Inc., owner, filed March 5, 1945, an application under section 21 of the zoning resolution, to permit in a B area district, the conversion and extension in area of a building now occupied as a 2-family dwelling into a synagogue, without complying with the area requirements for a B area and residence use district; affecting premises: 1408 College avenue, east side, 87.52 ft. north of East 170th street (Block 2874, Lot 2), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meetings on April 24 and May 15, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 170th street is in a business use, B area and Class 1¼ height district; College avenue is in a business and residence use, B area and Class 1¼ height dis-

trict and Teller avenue is in a business and residence use, B area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, rendered February 23, 1945, in acting on Alt. Applic. 386-44, reads:

"3. Extension within the residence portion of this lot beyond 65% of the area of this portion of the lot, is contrary to Art. 4, Section 12(b) of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 25 ft. frontage by 105.63 ft. in depth, on which is located a 2-story and cellar, Class 3 constructed building, 21 ft. by 70 ft. in area, now vacant, formerly occupied as a two family dwelling with garage in the cellar; that it is proposed to alter the building, by extending it on the 1st and 2nd stories to the rear lot line and erecting a pent house 31 ft. by 21 ft. at the front, and to occupy the building as a synagogue; and

WHEREAS, the applicant contends that the present building was approved on August 23, 1944, for alteration to a synagogue on the first floor; that it is now proposed to make a more extensive alteration, by building an extension on the entire rear yard of the lot, creating a balcony out of part of the 2nd floor, erecting a new front and using the entire building for a synagogue; that the lot is not back to back with any other lot; that the rear yards of all the houses facing on East 170th street are used as an open auto driveway for access to garages under these buildings; that the building and the proposed extension on the rear of the lot will not be over 23 ft. high and the proposed new front portion will not be over 35 ft. high, which is permitted by the Building Code for Class C, non-fireproof construction; that Art. 4, Sec. 12 of Zone Law (B area District) requires a rear yard at any given height to be at least 3 in. in least dimension for each 1 ft. of height; that this would require approximately a 5 ft. yard for the height of the building in the residential portion of the lot; that Sub. (b) of this section states that "no non-residential building located in a residential district shall occupy at the curb level more than 65% of the area of the lot"; that this would require an area of about 459 sq. ft. to be left for a rear yard in the residence portion; that due to the small area of the lot, to leave that much vacant for a rear yard, would be a genuine hardship in this particular case, where every seat gained is of real benefit to the congregation; that there is a 4 ft. court 420 sq. ft. in area (part of the 8 ft. driveway) in the business portion of the lot along the south side, which should be considered as almost compensating for the area that would be required for a yard in the residence portion of the lot, by the above section of the zone law; that Art. 4, Sec. 17 (b) states "where a building is not within a residence district, the lowest level of a rear yard shall not be above the sill level of the 2nd story windows, nor in any case more than 23 ft. above the curb level"; that this section would permit the occupancy of the entire portion of the lot in the business zone; that since the building is to be used for religious purposes for the betterment of the social and communal life of the neighborhood and due to the fact that the 4 ft. court on the south side of the lot, compensates in part for the area of the yard that would be required in the residential part of the lot, the open space, light and air is not being reduced; that the building now occupies approximately 55% of the lot; that if this building were located in a business district (and practically half of it is) and did not adjoin a residence district it could occupy 75% of the lot in the first story or 1970 sq. ft. and it is proposed to occupy 2205 sq. ft., or an excess of 235 sq. ft., so that there would be an unnecessary hardship to lose this space, in view of the importance of utilizing the entire area of the lot in the rear of the present building for the complete use of the 1st floor of the proposed building for a synagogue; that the character of the district will be safeguarded by this alteration into a synagogue and that if this appeal is granted, no harm will be done to the light and ventilation of other property owners; that this building will also improve the character of the street; and

WHEREAS, at the hearing on April 24, 1945, the Board permitted the applicant to withdraw the application, so that he could resubmit plans to the Borough Superintendent, in the event that the Court determined that the zoning amendments effective December 3, 1944 were unconstitutional, without prejudice to a continued hearing in the event the Court upheld the action of the Board of Estimate; and

WHEREAS, the decision of Mr. Justice Shientag, in the Matter of 431 Fifth Avenue Corporation vs. The City of New York, upheld the action of the Board of Estimate in adopting the zoning amendments (N. Y. Law Journal April 28, 1945); and

WHEREAS, the applicant requested that the application be restored to the calendar for decision, in accordance with the conditions of the withdrawal and also filed revised plans, showing the omission of the proposed third story and a reduction in the depth of the building, so as to leave a rear yard across the entire plot unbuilt upon for a width of 20.63 feet, as well as the 4 ft. side court for the entire depth of the lot; and

WHEREAS, the application was restored to the Calendar for continuation of the hearing on May 15, 1945; and

WHEREAS, as no objectors had appeared at the hearing on April 24, 1945, the Board waived the requirement for additional notice; and

WHEREAS, the Board deemed that the revised plans should be approved as an equitable basis for adjusting the requirements, in view of the lot being placed partly in a business use area and partly in a residence use area; and

WHEREAS, the premises were inspected by a Committee of the Board; and

WHEREAS, the applicant had withdrawn appeal 124-45-A, for a variance of the Building Code requirements, as to exceeding the height permitted for a Class III building for public occupancy and now proposes to comply in all respects with the requirements of the Building Code; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion to grant under Section 21 of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, *on condition* that the existing building shall not be extended beyond a depth of 85 ft., as indicated on revised plans marked "Received May 11, 1945"; that a rear yard across the entire rear of the premises having a depth as indicated thereon, namely, approximately, 20 ft., shall be maintained open and unbuilt upon as well as the 4 ft. side court now existing and shown to the south, furnishing a means of exit from the rear; that the building shall not be extended beyond the existing two story height; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

328-42-BZ

APPLICANT—Koch and Wagner, for Bond and Mortgage Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—744-752 Jamaica avenue and 2-14 Chestnut street, southwest corner (Block 4103, Lot 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry L. Yakel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

MINUTES

MATERIAL SUBMITTED FOR APPROVAL

236-39-SM

APPLICANT—Consolidated Expanded Metal Companies, owner (Wheeling Corrugating Company, new owner).

SUBJECT—Application for consideration—reopening and amendment of resolution—re change of name to Wheeling Corrugating Company, as owners—Metal Lath and Lathing Accessories (previously approved on condition).

APPEARANCES—
For Applicant: Joseph D. Dowling.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (236-39-SM)

WHEREAS, the Consolidated Expanded Metal Companies, owner, filed on February 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Consolidated Expanded Metal Companies' Metal Lath and Lathing Accessories; and

WHEREAS, this material was approved by the Board on March 9, 1943, on certain conditions; and

WHEREAS, on May 4, 1943, the resolution was amended, to permit the marketing of this material under the additional name of the Wheeling Corrugating Company, a subsidiary of the present owner; and

WHEREAS, a further amendment of the resolution was requested, due to the acquisition of all assets of the Consolidated Expanded Metal Companies, by the Wheeling Corrugating Company.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 9, 1943, as amended May 4, 1943, by adding thereto:

"that in view of the statement by the Wheeling Corrugating Company and the proof furnished that they have acquired all of the assets of the Consolidated Expanded Metal Companies to whom this approval was issued, such approval may be considered as issued to the Wheeling Corrugating Company as successor to the Consolidated Expanded Metal Companies."

Adjourned: 4:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 10, 1945, as they appeared in Bulletin No. 16, Vol. 30, are hereby corrected to read as follows:

533-42-BZ

APPLICANT—Paul Friedman and Arnold W. Lederer, for Julia A. Odom and Philip Braver, owners (Philip Braver, lessee of Lot 42).

SUBJECT—Application reopened October 31, 1944 re consideration as to extension of time to complete work—expired by limitation—Application (decision of the borough superintendent) previously granted on condition, under sections 7e and 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles and, also, open display and sale of used cars.

PREMISES AFFECTED—2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn.

APPEARANCES—
For Applicant: Paul Friedman.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (533-42-BZ)

WHEREAS, this application under sections 7e and 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles and also, open display and sale of used cars, affecting premises 2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block 5103, Lots 42, 43 and 45), Borough of Brooklyn, was granted by the Board on January 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to complete the work (which had expired by limitation) and the extension of the permit; and

WHEREAS, this case was reopened by vote of the Board on October 31, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting on April 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 25, 1944, so that as amended, it shall read as follows:

"*Granted* under sections 7e and 7h for a temporary term of two years from the date of this *amended* resolution, to permit the occupancy as proposed for the parking and storage of more than five motor vehicles and for the sale of used cars on the premises, consisting of Lots 42 and 43 and part of Lot 45, where the latter is now unbuilt upon, *on condition* that the frame building on Lot 43 shall be removed and the entire premises leveled and graded substantially to the grade of Church avenue; that the plot shall be surfaced with steam cinders, or clean gravel treated with a binder and rolled so as to provide surface drainage; that on the interior lot lines where walls of adjoining buildings do not occur, there shall be erected a substantial steel picket fence; *that along the street building line, there shall be erected a steel picket fence* not less than 4 ft. in height erected on a concrete curb not less than one foot in height or a wall of brick masonry not less than 4 feet in height and suitably coped; that there shall be no entrance to the premises except one curb cut as indicated to the west, which may be 24 ft. in width; that all other curb cuts shall be removed and the curbs restored; that there shall be located against the wall of the Erasmus Hall high school, a concrete bumper not less than 3 ft. in width and not less than 6 in. in height, to prevent cars from bumping the school wall; that a similar bumper shall be constructed against the premises of the adjoining owner to the west; that the existing buildings on Lot 45 shall not be increased in height or area during the term of this variance; that the cars may enter the plot to reach the 4-car garage at the rear thereof; that the sale of used cars shall be toward the east, and the westerly portion may be used for parking and storage of motor vehicles; that no additional building shall be erected on the premises, except there may be erected an office, solely for shelter for the attendant and for toilet for the customers, provided such building is not over 150 sq. ft. in area and one-story in height, and constructed of masonry; that such building shall be erected near the entrance and adjacent to the side of the building to be

(Correction continued on page 448 of this Bulletin.)

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *paragraph* 2, *Charter of the City of New York and C*26-189.0 *Administrative Building Code and C*26-610.0 *Administrative Building Code and C*26-660.0, 661.0 *and* 662.0 *Administrative Building Code.*

Note: New matter in italics.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labeling Requirements.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency. *When opening protective assemblies are manufactured for stock, the inspection agency shall furnish a report to the manufacturer of his inspection of each assembly including all data as is herein required.*

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly. *When opening protective assemblies are installed in a building as building maintenance, the manufacturer shall furnish similar data on forms obtained from the Borough Superintendent.*

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

3.5 Where opening protective assemblies are manufactured up to 25% in excess of the sample as tested and as permissively allowed under C26-610.0a, the permitted increase in area shall not exceed width and height dimensions greater than 15 percent of the sample as tested. In all cases the permissively allowed increase in area of 25% shall apply only to the sample when constructed identically in all respects with the tested sample.

3.6 When opening protective assemblies are manufactured for stock, such assemblies shall be inspected as provided herein. As the doors are shipped, the Borough Superintendent shall be furnished with the data as specified in Rules 3.1 and 3.2. When such opening protective assemblies are shipped to jobbers for stock, the manufacturer shall obtain the data from the jobber, as required under rules 3.1 and 3.2 and immediately submit such data to the Borough Superintendent.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES ON USES OF INSULATING FIBRE BOARD

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939 AND RULES AMENDED JUNE 16, 1942, EFFECTIVE JULY 6, 1942.

(170-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, 1945, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Amendments to Rules on Uses of Insulating Fibre Board.

Matter in brackets [ ] to be deleted; new matter in italics, except where applicable sections of the Administrative Building Code appear.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0 [Administrative Code (2.2.1.1)], C-26-462.0 [of the Administrative Code (8.4.10.6)], C-26-458.0, sub. g, [Administrative Code (8.4.10.2),] C-26-538.0, sub. b, [Administrative Code (8.7.2.3),] C-26-541.0, sub. a, [Administrative Code (8.7.2.6.1),] C-26-667.0, paragraphs, 4 and 8, [Administrative Code (10.9.2.4),] sub. c, [and (10.9.2.4), Building Code,] C-26-680, sub. 21, [Administrative Code (10.12.11.1),] C-26-541.0, [Administrative Code (8.7.2.6.1),] C-26-619.0, [Administrative Code (10.3.1),] and C-26-721.0, Administrative Building Code. [(12.2)].

[NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.]

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Purpose: *It is the purpose of these rules to carry out the intent of Section C 26-3.0 of the Administrative Building Code and to supplement the present requirements of the Administrative Building Code, by including the uses of insulating fibre board as an acoustical or decorative material, when applied to walls and ceilings which use is specifically unprovided for in the Administrative Building Code.*

Rule 1. Classes of Fibre Board.

(1) Wood Fibre
(2) Exploded Wood Fibre
(3) Balsam and Wood Fibre
(4) Western Wood Fibre
(5) Cane Fibre (Bagasse)
(6) Pulp from waste papers
(7) Straw Fibre
(8) Ground Wood Pulp Fibre
(9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature *under related humidity conditions* so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin *and with properties as shown in Table 1.*

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement *or other approved means.* Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof *insulation* boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

1.4 The surfaces of fibre board when used for acoustical or decorative purposes shall be finished smooth and flat and reasonably free from projecting, coarse or hairy fibres.

1.5 Fibre board shall be approved by the Board.

1.6 Fibre board treated to reduce and retard its combustibility may be used in accordance with limitations as may be approved by the Board.

[TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent	5	5	10
Maximum linear expansion, per cent	½	½	—
Nail holding strength lb	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than .0.72 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.
NOTE 2. This requirement is based upon specimens ½ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be double, etc.
NOTE 3. Minimum deflection at rupture shall be not less than .25".
NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.
NOTE 5. Edges shall be square for building board.
NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.
NOTE 7. Edges shall be square unless ship lapped or offset.]

TABLE I

	Building Board	*Plaster Base*	*Roof Insulation Board*	*Interior Boards*	*Sheathing Boards*
Max. thermal conductivity, B.t.u. per hr. per sq. ft. per deg. F. per in. of thickness	*0.36*	*0.38*	*0.38*	*0.38*	*0.42*

	Building Board	*Plaster Base*	*Roof Insulation Board*	*Interior Boards*	*Sheathing Boards*
*Min. transverse load at rupture, each direction pounds per sq. in.**	*14*	*14*	*7*	*10*	*14*
*Deflection at rupture, inch, min.***	*0.25*	*0.25*	*0.25*	*0.15*	*0.25*
Deflection, inch, max. ...	*0.85*	*0.85*	*1.25*	*1.00*	*0.75*
*Min. tensile strength, pounds per sq. in.****	*175*	*175*	*100*	*150*	*175*
Water absorption, percent	*5*	*5*	*10*	*10*	*5*
Moisture permeability, time of penetration through the board, not less than, hours	..	..	..	..	*20*
Max. linear expansion, percent	½	½	½	½	½
Nail holding strength lb...	*100*	*70*	*60*	*60*	*100*
Bond strength per sq. ft. of bonded surface	..	700	..	..	..

* *This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be increased in direct proportion, that is, for a thickness of 1 inch, it shall be doubled, etc.*

** *This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be decreased in inverse proportion, that is, for a thickness of 1 inch, it shall be halved, etc.*

*** *Tensile strength requirements shall be applicable only on thicknesses up to and including 1 inch.*

1.5 EDGE FINISH

1.5.1 Building board edges shall be square.

1.5.2 Plaster base fibre boards shall have short edges square or fabricated and long edges specially fabricated.

1.5.3 ½" roof insulation shall be square edged. For thickness of 1 inch and over, edges shall be square unless offset is specified. When offset material is specified, the amount of the offset shall be 1 inch.

1.5.4 Interior board edges shall be either square, or specially fabricated.

1.5.5 Sheathing board edges shall be either square or specially fabricated as required.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 PLASTER BASE.

Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding ½ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative *Building* Code [(8.4.10.2) and C-26-462.0, Administrative *Building* Code (8.4.10.6)].

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. [C-26-462.0, Administrative Code (8.4.10.6).] [They] *Each length* shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1⅛" No. 13 gauge blued or galvanized plaster board nails, with ⅜" heads for ½" board and 1¾" nails with ⅜" heads for ¾" or 1" board, and with proportionately longer nails for thicker fibre board. *No nail shall be driven closer than ¼ inch of the edge of fibre board.* All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. [No board shall be run through from room to room.]

2.1.1 Fibre board when used as a plaster base shall comply with the requirements of the Administrative Building Code as follows:

C26-458.0. Combustible lath.—a. It shall be unlawful, in the case of structures exceeding three stories in height, to apply combustible lath on wood studs more than two stories in advance of the scratch coat plastering.

b. It shall be unlawful to run combustible lath through from room to room.

[2.1.1] C26-462.0. It shall be unlawful to wet fibre board before plastering. [C26-462.0, Administrative Code (8.4.10.6).]

2.1.2 "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than ⅔ by weight of sand and ⅓ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1½ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than ¼" thick.

2.1.3 "BROWN OR SECOND COAT."

The brown coat shall contain not more than ¾ by weight of sand and the remaining ¼ shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.4 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.5 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of ½" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Fibre board when used as a sheathing material shall comply with the requirements of the Administrative Building Code as follows:

C26-538.0b. Approved fibre board sheathing at least one half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on four studs and fastened to each bearing with nails spaced six inches or less apart, except that where necessary for fitting around openings and similar purposes, the dimension of each board used for such purpose shall be the maximum possible if such board is less than four feet in width.

When fibre board is ½" thick the nails used shall be 1½" long with ⅜" head and when the fibre board is ¾" or 1" the nails used shall be 2" long with ⅜"

head. Nails shall be driven not closer than ¼ inch of the edge of the sheathing board.
[Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width and in full lengths where possible may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1½" wire nails, 6" or less c-c, with ⅜" head, and for ¾" or 1" board, the nails shall be 2" long. See C26-538.0, sub. b.] When using fibre board in widths of 2 ft. in addition to the requirements of C-26-538.0b, supplemental bracing of the framework of the wood frame structure shall be provided by means of let-in diagonal braces of 1" x 4"'s sound and free from knots at all external corners in the outside face of the studs at approximately 45° and crossing at least three studs, or supplemental bracing may be by a series of 2" by 4" struts diagonally cut and placed between the studs at an angle of 45° with the horizontal and extending from sill to plate wherever possible. All braces shall be securely nailed to each stud and to sill and plate. Where openings occur near the corners, 1" x 4"'s let-in knee braces in the face of the studs shall be installed above and below the openings at approximately 45°, extending across not less than 3 studs. When used over doorways and under windows, vertical and horizontal 2" x 4"'s shall be provided to afford nailing bases along all edges. Equivalent bracing of steel may be substituted for the required wood bracing. The use of fibre board as roof sheathing is not permitted except as insulation over *approved* sheathing material.

2.3 ASBESTOS CEMENT COVERED FIBRE BOARD. Fibre board protected with at least ⅛" asbestos cement and secured to the fibre board may be used as a siding material in Class 4 and Class 5 construction and as an interior partition material in places where no fire resistive rating is required and when approved by the Board.

[2.3 MINOR FRAME STRUCTURE.
Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).]

[2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE. Untreated combustible insulation board of a single layer or thickness not to exceed ½" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).]

[2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.
Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1).]

3.0 USES OF FIBRE BOARD AS WALL AND CEILING COVERING. MATERIAL SUPPLEMENTING THE REQUIREMENTS OF THE ADMINISTRATIVE BUILDING CODE.

3.1 CLASS 1 AND CLASS 2 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as an acoustical material in ceilings only of spaces not exceeding 2,000 sq. ft. in area and when such spaces are separated from the remainder of the floor area by fireproof partitions and fireproof doors. Fibreboard, when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the strips shall be of fireproofed wood meeting the requirements of C26-331.0 or of approved incombustible materials and the spaces in between the furring strips and the fibre board shall be densely filled with approved incombustible material. Fibre board shall not be applied to side and soffits of beams. When fibre board is used on a suspended ceiling system, all hangers, purlins and cross furring shall comply with C26-461.0 and the fibre board shall be applied directly to a plastered ceiling on approved lath or over a base of approved incombustible board at least ⅜" thick with all joints adequately sealed with gypsum plaster.

3.2 CLASS 3 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways, public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as a decorative, thermal or acoustical material without restriction except that in places of assembly (C26-116.0) fibreboard may be used in areas not exceeding 3,000 sq. ft. but not more than 50% of the area of any floor provided the ceiling construction meets the requirements of C26-669.0 and the walls surrounding the space and opening protective assemblies therein shall be fireproof. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material.

3.3 CLASS 4 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall be permitted without restriction except when specifically prohibited by the Administrative Building Code or the Board's rules. When fibreboard is used as exterior sheathing, it shall be protected from the elements.

3.4 CLASS 5 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall not be permitted except within spaces not exceeding 2,000 sq. ft. in area, in elsewhere than stair enclosures, public hallways, public spaces, kitchens or cooking spaces and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner when separated from the rest of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material. Fibreboard may be used as an interior insulation material when protected by at least ⅜" of plaster or of approved incombustible board of similar thickness and the joints filled or covered with incombustible batten strips.

PUBLIC HEARING

3.5 CLASS 6 CONSTRUCTION.

In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner the use of fibreboard as a decorative, thermal or acoustical material may be permitted in spaces not exceeding 2,000 sq. ft. in area when separated from the remainder of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material.

3.6 LABOR LAW.

The use of fibreboard as a decorative, thermal and acoustical material shall be prohibited except within spaces designated as non-manufacturing area and only when separated from the rest of the floor space by fireproof partitions and opening protective assemblies, except that in factories four stories or less in height, fibreboard may be used elsewhere than stair enclosures and public hallways and public spaces as permitted under the Labor Law.

3.7 MULTIPLE DWELLING LAW.

The use of fibreboard shall be prohibited in kitchens and cooking spaces in class 3 construction elsewhere than in stair enclosures, public hallways and public spaces, except as a plaster base, when the area of floor partitions shall not exceed 15% of the entire partition area of any floor. Fibreboard may be used on the top floor ceiling as a plaster base without restriction as to area.

In old law tenements and converted dwellings the use of fibreboard as a decorative, thermal and acoustical material may be permitted elsewhere than in stair enclosures, public hallways, public spaces, kitchens, cooking spaces and in cellars.

2.4 ROOF STRUCTURES AND ROOFING

C26-619.0 FORM AND FIRE RESISTIVE RATINGS OF FLOOR AND ROOF CONSTRUCTION.—a. Floor and roof construction between supporting beams in class 1, fireproof structures, shall consist of arches or slabs of incombustible material or assemblies and shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least three hours, except as specifically provided otherwise. Nothing in this section shall prevent the application of cork or fibre insulation board or other combustible insulation material applied directly to the fire resistive floor or roof construction in cement, provided that in the case of floor construction such insulation is covered by at least one and one-half inch thickness of portland cement concrete or other equally fire resistive material of equal thickness. Similar floor and roof construction in class 2, fire-protected structures, shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least one and one-half hours, except as otherwise specifically provided.

2.4.1 Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

[2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.]

[2.7 USE OF FIBRE BOARD IN FIRE WALLS.

(Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.]

C26-680.0 ROOFING.—a. Materials for roofing.—

1. Roofing placed on any structure shall meet the requirements of section C26-605.0, except as provided in section C26-539.0, and subdivision b of section C26-680.0.

2. The use of cork or fibre board as roof insulation is lawful provided such cork or fibre board is covered with an approved type of fire resistive roof covering applied directly thereto.

2.5 ADDITIONAL ADMINISTRATIVE BUILDING CODE REQUIREMENTS PERTAINING TO THE USE OF FIBRE BOARD ARE AS FOLLOWS:

C26-541.0 MINOR WOOD FRAME STRUCTURES.—a. Wood frame sheds.—Wood frame sheds, open on at least one side, may be erected of wood or with approved fibre board siding, throughout the city, but such sheds shall be fifteen feet or less in height, shall cover twenty-five hundred square feet or less, shall be placed at least four feet from any lot line, and shall be covered on the sides and roof with approved fire retarding material.

b. Wood frame outhouses.—Wooden outhouses used exclusively for domestic purposes may be constructed throughout the city to a wall height of eight feet, and may be one hundred fifty square feet in area, provided the roofs are covered with approved fire retarding materials and the walls are located at least three feet from the lot line.

c. Wood frame builders' shanties.—One story structures for the use of builders in connection with any building operation for which a permit has been issued, may be constructed of wood, or may be sheathed with approved fibre board, and placed on the lot where such building operation is carried on in any part of the city, or on adjoining lots if such structures do not interfere with the safe occupancy of any structures thereon, or on the sheds provided over the sidewalks in front of such building operation.

d. Wooden fences.—Wooden fences may be erected throughout the city to a maximum height of ten feet.

C26-667.0 PERMITTED USES OF WOOD OR OTHER COMBUSTIBLE MATERIALS IN CLASS 1, FIREPROOF STRUCTURES, AND CLASS 2, FIRE-PROTECTED STRUCTURES.—

4. Wearing surfaces.—

(c). Untreated combustible insulation board in a single layer not to exceed one-half of an inch in thickness, when cemented or attached directly to the surface of an approved type of fire resistive floor construction, may be used elsewhere than in stair enclosures and corridors when covered by an incombustible wearing surface in accordance with the rules of the board.

2.5.1 Except as provided in Section C26-619.0 wearing surface when installed over fibre board shall be of approved incombustible material bonded and sealed in accordance with the terms of the Board's approval of the wearing surface material.

C26-631.0 CONSTRUCTION OF FIRE WALLS

g. The application of cork or fibre insulation board may be permitted if cemented or attached directly to the face of the wall laid up with no intervening air spaces and protected as required by the rules of the board.

2.5.2 When used on fire walls, fibre board shall be protected by at least ⅜" of plaster or approved incombustible material of similar thickness with joints filled or covered by incombustible batten strips.

GROUP 2—FIRE PARTITIONS

C26-633.0 MATERIALS FOR FIRE PARTITIONS.

b. Where combustible insulation board is permitted, it shall be applied directly to the face of the partition by cement or other approved method, but in no case shall it be built into the required partition construction.

PUBLIC HEARING

PROPOSED RULES ON EXTERIOR VENEERING MATERIALS

(465-44-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday morning, June 8, 1945, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules on Exterior Veneering Materials.

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, Paragraph 2, Charter of the City of New York and C26-189.0 of the Administrative Building Code, these rules are to supplement the existing requirements of the Administrative Building Code, Sections C26-437.0, C26-438.0, C26-439.0, C26-544.0 through C26-550.0, C26-544.0 and C26-550.1 j.

SCOPE:

These rules are supplementary and additional to the requirements pertaining to thin not exceeding 2" exterior veneering materials so as to provide for the sufficiency of attaching and anchoring mediums on such exterior veneers in accordance with the intent of the Administrative Building Code as outlined in Section C26-3.0. They shall apply to veneering materials of metal, cement-asbestos, precast or natural stone, ceramic, tile, concrete masonry units, glass sheets, glass block, plastic materials and other veneering materials, as may be approved by the Board. Note: These rules shall not apply to interior veneering materials.

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Rule 1.0 General.

1.1 These rules shall apply to all materials used as exterior veneers of a thickness not exceeding two inches, bonded or unbonded, and with or without air spaces between the veneer and the supporting surface.

1.2 Veneer materials shall not be credited with contributing to the total wall thickness, the stress resisting sections, or to the fire resistive value of the composite construction unless specifically approved by the Board for any given combination of materials.

1.3 Veneer materials shall not be used to support vertical loads other than the veneering material above unless permitted otherwise as provided for in Rule 1.3. Where openings occur the veneer shall be supported by substantial lintels of incombustible materials.

1.4 All joints between masonry veneer materials shall be filled flush with mortar or approved mastic cement. Around wall openings the joints between the veneer and backing material shall be filled flush with similar materials. Gypsum shall not be used in veneer exposed to the weather.

1.5 All metal reinforcements, bolts, clips, tie wires and supports shall be of non-corroding metal and of a type and for uses as may be approved by the Board.

1.6 Veneering material shall not be placed over existing veneering material.

1.7 Veneering when placed on a structure shall not encroach beyond the building line.

1.8 Before attaching veneering materials to any surface, the soundness of structural members shall be examined by exposing the structural members and when found necessary, reinforcement or replacement of structural members shall be made to the satisfaction of the borough superintendent.

1.9 Signs shall be so hung that their weight shall not bear on the veneering material and shall be supported by grounds set in the supporting wall.

Rule 2.0 Metal Veneers.

2.1 Metal veneers shall be of non-ferrous materials or of steel sheets protected on all sides by porcelain enamel or other approved corrosion resistant surfacing.

2.2 Metal veneers shall be securely attached to the supporting construction with approved non-corroding metal hangers, clips, ties, screws, or bolts, secured to the metal veneer in a manner approved by the Board for each specific veneering material, and spaced not more than 16 o.c. vertically and 24 inch o.c. horizontally. Veneer units exceeding 4 sq. ft. in area shall be attached to the construction at not less than four points, so distributed as to render adequate attachment to the supporting construction.

2.3 Where allowed to be used all corrosive supports for metal veneers shall be adequately protected from the effects of the elements by painting with approved paint, galvanizing or other equivalent means. Where the use of wood is permissible all wood used with metal veneers shall be impregnated with creosote or other approved preservative material.

2.4 The joints and edges of all metal veneers shall be caulked or painted with approved waterproofing materials or other approved equivalent methods of providing resistance against moisture penetration.

2.5 The height of walls veneered with metal units on walls other than panel or enclosure walls shall be not more than 40 ft. above the foundations.

Rule 3.0 Precast or Natural Stone, Ceramic and Porcelain, Tile, Terra Cotta and Precast Concrete Units.

3.1 C26-157.0 Veneered Wall.—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability.

3.2 C26-437.0 Anchorage for veneered masonry walls.—When masonry walls are veneered with brick, architectural terra cotta, stone or other masonry, the material shall be securely tied into the backing with the equivalent of the following minimum anchorage requirements:

1. For anchorage of brick veneering on masonry, one substantial non-corroding metal wall tie for each three hundred square inches of wall surface.
2. For anchorage of architectural terra cotta and other moulded units on masonry, one non-corroding metal anchor at least equal to five-sixteenths of an inch round or one-eighth of an inch by three-quarters of an inch flat in sectional area to each piece and two or more such anchors to all pieces over 18 inches in length or more than three hundred square inches in superficial area, except where such architectural terra cotta facing is bonded and completely filled with the brick backing.
3. For anchorage of stone veneering on masonry, one non-corroding anchor at least three-sixteenths of an inch by one inch flat, or its equivalent in cross sectional area, to each piece over one-half of a square foot in face area and at least two anchors to all pieces over 24 inches in length or more than four hundred square inches in superficial area.

3.3 C26-438.0 Thickness and height of veneered walls.—In all cases the veneering shall be excluded in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations.

3.4 C26-439.0 Veneered wood frame structures.—a. Wood frame structures may be veneered with masonry laid up in cement or cement-lime mortar. Such veneer

shall be anchored to the frame by non-corroding metal ties equivalent to the following minimum requirements:

1. For anchorage of brick veneer on frame structures, one wall tie to every 160 square inches of wall area.
2. For anchorage of stone, architectural terra cotta and other moulded units on frame structures, one spike anchor or two wall ties to every two hundred sixty square inches of wall area.

b. It shall be unlawful to use such veneer on frame structures above a maximum height of 35 ft. above the foundation; it shall be unlawful also, to use such veneer on structures having more than two stories and a gable. The veneer shall be directly supported on the foundation.

c. Frame structures veneered with masonry shall be considered to be in a different class from masonry structures. It shall be unlawful to attribute any structural strength to the veneer.

3.5 Veneer units in this group shall be of approved type and not be greater than 2 in. in thickness. The surface bond of veneer units with the scored parging shall be adequately scored or provided with equivalent keys to obtain adequate anchorage. In addition to the attachment herein required, the anchorage requirements of C26-437.0 shall be complied with. Equivalent substitute methods of anchorage consisting of non-corroding pin and rosette or a continuous angle or anchor bolts secured to the reinforcement within the veneer may be used when approved by the Board for any specific veneering material.

3.6 The parging material in which veneer units are embedded shall consist of a portland cement mortar of 1:2 mix, 1 part of approved portland cement to two parts of screened sand passing through a 20 mesh screen not less than ¾ in. thick and reinforced with 4 in. mesh galvanized wire reinforcement. Such reinforcement to be secured to the masonry or concrete wall with approved non-corroding anchors at the rate prescribed in C26-437.0. When the supporting wall is of wood framework, approved paper backed wire lath or other approved material may be used when attached to the wood framework as provided in C26-459.0h, provided the weight of the veneering materials is carried on an incombustible base. The parged surface shall be troweled to a plane surface and then scratched to receive the setting bed. The setting bed of not less ⅜" thick shall not be applied until the scratched parged surface is set. Prior to parging masonry on concrete surfaces, such walls shall be thoroughly wetted prior to the application of the parging mortar.

3.7 Waterproofing material if used in mortar shall be of approved type.

3.8 Veneer units in this group shall be not greater than 144 sq. in. in area.

3.9 The base for supporting veneers shall be of suitable incombustible materials.

3.10 All veneer units used in Class 1, 2 and 3 buildings exceeding 20 ft. in height, regardless of thickness, shall be attached to the scored parged surface by mechanical anchorage as provided in C26-437.0, pars. 1, 2, 3 and shall have lugs, keys or equivalent scoring of the backside of the veneer unit.

Rule 4.0 Glass Veneer on the exterior of structures may be used only in accordance with the provisions of this title and the rule of the Board.

4.1 C26-545.0 Minimum thickness.—The minimum thickness of glass veneer shall be eleven-thirty-seconds of an inch, except where glass veneer extends within 4 in. or less of the sidewalk level, the minimum thickness of that portion of the veneer below a level of four inches above the sidewalk at its point of intersection with the veneer shall be seven-sixteenths of an inch.

4.2 C26-546.0 Maximum area and dimensions.—a. The maximum area of a single section of glass veneer shall not exceed 10 sq. ft. in area when 15 ft. or less above the level of the sidewalk directly below and shall not exceed 6 sq. ft. in area when more than 15 ft. above the level of the sidewalk directly below.

b. The maximum length of any section of glass veneer shall be 60 in.

4.3 C26-547.0 Edges.—All edges of each plate of glass veneer shall be ground square. It shall be unlawful to use mitred joints.

4.4 C26-548.0 Backing for glass veneer.—Glass veneer may be placed only against substantial, rigid, incombustible surfaces of true plane, plumb and straight. The backing shall in any case provide rigidity and stability equal to or greater than that provided by one-inch thick cement mortar on wire lath secured to studs spaced 12 in. or less on centers. It shall be unlawful to use wood backing surfaces, regardless of whether they are fireproofed.

4.5 C26-549.0 Setting of glass veneer.—a. Glass veneer shall be set only when the backing is thoroughly dry and after the application of a thorough and uniform bond coat of material approved by the board. The bond coat shall be such as to effectively seal the portions of the veneer backing and to insure against the absorption of the vital properties of the mastic cement.

b. Mastic cement approved by the board shall be applied to the back surface of each plate of the glass veneer, which veneer shall be applied to the backing with a substantial and uniform pressure over its entire area sufficient to flatten out the gobs of mastic cement to a thickness of between one-quarter of an inch and five-eighths of an inch. Sufficient mastic cement shall be applied to insure that at least 60% of the total area of the section is bonded to the backing.

c. The bond coat and the mastic cement shall be of one manufacture and shall be certified to be of such composition as to insure close affinity between the two materials.

d. Abutting edges of glass veneer shall be ground square and uniformly buttered with an approved pointing compound.

e. Where glass veneer extends to the sidewalk surface each such section shall rest on two cushions of approved resilient material, one near the end of each such section or plate. Cushions shall be one-quarter of an inch or more in thickness. The joint between the bottom edge of the glass section and the top of the sidewalk shall be caulked with a waterproof compound.

f. Where the glass veneer is permitted to extend below the level of the sidewalk surface, an expansion joint of one-quarter of an inch or more shall be provided between the outer face of the glass veneer and the edge of the sidewalk. Such expansion joint space shall be filled with a resilient caulking compound from the level of the sidewalk surface to a depth at least ¾ of an inch below such level.

g. Where glass veneer is applied at an elevation more than eight feet above the sidewalk surface, the mastic cement binding shall be supplemented by the use of metal clip angles of a design approved by the Board. Clips shall be located in each vertical or horizontal edge of each section of veneer and shall be secured through the backing directly into the wall behind by means of expansion bolts and in a manner satisfactory to the superintendent. Angle clips shall be two inches or more in length and shall be of at least No. 16 U. S. gauge, and shall be so designed as to furnish at least two-inch bearing support on each clip and shall hold the glass in a vertical plane independently of the mastic cement.

h. All horizontal joints shall be cushioned with pads of adhesive asphaltic tape which shall extend from the rear surface of the glass to one-eighth of an inch or less from the front surface. Horizontal joints shall be buttered with joint cement over the full depth of the joint, including the surface of the cushion tape.

i. Shelf angles of approved design shall be set at vertical intervals of 3 ft. or less, in all horizontal joints located 8 ft. or less above the sidewalk, except that, where there are show windows it shall be unnecessary to have shelf angles below the level of the tops of the show window bulkheads. Shelf angles shall be of a type approved by the board and shall be secured to the backing in a manner satisfactory to the superintendent.

j. Where glass veneer is confined between non-resilient materials at ends, expansion shall be provided for by means of an expansion joint at each end of one-quarter of an inch or more throughout the entire height of the veneer.

4.5.1 Clips required under C26-549.0, sub-section g shall be non-corroding and located in each vertical plane in horizontal edge of each section of veneer and shall be thoroughly secured

PUBLIC HEARING

through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corrodible expansion bolts at least 1¼" long.

4.5.2 Shelf angles required under C26-549.0, subsection i shall be of non-corroding metal of a type approved by the board and shall be thoroughly secured through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corroding expansion bolts at least 1¼" long.

4.5.3 Glass veneer units shall be separated from each other and adjoining material by an expansion joint at least 1/32" wide. Between the bolts and the veneer units there shall be a clearance of 1/64". All expansion joints shall be filled with an approved waterproofing mastic compound.

4.5.4 Glass veneer material shall not be used above a point higher than 22 ft. above the foundation of the structure.

4.5.5 Exposed edges of glass veneer shall be flashed with non-corrodible sheet metal and caulked with an approved waterproofing mastic compound.

4.5.6 All awning brackets shall be set so as to be free of contact with the glass veneer. Glass veneer above awning boxes shall be carried by a continuous steel angle attached to the wall by anchors.

4.5.7 Signs shall be hung clear of the glass veneering material.

4.6 Glass Blocks.

4.6.1 C26-550.1.
j. Veneer or ashlar: Glass blocks may be used as exterior wall veneer under the rules of the Board.

Note: Investigation has shown that glass block is not used as a veneer material in building construction and when uses of glass block are developed as veneer, the Board will then consider including in these rules the safe provisions for use.

MINUTES

(Continued from page 440)

removed; that only motor vehicles in condition for operation shall be stored or parked and only motor vehicles of the pleasure-car type; that no signs shall be erected on the premises advertising the parking and storage use and the sale of used cars, except a sign advertising each use, attached to the fence, provided such signs do not exceed 15 sq. ft. in area, do not extend beyond the building line and are not illuminated; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within six months from the date of this *amended* resolution and that a certificate of occupancy shall be obtained."

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* Correction—The words *"that along the street building line, there shall be erected a steel picket fence"* inserted in lines 36 and 37 of the resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

NOTICE

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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NEW

BULLETIN

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BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to May 22, 1945.

Cal. No. *Dept.* *Premises Affected.*

290-45-BZ—H.B.Q.—155 Beach 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens, Misc. 490-45.

291-45-A—H.B.B.—5101-5111 2nd avenue and 214-216 51st street, southeast corner (Block 797, Lots 5-11), Borough of Brooklyn, Amendment to Alt. 384-41.

292-45-A—F.D.—Re: Packaging of inflammable mixture known as "Plasti-Cleaner" in one pint or 16 oz. glass containers in New York City (capacity of glass containers not in conformity with Administrative Code specifications), Decision.

293-45-BZ—H.B.B.—739-747 Albany avenue and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn, N.B. 122-45.

294-45-A—F.D.—148-150 West 20th street, south side, 196 ft. east of 7th avenue (Basement); (Block 795, Lot 67), Borough of Manhattan, 33086-LF and Decision.

295-45-A—F.D.—421 West 126th street, north side, 266 ft. west of Morningside avenue and 416 West 127th street, south side, 225 ft. west of Morningside avenue (1st floor); (Block 1967, Lots 13 and 33), Borough of Manhattan, 41308-C.

296-45-BZ—H.B.B.—1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn, Alt. 1044-45.

297-45-A—H.B.Bx.—10-12 East Van Cortland avenue, south side, 29 ft. 6 in. west of Villa avenue (Block 3322, Lot 29), Borough of The Bronx, Amendment to Alt. 169-45.

298-45-BZ—H.B.B.—6201-6223 15th avenue, east side, between 62nd and 63rd streets (Block 5530, Lot 1), Borough of Brooklyn, Amendment to N.B. 21-42.

299-45-A—F.D.—1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond, 41128-LC.

300-45-A—F.D.—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens, 14918-LF.

301-45-SM—Calairco C1 Flameproofing Compound, manufactured by Calairco Flameproofing Co., Material.

302-45-A—H.B.Q.—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens, Alt. 457-45.

303-45-A—H.B.B.—6113-6123 7th avenue (6109-6119 displayed), east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn, Alt. 888-45.

304-45-A—H.B.B.—1613-1635 East 16th street, east side, 100 ft. south of Avenue P (2nd floor); (Block 6779, Lot 69), Borough of Brooklyn, Alt. 1109-45.

305-45-A—H.B.M.—154, 156 and 158 Ludlow street, east side, 25 ft. south of Stanton street (2nd, 3rd and 4th floors); (Block 411, Lots 50, 51 and 52), Borough of Manhattan, Amendment to Alt. 1214-44.

Restored to Calendar.

114-28-BZ—H.B.Q.—109-07 to 109-17 101st (Jerome) avenue, northwest corner of 110th street (Block 460, Lots 51, 53 and 55), Richmond Hill, Borough of Queens, M-13-45.

1000-40-BZ—H.B.Bx.—2337 Grand Concourse and 164 Field place, southwest corner (Block 3164, Lot 19), Borough of The Bronx, Alt. 199-40.

786-42-BZ—H.B.R.—8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond, Alt. 142-42.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May 15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	Apr. 11, 1944—Vol. 29, No. 15
Paint, Varnish and Lacquer Spraying Rules	May 29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31

CALENDAR

	Last Publication in Bulletin
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	May 29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 50b of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

MAY 29, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, May* 29, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

78-45-BZ—Application, February 16, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of The Greater New York Brewery, owner, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory; premises 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

556-20-BZ—Application of Michael Glick, applicant, on behalf of B-J Holding Corporation, owner, reopened May 8, 1945, for consideration re amendment of resolution as to additional use—Application previously granted on condition, under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection of a garage for more than five motor vehicles; premises 1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx.

71-35-BZ—Application of John Krupski, applicant and owner, reopened May 8, 1945, for consideration as to extension of variance—Application previously granted on condition, under section 21 of the zoning resolution, for a term of two years, permitting in a residence use district, the maintenance of a garage for the storage of one commercial truck; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens.

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

284-45-BZ—Application, May 7, 1945, under section 7b of the zoning resolution, of Andrew A. Oliveri, applicant, on behalf of Frank Ray Howe, Director, Bureau of Real Estate, Board of Estimate, for the City of New York, owner, to permit the extension of a business use on a lot located partly in a restricted retail district and partly in a residence use district, into the more restricted (residence) use district; premises 102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1) (old Lot 89), Borough of Manhattan.

Appeals from Administrative Decisions

251-45-A—33-67 35th street, east side, and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East Section C, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

273-45-A—255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2239, Lots 42 and 43), Borough of Brooklyn.

126-45-A—550 Halleck street, southwest side, 250 ft. southeast of Randall avenue (1st floor); (Block 2769D, Lot 204), Borough of The Bronx.

11-45-A—2417 Webster avenue, west side, 65.08 ft. north of East 187th street (Block 3025, Lot 25), Borough of The Bronx.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn.

299-45-A—1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond.

731-44-A—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th (Freeman) avenue (2nd and 3rd floors); (Block 476, Lot 1), Long Island City, Borough of Queens.

Appliance for Approval

230-45-SA—Steiner-Ives Indirect Gas-Fired Heater, Model 45 and Industrial Baking Oven.

HARRIS H. MURDOCK, *Chairman.*

MAY 29, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, May* 29, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

726-44-A—109-115 York street, north side, 50 ft. east of Jay street (basement and 1st floors); (Block 54, Lot 12), (Buildings 9 and 10), Borough of Brooklyn.

47-45-A—533-537 West 34th street, north side, 350 ft. east of 11th avenue (cellar); (Block 706, Lot 15), Borough of Manhattan.

69-45-A—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan.

87-45-A—Hunter avenue, east side, between 24th avenue and Bay 37th street and west side of Belt parkway, 38 ft. north of Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn.

516-44-A—240-246 19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8); Borough of Brooklyn.

CALENDAR

15-45-A—397 7th avenue and 408 12th street, northeast corner (1st floor, Building B); (Block 1098, Lot 1), Borough of Brooklyn.

22-45-A—101-107 Greene avenue, northeast corner of Vanderbilt avenue (Block 1943, Lots 41-44 inclusive), Borough of Brooklyn.

221-45-A—36 West 34th street, south side, 300 ft. east of Broadway and 41 West 33rd street (1st and 2nd floors); (Block 835, Lots 14 and 63), Borough of Manhattan.

202-45-A—20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens (Under section 35, General City Law re bed of proposed mapped street—Powells Cove road).

66-45-A—120-46 to 120-60 Queens boulevard, south side, 167.45 ft. west of 82nd avenue (Block 3358, Lot 18), Kew Gardens, Borough of Queens.

38-45-A—507-509 East 75th street, north side, 173 ft. east of York avenue (1st to 4th floors); (Block 1487, Lot 8), Borough of Manhattan.

280-45-A—190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 5, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

531-37-BZ—Application of Joseph Mosgoffian, applicant and lessee, on behalf of Annie Zins, owner, reopened May 15, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary period of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

459-44-BZ—Application, July 21, 1944, under sections 21 and 7c of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Mary L. Richardson, owner, to permit in a business use C area district, manufacturing in excess of the permitted area; premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

146-45-BZ—Application, March 13, 1945, under section 7f of the zoning resolution, of James Whitford, applicant, on behalf of Adam V. Bell, owner, to permit in a business use district, the erection and maintenance of a gasoline service station, for a term of years; premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

585-42-BZ—Application, of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

772-41-BZ—Application of Arnold W. Lederer, applicant, on behalf of Fay Bloom, William A. Jones, Jennie Mateyko and Joseph Filosa, owners (Square Deal Laundry, Inc., lessee), reopened November 8, 1944, under sections 7c and 21 of the zoning resolution, to permit the extension of an existing laundry building from a local retail into a residence use district, the area of proposed building exceeding that permitted in a C area district; premises 427 Ralph avenue and 1813-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64 to 68, inclusive), Borough of Brooklyn.

162-45-BZ—Application, March 21, 1945, under section 21 of the zoning resolution, of Richard Shutkind, applicant, on behalf of Jack Altman, owner, to permit in a residence use G area district, the erection of a one car garage and shower building, increasing the occupied lot area in excess of 35% and not providing the required 15 ft. rear yard and 5 ft. side yard; premises 228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens.

298-45-BZ—Application, May 17, 1945, under section 21 of the zoning resolution, of S. J. Kessler & Sons, applicants, on behalf of 1523-1529 63rd Street Corp., owner (Air King Products Co., Inc., lessee), to permit in a C area unrestricted use district, the erection of a 3rd story to a building, plans for two stories of which have been approved, the 3rd story exceeding the area of coverage permitted by the zoning resolution; premises 6201-6223 15th avenue, east side, from 62nd to 63rd streets (Block 5530, Lot 1), Borough of Brooklyn.

Appeal from Administrative Decision

235-45-A—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 5, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

CALENDAR

239-45-A—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

226-45-A—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JUNE 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning, June* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Rules.

1139-39-SR—Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

170-39-SR—Proposed Amendments to Rules on Uses of Insulating Fibre Board.

465-44-SR—Proposed Rules on Exterior Veneering Materials.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 12, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

786-42-BZ—Application of Chester A. Cole, applicant, on behalf of O. J. Heinzmann, owner, reopened May 22, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop); premises 8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond.

114-28-BZ—Application of Edward A. Brown, applicant, on behalf of Zimtbaum & Horowitz, owners, reopened May 22, 1945, re amendment of resolution—Application, previously granted on condition, under sections 7e and 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 109-07 to 109-17 101st avenue (4453-4459 Jerome avenue), north side, 50 ft. west of 110th street (Block 460, Lots 53-55), Richmond Hill, Borough of Queens.

26-45-BZ—Application, January 17, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harold S. Rogers, owner, to permit in a retail use D area district, and adjoining a residence use district, the erection of a gasoline service station, office, lubritorium, car washing laundry, and, also the omission of the required rear yard; premises 468-478 Forest avenue and 9 City boulevard, southeast corner (Block 259, parts of Lots 1 and 6), West Brighton, Borough of Richmond.

222-45-BZ—Application, April 12, 1945, under section 21 of the zoning resolution, of Jules Lewis, applicant, on behalf of Abgus Realty Corp., owner, to permit in an unrestricted use B area district, the omission of a loading space, as required by section 19a, in a building changed from its present use as a garage to its former use as a factory; premises 461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

836-22-BZ—Application of Harry Hurwit, applicant, on behalf of Flo-El Realty Corp., owner (L. & J. Caterers, Inc., lessee), reopened January 23, 1945, under section 7b of the zoning resolution, to permit in a building partly in a business use and partly in a residence use district, the change of occupancy from a theatre and stores (previously granted by the Board) to catering, meeting rooms, ballrooms and stores; premises 85 West Burnside avenue and 2041 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

Appeal from Administrative Decision.

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 12, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 19, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

308-45-A—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MAY 22, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, May 15, 1945, and Tuesday afternoon, May 15, 1945, were approved, as printed in Bulletin No. 21, Volume 30.

ZONING APPLICATIONS

78-45-BZ

APPLICANT—Lama and Proskauer, for The Greater New York Brewery, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory.

PREMISES AFFECTED—284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to May 29, 1945 at 10 A. M. at request of applicant.

95-45-BZ

APPLICANT—Lama and Proskauer, for Marie Atherton, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building, as extended, being in excess of the area permitted by the zoning resolution.

PREMISES AFFECTED—87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

APPEARANCES—
For Applicant: Alfred Lama and Alfred Harturger.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 5, 1945 at 10 A. M. for further consideration. Applicant to obtain a new decision from Borough Superintendent.

60-45-BZ

APPLICANT—Lama and Proskauer, for General Linen Supply Company, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use, C area district, the extension and reconstruction of a stable and wagon storage and garage for two commercial cars to a garage for more than five motor vehicles for laundry use and a large boiler room accessory to existing laundry.

PREMISES AFFECTED—449-453 and 467-473 Prospect avenue, north side, 151 ft. 2 in. west of Prospect Park West (Block 1113, Lots 62, 73, 74 and 75), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred Lama.
For Opposition: Joseph Brown, G. P. Casper, W. Babinski, A. Angelio, A. Lapinski, A. Yala, S. Yahbecha, M. Maguire, Mary Cursiewiev and M. McGloin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

330-29-BZ

APPLICANT—Lama and Proskauer, for Hannah Harmon, owner.

SUBJECT—Application reopened January 23, 1945 (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business and residence use district, the continued use of a gasoline service station, beyond the temporary term granted by the Board under Cal. 330-29-BZ.

PREMISES AFFECTED—70-58 to 70-66 Kissena boulevard and 153-08 to 153-18 Vleigh road, southwest corner (Block 6697, Lot 1), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Alfred Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (330-29-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting partly in a business use district and partly in a residence use district, for a term of two years, the erection and maintenance of a gasoline service station, affecting premises southwest corner of Kissena road and Vleigh road (Block 2395, Lot 1), Flushing, Borough of Queens, was granted by the Board on December 20, 1932, on certain conditions; and

WHEREAS, the permit was extended on May 7, 1935; and

WHEREAS, the resolution was amended and the permit further extended on June 16, 1936 and November 17, 1936; and

WHEREAS, the permit was further extended on June 8, 1937, April 11, 1939 and April 29, 1941; and

WHEREAS, the applicant requested a further extension of the permit, which permit had expired by time limitation on April 29, 1943; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945, restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Kissena boulevard is in a business use, D area and Class 1 height district; Vleigh road is in a residence use, D area and Class 1 height district and 71st avenue is in a residence use, D area and Class 1 height district: and

WHEREAS, the decision of the borough superintendent, dated November 30, 1944, re Alt. Applic. 1517-44, reads:

"1. The continued use of a gasoline service station beyond the temporary period granted by the Board of Standards and Appeals under Cal. 330-29 BZ, within a business and residence district, is contrary to Art. II, Sec. 4 of the Zoning Resolution.

2. The extension of a gasoline service station within a business and residence district, is a non-conforming use and contrary to Article II, sec. 6 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 104.89 ft. frontage by 133.27 ft. in depth, on which is located a one-story building, 20 ft. by 20 ft. in area, the premises being occupied as a gasoline service station, office and lubritorium and that it is proposed to maintain the gasoline service station with an enclosure over the grease pits; and

WHEREAS, the applicant contends that the premises are improved with a one-story masonry building 20 ft. by 20 ft., used as an office and for the sale of automobile accessories; two open grease pits, three 550 gallon gasoline storage tanks and two islands, each having two pumps; that this improvement was made by virtue of a grant by the Board of Standards and Appeals under Cal. 330-29-BZ, for a term of two years; that the permit was extended continuously to April 29, 1943; that request is hereby made to extend this permit for a term of ten (10) years; that it is proposed to enclose the existing open grease pits and that the general surroundings are practically the same as when the original grant was made; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision f, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and its hereby is *granted* under section 7f thereof, for a term of ten (10) years from the date of this resolution, to permit the premises to be occupied as a gasoline service station, substantially as proposed and as indicated on revised plans marked "Received May 18, 1945"; and that the application be and it hereby is *granted on condition* that the plot so used, shall be located entirely within the business use zone; that the plot shall be leveled substantially to the grade of surrounding streets and shall be concrete paved, except where occupied by planting areas, pumps and accessory buildings as shown; that the existing concrete paving shall be removed; that the accessory buildings shall be located and shall be of the design and area as indicated on revised plans marked "Received May 18, 1945"; that these accessory buildings shall be used only as office and lubritorium as proposed; that the lubritorium shall be equipped only with hydraulic lifts, except that if one or more existing steel pits are retained and closure doors are constructed as indicated, the pit shall be ventilated by means of a duct from the bottom of the pit, exhausting with a motor driven exhaust fan through the roof; that any windows in the lubritorium section shall be of steel sash; that there shall be erected on the southerly and westerly interior lot lines, as indicated, a fence consisting of a brick base and brick posts properly capped and with wood picket sections between posts as indicated; that the gasoline pumps shall be erected not nearer than 10 ft. to either the building line of Vleigh road or Kissena boulevard; that at the intersection of Vleigh road and Kissena boulevard, there shall be constructed a triangular area, extending not less than 10 ft. from the intersection along either street building line and protected by a 12 inch curb and with the area within the curb planted; that a planted area shall also be maintained toward the west as indicated, continuously from north to south and also on the southerly line toward Kissena boulevard; that these planting areas shall be protected on the gasoline station side by a concrete curb not less than 12 in. in height; that no signs shall be erected on the premises, except a permanent sign attached to the wall of the accessory building; that no other signs shall be permitted, except that there may be a sign within the building line near the intersection, erected on a post for supporting a brand sign, which may be illuminated, but which shall not extend beyond the building line; that curb cuts shall be restricted to two, each 25 ft. in width to Kissena boulevard and two to Vleigh road of similar width; that no curb cut shall be nearer than 10 ft. to the point of intersection of the two streets or nearer than 5 ft. to the southerly building line or 8 ft. from the westerly building line and located as shown on plan marked "Received May 18, 1945"; that curbs and sidewalks shall be constructed along the entire frontage of both streets; that the number of gasoline storage tanks shall not exceed three, each with a capacity of 550 gallons; that during the term of this variance, the premises shall be occupied for no use other than as herein permitted; that until this gasoline station is completed in accordance with the terms of this resolution, the existing station, variance for which has expired, shall not be reopened; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

188-45-BZ

APPLICANT—Kitzler and Nurick, for Dora Tatarsky, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of an existing building from garage for ten motor vehicles, to garage for five motor vehicles and manufacturing of lamp bases.

PREMISES AFFECTED—170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry Nurick.

For Opposition: B. Kloesath, L. Schillinger, M. Goldberg, A. Schroski, F. Bader, J. Roia and M. Schillinger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (188-45-BZ)

WHEREAS, Kitzler and Nurick, for Dora Tatarsky, owner, filed April 2, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of an existing building from garage for ten motor vehicles, to a garage for five motor vehicles and the manufacture of lamp bases, affecting premises 170-172 Van Siclen avenue, west side, 102 ft. 10 in. south of Atlantic avenue (Block 3961, Lot 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue and Liberty avenue are in a business use, C area and Class 1 height district and that Van Siclen avenue and Miller avenue are in a residence and business use, C area, and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 8, 1945, re Alt. Applic. 769-45, reads:

"1. Proposed change of occupancy from a garage for ten cars, to a garage used for five cars and the manufacturing of lamp bases and small metal parts in premises located in a residential use and C area district, is contrary to Article II, Section 3 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 39 ft. frontage by 100 ft. in depth, on which is located a one story, Class 3 constructed building, 20 ft. by 100 ft. in area, occupied as a garage for 10 motor vehicles and that it is proposed to occupy the building as a garage for five motor vehicles and a factory for manufacture of lamp bases; and

WHEREAS, the applicant contends that the premises consist of an irregular plot, 39 ft. by 100 ft. upon which was erected a garage for ten motor vehicles under Permit NB 2560-18, Certificate of Occupancy 4704-1919 and latest Fire Department Permit 208434, issued May 11, 1944, expires May 1, 1945; that the premises were then in an unrestricted area, and on May 15, 1941, the zone was changed to residential; that it is proposed to alter this garage, so that the front portion shall continue as a five car garage, and the rear portion altered and its use changed to manufacturing; that this application is brought under Section 7c of the zoning resolution; that the neighborhood is fully developed, and having been unrestricted, now has many non-conforming uses; that the alteration and change of use is such as to safeguard the character of the district; that the owner recently purchased this property with the advice of her attorney, who had checked the zone; that unfortunately, however, he looked at zone maps that had not been corrected to date; that the owner planned to go into business with her son, who is now in the U. S. Armed Services; that the owner proposes to manufacture bases for lamps and intends to use two lathes, and operate the business with her son only; that under the circumstances, it is respectfully requested that this matter be given favorable consideration; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision c, of the zoning resolution.

Resolved, that the decision of the borough superintendent dated May 8, 1945 on Alt. Applic. 769-45 be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

APPEALS FROM ADMINISTRATIVE DECISIONS

235-45-A

APPLICANT—Madison Square Garden Corporation, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Manhattan.
APPEARANCES—
For Applicant: Richard Donopria and Alexander McPhee.
For Administration: Fred Dahlem, Dept. Housing & Bldgs. and E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to June 5, 1945 at 10 A. M. at request of applicant.

251-45-A

APPLICANT—Good and Kent, for Bush Terminal Buildings Co., owner (Control Instrument Co., Inc., lessee).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—33-67 35th street, east side and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East section C, Building No. 5); (Block 687, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. C. Cain.
ACTION OF BOARD—Laid over to May 29, 1945 at 10 A. M. at request of applicant.

697-44-A

APPLICANT—Reliable Refrigeration Service Corp., for Atlas Elevator Service Co., lessee (American Baptist Home Mission Society, owner).
SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—355 West 26th street, north side, 120 ft. east of 9th avenue (1st floor); (Block 750, Lot 9), Borough of Manhattan.
APPEARANCES—
For Applicant: Michael Tennant, Marion Koop and R. C. Woodson.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (697-44-A)

WHEREAS, Reliable Refrigeration Service Corp., for American Baptist Home Mission Society, owner (Atlas Elevator Service Company, lessee), filed November 29, 1944, an appeal from an order and decisions of the fire commissioner, affecting premises 355 West 26th street, north side, 120 ft. east of 9th avenue (1st floor); (Block 750, Lot 9), Borough of Manhattan; and

WHEREAS, Order 32528-LC issued by the fire commissioner October 30, 1942 and referred to in decisions dated June 27th and August 18, 1944 reads:

"With reference to your application dated October 15, 1942, for a permit to store compressed gases, naphtha, etc. at the above location, I regret to inform you that this department is without power to grant such a permit for the reason:

A.1 Building in part occupied as a dwelling.
A.2 Spraying of paint carried on.
B Unapproved paint remover used.
C Gas is transferred to an unapproved cylinder.
D Garage occupancy is maintained.
E No evidence that Department of Housing and Buildings has approved occupancy of building as now constituted.
F No provision made to prevent gases from permeating throughout building in case of leakage.
G Storage of empty cylinders on premises.
H No evidence to show that occupancy as is (10/22/42) meets with no objection from the Department of Health.

(4) Discontinue the storage or use of compressed gases on these premises contrary to the provisions of Article 17, Administrative Code."

and

WHEREAS, this order was again referred to in a decision of the fire commissioner, dated October 31, 1944, which reads:

"We acknowledge receipt of your letter of October 17th regarding our Order 32528-LC against 355 West 26th Street.

Our records indicate that on May 26th and August 3rd, you made similar requests to this office. This Division feels that ample time and opportunity was granted to file an appeal from our requirements. There is no evidence of such an appeal being filed.

Your request to reissue the order at this time is denied."

and

WHEREAS, the applicant states that the building is four stories (50 ft.) in height, 22 ft. by 98 ft. in area at 1st floor, 22 ft. by 80 ft. in area at typical floor, of class 3 construction, erected in 1876, located in a residence use, B area, class 1½ height district and used and occupied since March 1, 1942 as follows: cellar—storage, boiler room and vault—no persons; 1st floor—refrigerator repairing—3 persons; 2nd floor front—office and 2nd floor rear—storage of light machine elevator supply parts—2 persons; 3rd floor front—dwelling—1 family (who work on 2nd floor); 3rd floor rear—storage of light machine elevator supply parts; 4th floor front—dwelling—1 family: that no change in use or occupancy is proposed; that the building is equipped with two

interior stairs, located at the front and the rear of the building, 4 ft. in width, of wood construction, enclosed in stud and plaster partitions, equipped with wood self-closing doors, leading directly to the street; the stairs do not extend to roof, but a scuttle to roof is provided; that the building is also equipped with an exterior fire escape at the front of the building, extending to the roof by a ladder and to the street by a ladder and that the window and door openings along the course of the fire escape are not fireproof, self-closing; and

WHEREAS, the applicant contends that all items of Order 32528-LC have been complied with, with the exception of Item 4, which is covered by this appeal; that 150 lbs. of Sulphur Dioxide is transferred by ¼ in. copper tubing to approved I. C. C. tank of 12 lbs. capacity; that units are charged by ¼ in. copper tubing from 12 lb. tank; that all lines have safety valves; that 90 lbs. methyl chloride is transferred by ¼ in. copper tubing to approved I. C. C. tank with 8 lbs. capacity; that units are charged by ¼ in. copper tubing from 8 lb. tank; that all lines have safety valves; that there is a vacuum pump for discharging units into container of lye water; that there is an open flame of oxygen and acetylene in the fireproof soldering room, the walls, ceiling and floor of which are concrete with a fireproof door; that there is an open flame the fireproof dehydrator oven; that sand buckets and foamite extinguishers are placed at convenient places throughout the building; that this building was vacant for 15 years and then R. C. Woodson moved in in November 1941; that there never was a machine shop in the building; that under B. N. Applic. 46-1943, the soldering room was made completely fireproof; that the applicant has been the subtenant of the Atlas Elevator Service Company since March 1942; that the Atlas Elevator Service Company has been the lessee of the entire premises since November 1941; that the owners of the premises had full knowledge of the type of occupancy of the Reliable Refrigeration Service Corporation to which they consented, but inasmuch as they have leased this building together with a number of adjoining premises for a long term to 30-25 Steinway Realty, Inc., the owner feels that they have nothing further to do with the property and 30-25 Steinway Realty, Inc. consider that they have no interest in this matter and as original lessee, the Atlas Elevator Service Company has consented to the occupancy of the applicant; that the applicant repairs refrigerator units and has refrigerant in tanks that are handled by licensed men; that the Health Department refuses to issue a permit; that the Atlas Elevator Service Company is located on the 2nd floor and their representatives are constantly present to supervise conditions and have no objections to the use of the refrigerant; that the applicant is engaged in ship convoy service and it is necessary to the war effort to give good service by keeping the ships' refrigerators in good working condition; and

WHEREAS, the applicant has been convicted and fined by the Magistrates Court for violation of the Administrative Code on March 5, 1933 and June 2, 1944.

Resolved, that order 32528-LC, issued by the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted*. as to Item 4, *on condition* that not more than one (1) 150 lb. cylinder of sulphur dioxide and not more than one 90 lb. cylinder of methyl chloride shall be stored on the premises; that such cylinders shall be stored within the room on the first floor at the rear, which room shall be constructed of interior partitions of one hour fire-retarding construction with a fireproof, self-closing door thereto: that a duct shall be carried from the ceiling of such room through the roof not less than 6 in. in diameter with an exhaust fan attached thereto; that the switch to such exhaust fan shall be located on the exterior of the room; that cylinders when empty. shall be promptly removed from the premises; that no residential occupancy shall be maintained in the building, except on the 3rd and 4th floors at the front. where indicated; that the 2nd and 3rd floors at the rear shall be used only for the storage of light machine elevator parts as proposed; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that there shall be no paint spraying permitted on the premises; that no storage of motor vehicles shall be permitted on the premises; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and to the satisfaction of the fire commissioner; that a certificate of occupancy shall be obtained for the building.

8-45-A

APPLICANT—Charles S. Telchin, for Berwick Land Corp., owner (Roaman's, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—20-22 West 39th street, south side, 303 ft. west of 5th avenue (2nd floor); (Block 840, Lot 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Telchin.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (8-45-A)

WHEREAS, Charles S. Telchin, for Berwick Land Corporation, owner (Roaman's, lessee), filed January 3, 1945, an appeal from a decision of the fire commissioner, affecting premises: 20-22 West 39th street, south side, 303 ft. west of 5th avenue (2nd floor); (Block 840, Lot 60), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated December 6, 1944, reads:

"In reply to your recent letter wherein you request approval by this department of the existing air conditioning system in premises 20-22 West 39th st., occupied by Roaman's, Inc., if the following change was made, namely: floor over the open well of the present mezzanine, so as to make it a separate floor; please be advised as follows:

Under the conditions of Section C19.98-b of the Administrative Code and rules 2 and 3 adopted by the Fire Commissioner for freon refrigerant, this department cannot accept the direct method of refrigeration extending from floor to floor in the above premises.

However, you may appeal this matter to the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is three stories (40 ft.) in height, 44 ft. by 98.9 ft. in area at first floor, 44 ft. by 88.9 ft. in area at typical floor; Class 3 construction; located in a retail use, B area, Class 2 height district; erected in 1940 and used since 1945 as follows: Cellar, retail store, 7 persons; 1st floor, retail store, 8 persons; mezzanine, offices, 15 persons; 2nd floor, retail store, 11 persons; proposed to be used and occupied: cellar, retail store, 7 persons; 1st floor, same, 8 persons; 2nd floor—offices, 18 persons; that the building is equipped with a one-source sprinkler system, an approved interior fire alarm system and that fire drills are maintained; that there are two interior 3 ft. 8 in. stairs, of fire-proof construction and enclosure, equipped with fireproof, self-closing doors, one located at the front and one at the rear of building and both extend to the roof bulkhead and lead directly to the street; and

WHEREAS, the applicant contends that the building consists of a basement, first floor, mezzanine and second floor; the two lower floors, including the mezzanine, being air-conditioned by a direct expansion Freon gas system, the second floor having an independent system; that the well which forms the mezzanine floor, is being completely floored over, thus making it the second floor and the present second floor will in turn become the third floor: that under ordinary circumstances, a separate air-conditioning system would

have to be provided for this second floor, but in view of existing conditions, the equipment, Freon gas or labor are not available for making the installation; that no changes are required in the present air conditioning equipment and the fire protection is being considerably improved by the elimination of the mezzanine; the present ducts are properly equipped with automatic dampers and otherwise protected in accordance with the Board's rules.

Resolved, that the decision of the fire commissioner dated December 6, 1944 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the equipment on the present mezzanine to be changed to a second floor, by the flooring over of the well as proposed and as shown on plans filed with this appeal marked "Received January 3, 1945", shall be enclosed in the room toward the rear of the second floor as indicated; that such room shall be enclosed with interior one hour fire-retarding partitions with a fireproof self-closing door constructed therein; that the system shall not be changed without the approval of the fire commissioner and the system shall be maintained to his satisfaction; that the flooring over the mezzanine shall be as approved by the Department of Housing and Buildings; that a one source sprinkler system shall be maintained in accordance with the requirements therefor, as well as the maintenance of an interior fire alarm system and fire drills; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto in accordance with Certificate of Occupancy issued by the Department of Housing and Buildings under No. 27245 issued January 17, 1941, as superseded by a new certificate of occupancy, after alterations as proposed.

44-45-A

APPLICANT—Interborough Engineering Co., for Sadie Siegel and Joseph Siegel, owners.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—203A Nassau avenue, north side, 25 ft. west of Russell street (1st floor); (Block 2654, Lot 30), Borough of Brooklyn.
APPEARANCES—
For Applicant: Ribelle Perotto.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (44-45-A)

WHEREAS, Interborough Engineering Company, for Sadie and Joseph Siegel, owners, filed January 31, 1945, an appeal from an order of the fire commissioner, affecting premises 203A Nassau avenue, north side, 25 ft. west of Russell street (1st floor); (Block 2654, Lot 30), Borough of Brooklyn; and

WHEREAS, Order 98493-C, issued by the fire commissioner, dated January 8, 1945, reads:

"2. Reduce quantity of volatile inflammable oil (naphtha and sovasol #4) stored to 20 gallons, the maximum quantity permitted to be stored in a building used for dwelling purposes by two families. C19-86.0 Administrative Code."

and

WHEREAS, the applicant states that the building is 3 stories (39 ft. 6 in.) in height, 18 ft. 9 in. by 100 ft. in area at 1st floor, 18 ft. 9 in. by 60 ft. in area at typical floor, of class 4 construction, erected in 1888, located in a business use, C area, 1¼ height district and used and occupied since 1920 as follows: cellar—storage and heater—0 persons; 1st floor—hardware store—2 persons; 2nd floor—1 family—3 persons; 3rd floor—1 family—2 persons; that no change in use or occupancy is proposed; that the building is equipped with one interior stairs at the front of the building, 36 in. in width, of wood construction, enclosed in stud partitions and plastered equipped with wood self-closing doors, extending to the roof by a scuttle and leading directly to the street; and

WHEREAS, the applicant contends that the entire premises are occupied by the owners and their family exclusively; that the proposed storage of two steel drums of naphtha will be located in the rear of the 1st floor extension, remote from the living quarters; that the need for a storage capacity of two drums of naphtha is the demand from a number of furriers in the neighborhood; who purchase naphtha in quantities of five gallons at a time and also the usual one quart purchases by housewives in the neighborhood; that the five gallon quantities delivered to the furriers are done in approved safety cans; that the two drums of naphtha is about one week's supply; that the entire ceiling of the 1st floor, including the extension, is wood lath and plaster; that paints are stored in sealed cans, kept for sale, in quantities of less than 100 gallons under permit from the Fire Department; that the paints are kept on shelves in the front of the building, remote from the naphtha; that no other volatile or inflammable materials are stored on the premises; that the skylights are of the ventilating type, made to open and close on two sides opposite each other; that naphtha will be dispensed by means of a gear pump operated by hand, the pump being attached to the top of the storage metal drum; that the owners have been on the premises for over 25 years; that the building was altered in 1895 under Alt. Applic. 239 and no certificate of occupancy was ever obtained; it is requested in view of the above facts, that the applicant be permitted to store two drums of naphtha.

Resolved, that Order 98493-C issued by the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

107-45-A

APPLICANT—James E. Casale, for 18 East 71st Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (107-45-A)

WHEREAS, James E. Casale, for 18 East 71st Street Corporation, owner, filed March 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 18 East 71st street, south side, 70 ft. west of Madison avenue (Block 1385, Lot 59), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 1, 1945, on amendment to Alt. Applic. 27-45, reads:

"2. Repeat. An interior stair should be provided, with a minimum width of 3 ft. 8 in. and adequate stair capacity, enclosed in 3 hour partitions, leading from the street to the roof, Secs. 6.1.2.2.3 and 6.4.1.1 B.C., with treads and risers as per Sec. 6.4.1.4. B.C. Note that winders are not acceptable."

and

WHEREAS, the applicant states the building is 6 stories (70 ft.) in height; 25 ft. by 90 ft. in area; of class 1 construction; erected 1910; located in a restricted retail use, B area, Class 1½ height district and used as a one family dwelling, for which no certificate of occupancy has been issued, and proposed to be used and occupied as follows: subcellar, storage; cellar, storage; 1st floor, examination room, consultation room and waiting room; 2nd floor, sitting room and ward; 3rd floor, 3 private rooms; 4th floor, 3 bedrooms; 5th

floor, one private room and two operating rooms; 6th floor, 6 single bedrooms; that the building is equipped with one 3 ft. wide unenclosed wood stairs, from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that permission is requested to retain the existing elliptical stairway, approximately 4 ft. in width, extending from the 1st to the 5th floors and to retain the present 3 ft. stairway from the 5th floor on the roof; that the building was constructed as a fireproof structure; that all partitions are built of 4 in. terra cotta blocks and that the floors are steel and concrete; and

WHEREAS, the applicant has requested that the appeal be withdrawn, inasmuch as the owner has decided to abide by the decision of the borough superintendent and to comply with all requirements of the Administrative Building Code.

Resolved, that the appeal be and it hereby is *withdrawn.*

Adjourned: 11:55 A.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 22, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE APPEALS

10-45-A

APPLICANT—Hopewell Society of Brooklyn, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—218 Gates avenue, south side, 146.5 ft. east of Classon avenue (Block 1985, Lot 14), Borough of Brooklyn.
APPEARANCES—
For Applicant: Agnes Fowler.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (10-45-A)

WHEREAS, Hopewell Society of Brooklyn, owner, filed January 8, 1945, an appeal from an order of the fire commissioner, affecting 218 Gates avenue, south side, 146.5 ft. east of Classon avenue (Block 1985, Lot 14), Borough of Brooklyn; and

WHEREAS, order No. 14037-LF, of the fire commissioner, issued December 22, 1944, reads:

"1. Have watchman patrol all portions of the premises and record his movements at each station. Tours or rounds are to be made once every two hours beginning at 6 P.M. and continuing until the day staff have resumed their duties. Used dials are to be kept on file on the premises so that same can be inspected by this department. 487 E2.0C-2 Adm. Code."

and

WHEREAS, the applicant states the building is 3 stories (50 ft.) in height; 50 ft. by 85 ft. in area; of Class 3 construction; erected about 1885; located in a residence use, B area, Class 1¼ height district, and used and occupied since 1922 as follows: Subcellar, heating plant, 1 person; cellar, laundry and storerooms, 2 persons; 1st floor, office, dining room and kitchen. 8 persons; 2nd floor, nursery department, 25 persons; 3rd floor, children's department and employees, 35 persons; that no change in use or occupancy is proposed; that Certificate of Occupancy 3960, issued June 1, 1923, permitted the use of the building as an "Orphanage"; that the building is equipped with a standpipe system and interior fire alarm system and that fire drills are maintained; that there are two interior stairs, one at the front and one at the rear of the building, three ft. wide, constructed of wood and leading to the porch; that a ladder and scuttle to the roof has been provided; that there are two fire escapes, one on the east side and one on the west side of the building, extending to the roof by stair and to the yard by stair, with egress through the yard to the street, that window and door openings along the course of the fire escape are fireproof self-closing; and

WHEREAS, the applicant contends that this appeal is for a modification of the requirements, as to the number of rounds to be made each night by the watchman; that until 10 o'clock at night, there is a full staff on duty and the applicant requests permission to have the watchman begin his rounds at that time and continue on a two hour basis until 6 o'clock in the morning when the day staff takes over.

Resolved, that Order 14037-LF of the Fire Commissioner, be and it hereby is *modified,* as to item 1, and that the appeal be and it hereby is *granted on condition* that in all other respects, the watchman's system shall comply with all the requirements therefor and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and the watchman's service shall be maintained as proposed, starting at 10 P.M. and continuing at two hour intervals until 6 A.M., daily.

92-45-A

APPLICANT—Lama and Proskauer, for Moe Bernard Scheyer, owner (A. R. Runy, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1431 Broadway, north side, 20 ft. west of Madison street (1st floor); (Block 3357, Lot 2), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (92-45-A)

WHEREAS, Lama and Proskauer, for Moe Bernard Scheyer, owner (A. R. Runy, lessee), filed February 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 1431 Broadway, north side, 20 ft. west of Madison street (1st floor); (Block 3357, Lot 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on P. A. Applic. 787-44, dated February 8, 1945, reads:

"1. For the number of persons stated, two remote means of egress to the street are not provided, as required by Sec. 6.1.2.2.2 of the Bldg. Code."

and

WHEREAS, the applicant states that the building is 3 stories (30 ft.) in height, 20 ft. by 79 ft, in area at 1st floor, 20 ft. by 50 ft. in area at typical floor, of class 4 construction, erected in 1899, located in a business use, C area, Class 1 height district and used and occupied since 1922 as follows: cellar—storage and candy manufacture, 1 person; 1st floor—ice cream parlor and luncheonette, 95 persons; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; that the building is equipped with one interior stairs at the front of the building, 2 ft. 8 in. in width, of frame construction, enclosed with plaster partitions on wood studs, equipped with wood doors, provided with a scuttle to the roof and leading directly to the street; and

WHEREAS, the applicant contends that the use on the 1st floor was established in 1922, at which time permit 6647-22 was approved, to permit the construction of a rear extension; that on such plans, there is a notation for refrigeration

connection and dish washer connection to drain to a sink in the cellar; that the present occupant will comply with all laws, rules and regulations as prescribed by Local Law 29, with the exception of Sect. 6.1.2.2.2 of the Building Code; that there is a 3 ft. wide door at the front of the building and a 3 ft. door at the rear, leading to an open yard; that consent from the adjoining property owner to the west has been procured permitting the use of his exit facilities in the event of fire; that there is at the rear of the show case, a 2 ft. 8 in. door leading to a hall, which leads directly to the street; that the total number of persons, including the employees, will not exceed 95; that in view of the above facts, it is requested that the appeal be granted; and

WHEREAS, the applicant has filed a copy of an agreement with the adjoining owner of premises 1429 Broadway to erect a door in the fence for exit purposes, signed January 31, 1945 and expiring July 31, 1949.

Resolved, that the decision of the borough superintendent on P. A. Applic. 787-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that the means of exit as herein proposed, and as shown on plans filed with this appeal, marked "Received February 23, 1945" (2 sheets), shall be maintained; that the bridge over the vault area at the rear shall be constructed of concrete slab, approximately 4 ft. in width, instead of iron grating; that the number of persons shall not exceed 95, as proposed; that this modification shall continue only so long as the agreement is in effect with the adjoining owner of premises 1429 Broadway, permitting the erection of a door in the fence for exit purposes; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

246-45-A

APPLICANT—Remington Rand, Inc., lessee, for Milchester Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—303-311 4th avenue and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and W. M. Huber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (246-45-A)

WHEREAS, Remington Rand, Inc., lessee, for Milchester Realty Corp., owner, filed April 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 303-311 4th avenue, and 107-113 East 23rd street, northeast corner (1st floor); (Block 879, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 13, 1945, on Alt. Applic. 1848-44, reads:

"1. State number of persons to be employed in repair shop and at service counter. Also state total number of persons employed at factory work throughout building. Total number including those in repair shop and at service counter in first story must not exceed 5 persons, as building does not comply with Sec. 270 L.L. (N.B. 403 of 1921)

Building does not comply with Sec. 270 L.L. in the following respects:

a. Building is not fireproof.
b. Both stairs do not extend to roof.
c. Stairs are not continuously enclosed in fireproof partitions from street to roof.
d. Treads are not 10" in width exclusive of nosings.
e. Access to stairways is not provided from floor area except through passing through one means of egress to reach the second.
f. Lawful exits from cellar not provided.
g. Stairs in cellar are not enclosed in fireproof partitions as required for vertical openings.

2. Statement required on plans filed that both exits at second floor are accessible from all parts of floor area without going through one stairway to reach the other.

3. All doors to passage marked 'existing passage' should be f.p.s.c. and should not obstruct passageway when opened. Note that passage does not appear on previously approved plans.

4. Show swing of doors to agree with that on previously approved plans.

5. Swing of door in first story at stairhall obstructs egress from stairs.

6. Fire alarm signal system and fire drills required by Sec. 279 L.L., unless building is protected throughout by an approved automatic sprinkler system having two adequate sources of water supply as per Sec. 279-3 L.L."

and

WHEREAS, the applicant states that the building is 5 stories (60 ft.) in height, 98 ft. 9 in. by 156 ft. in area, of class 3 construction, erected in 1921, located in a business use, B area, class 2 height district and used since 1922 as follows: cellar—store room, stationers, printing and offices—8 persons; 1st floor—stores—56 persons; 2nd to 5th floors—offices, salesrooms and manufacturing metal parts and minor repairs —72 persons on the 2nd floor, 50 persons on the 3rd floor; 70 persons on the 4th floor and 63 persons on the 5th floor; proposed to be used and occupied as follows: cellar—same; 1st floor—stores and service salesroom for Remington Rand—89 persons; 2nd to 5th floors—offices and salesroom —72 persons on the 2nd floor; 50 persons on the 3rd floor; 70 persons on the 4th floor and 63 persons on the 5th floor; that the building is equipped with an approved two source sprinkler system and with two interior fireproof stairways, each 3 ft. 8 in. wide, fireproof enclosed and equipped with fireproof, self-closing doors; that the east stairway extends to a bulkhead and the stairhall leads directly to the street; and

WHEREAS, Certificate of Occupancy 5361, issued October 23, 1922 under N. B. Applic. 403-21, permits the use and occupancy of the building as follows: cellar—storage; 1st floor—stores—17 persons in each store—120 lbs. liveload; 2nd to 5th floors—offices—50 persons on each floor—liveload 60 lbs. per floor; and

WHEREAS, Violation 880 was issued February 14, 1945, for changing the occupancy of the building from offices to factory with 49 persons employed, contrary to Certificate of Occupancy 5361, which calls for offices; and

WHEREAS, the applicant contends that Alt. Applic. 1848-44 filed with the Department of Housing and Buildings, indicates a portion of the 1st and 2nd stories to be used by Remington Rand, and the application was disapproved on the basis that the building would be a factory building; that the occupancy in question in this appeal relates only to part of the 1st story, wherein the applicant conducts a service in connection with electric razors sold by the firm; that the nature of this work should not bring it within the factory occupancy classification, as the operation is more in the nature of service in connection with a sales operation; that, for example, a customer may deliver an electric razor which may be opened by a salesman at a counter, a clerk who simply removes a part and replaces it with another part for whatever particular defective item is being taken care of; that no part of the razor is made, ground or repaired on the premises; that the motors of the razors may be examined, to determine if they are defective, but the entire operation should not be construed as coming within the classification of factory work; that the proposed use is not to be considered in connection with any use that may now be in violation of the Labor Law in the remainder of the

premises, since it is the applicant's understanding that the owners of the premises intend to comply with the law so far as the building is concerned; that the total number of employees within the area under appeal will be 33 persons of which 10 persons will be at the service counter; that the building is equipped with two fireproof enclosed stairways, an automatic sprinkler system having two sources of supply, a 10,000 gallon gravity tank and a 7500 gallon pressure tank; that the proposed use relates only to part of the 1st story; that the upper portion will be maintained in accordance with that permitted by the certificate of occupancy; that Section 10 of the Labor Law defining factory buildings, eliminates from the classification of factory buildings, a building used exclusively for dwelling purposes above the first story; that accordingly, the building could be used on the ground floor for factory purposes, and if the upper portion was used for dwelling purposes with people who live there day and night, the building would not be considered a factory building, nor would the provisions of the Labor Law apply to the upper portions; that in the instant case, the upper portions would be used for a conforming use permitted under the certificate of occupancy and therefore should the type of work be construed as factory work, these structural changes which only affect the upper part of the building, should not be required because of the use of the 1st story; that the applicant occupies the premises adjoining to the north at 315 4th avenue and it is proposed to make a horizontal opening on the 1st story, protected by fireproof, self-closing doors, for access from present premises to the premises under appeal; that in view of the limitations as to the proposed use, it is requested that the appeal be granted.

WHEREAS, under Cal. 395-30-S, an appeal was denied, to permit the building to be occupied for factory purposes and an action to review the determination by the Court was discontinued; and

WHEREAS, the building has been inspected by a Committee of the Board and the Fire Department and found to be substantially as represented, except that there are sixty persons engaged in factory work, employed by various tenants in the building, contrary to the certificate of occupancy, and which work, the owner states, will be discontinued; and

WHEREAS, the Committee has also examined the process referred to and as proposed to be conducted on the first floor northerly store and is of the opinion that the process comes within the purview of work for a factory as defined in the Labor Law, Section 2, paragraph 9, as interpreted by numerous court decisions; and

WHEREAS, the Committee recommends that the variance of the Labor Law be granted, provided the proposed factory work is restricted to the space as proposed on the street floor, and that such a variance shall not be construed as approving any other factory use in the building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. App. 1848-44 and that the appeal be and it hereby is *granted on condition* that the factory work proposed shall be restricted to the store on the first floor, to be occupied by the Remington Rand Company, as indicated on plan filed with this appeal marked received "April 26, 1945" and as herein set forth, *on condition* that the two existing doorways to the corridor of the building shall be maintained with the doors swinging outwardly; that the entrance door to Fourth avenue shall be maintained; that any glass windows in the building entrance corridor partition shall be removed and approved masonry substituted therefor, as required; that any connection between this space and the adjoining building to the north shall have closure doors, as required for such a condition and not as indicated on plan filed with this appeal; that this variance shall continue only so long as the space is occupied substantially as set forth and by the Remington Rand Company; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the sprinkler system shall be maintained to the satisfaction of the Fire Commissioner; that nothing herein shall be deemed to approve the use of other portions of the building for factory work and that the building shall otherwise be maintained in accordance with Certificate of Occupancy 5361, issued October 23, 1922.

265-45-A

APPLICANT—Reinhard L. Heeren, for Brooklyn Union Gas Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—287-473 Maspeth avenue, northeast corner of Varick avenue (Block 2838, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reinhard L. Heeren and William M. Wepfer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (265-45-A)

WHEREAS, Reinhard L. Heeren, for Brooklyn Union Gas Co., owner, filed May 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 287-473 Maspeth avenue, northeast corner of Varick avenue (Block 2838, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, on Alt. Applic. 1228-45, reads:

"1. As area and height of building (with new extention) will exceed that permitted for Class 3 construction, all steel therefore must be fireproofed to comply with Class 1 construction. Sec. 4.2.1 Bldg. Code.

2. Exits to comply with Sec. 270 of the Labor Law.

3. Openings between floors to be enclosed with 3 hour construction as per Sec. 10.5.1 of Bldg. Code and Sec. 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is 3 stories (91 ft.) in height, 185 ft. 2¾ in. by 103 ft. 2 in. in area; of Class 3 construction; erected in 1927; located in an unrestricted use A area, Class 1½ height district, and used and occupied since 1927 as a generator house, holding six generators—1st floor, removal of ashes from generators, 2 persons; 2nd floor, cleaning and access to equipment, 10 persons; 3rd floor, charging and operating generators, 10 persons; and

WHEREAS, it is proposed to increase the size of the building to 243 ft. 10¼ in. by 103 ft. 2 in., the existing building being 103 ft. 2¾ in. by 185 ft. 2¾ in.; that the building is equipped with an approved standpipe system, with 5 existing stairways, 3 on the south side and 2 on the north side, all extending to the bulkhead; that the stairs are 3 ft. 8 in. and 2 ft. 6 in. constructed of steel stringers and treads and are not enclosed; and

WHEREAS, the applicant states that the steadily increasing demand for gas, due in part to the scarcity of other fuels, makes any idea of further deferment of the installation of additional equipment for making gas, out of the question and accordingly, the owner has contracted for a large quantity of new plant equipment, for which priorities have been obtained from the War Production Board; that included in the apparatus purchased are two gas generators, which are to be placed in an extension to the existing generator house constructed in 1927; that the present building is covered by permit of the Department of Housing and Buildings No. 673-27; that the extension is to be substantially of the same construction, width and height as the existing building, except that the present 2 story lean-to on the north side is not to be extended; that the length of the extension is about 60 ft.; that application was made to the Department of Housing and Buildings for a permit for the extension, but it was denied on the ground stated in objection sheet dated

May 2, 1945; that it was always intended to increase the gas making capacity of the plant, by extending the generator house in the manner proposed, as is evidenced by the fact that the approved plans of the present building show a temporary west end, which would be removed when the need for more capacity arose; that the present Building Code which took effect on January 1, 1938, was radically changed from that previously in use and is evidently the cause of the rejection of the application, and it would seem fair to make an allowance for this fact in the consideration of this appeal; that the construction of the extension is such that the apparatus rests on a steel structure and in part, supports it; that the floors are working platforms for access to the apparatus and in the main, are covered with steel plates, which construction cannot be properly fireproofed, as would be required for a Class 1 structure; that the building is nothing more than a shelter, primarily intended for the apparatus, not for the men; that if the owner were required to install a fire wall with automatic fire doors, etc. between the present building and the extension, to bring the structure within the area permitted by a Class 3 building, it would be necessary to redesign the building, on account of the space taken up by the wall, at a loss of time, which would make it impossible to have the equipment in place and operating in time to take next winter's heaviest loads; that in addition, it would be practically impossible to close off the conveyor belt traveling under the roof for the length of the building, at the place where it would cross the fire wall; that even if the length of the building were reduced by a fire wall, the height would still be in excess of that allowed by a Class 3 (non-fireproof) building, with no means of reducing it to the required height; that it is impracticable to close in these stairs or to otherwise comply with objection 2; that the number of men in the generator house at any one time is small, due partly to automatic operation of the generators, the total being less than 25 persons; that experience has shown that the fire danger in gas generator houses is extremely small, as there is practically no combustible material in these structures; that it is desirable to keep the stairways open in the gas generator houses for ventilation, as well as to enable the operators to have a clear view of the machine at all times; it is therefore respectfully requested that the three items of the objection sheet be waived and that permission be granted to erect the building as designed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1228-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* and that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent on Alt. Applic. 1228-45, objections 2 and 3, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height and area; that otherwise it shall be maintained as proposed, except that the exterior walls shall comply with the requirements of the Code for a Class 3 building; that at no time shall there be more than twenty-five persons employed in the building; and, *granted* only so long as the building is used substantially for the purposes set forth; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

277-45-A

APPLICANT—Harley, Ellington and Day, for Liebmann Breweries, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48-66 Forrest street, southwest corner of Evergreen avenue and southeast corner of Stanwix street (Block 3146, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Mitschke and Herman Reese.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (277-45-A)

WHEREAS, Harley, Ellington and Day, for Liebmann Breweries, Inc., owner, filed May 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 48-66 Forrest street, southwest corner of Evergreen avenue and southeast corner of Stanwix street (Block 3146, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1314-1945, dated May 3, 1945, reads:

"1. Proposed use of cork insulation in hop storage room on the 4th floor of bldg. of class 1 construction, does not comply with Sec. 10.3.1 Bldg. Code, and also Sec. 10.9.1 Bldg. Code.

2. Proposed use of sliding doors on stairway violates Sec. 270-5 Labor Law."

and

WHEREAS, the applicant states that the building is 5 stories (84 ft.) in height, 89 ft. 8½ in. by 121 ft. 8 in. in area at 1st floor, 98 ft. 8 in. by 121 ft. 8 in. in area at typical floor, of class 1 construction, erected in 1880, located in an unrestricted use, B area, class 1¼ height district and used and occupied since approximately 1882 as follows: cellar—ale cellar—3 persons; 1st floor—brewing equipment—6 persons; 2nd floor—same—6 persons; 3rd floor—brewing equipment and storage room—4 persons; 4th floor—same—4 persons; 5th floor—hot water tanks and brewing equipment—2 persons; that no change in use or occupancy is proposed, with the exception of the 5th floor which will be used for malt hoppers and storage room—2 persons; that the building is equipped with two interior stairways, one located at the northwest corner and the other at the southwest corner of the building, each 3 ft. 8 in. in width, extending to the roof bulkhead, of steel and concrete construction, enclosed in 8 in. and 12 in. brick; equipped with self-closing 1½ and 3 hour fireproof doors and leading directly to the street; and

WHEREAS, the applicant contends as to Objection 1, that the entire structure is fireproof; that the cork insulated hop storage room on the 4th floor is built entirely separate and apart and is enclosed with 12 in. masonry walls, reinforced concrete ceiling and floor; that the cork insulation is finished with ½ in. cement plaster; that the 1½ in. cement finish, as required by the Code applied on cork, would be too heavy for direct application; as to Objection 2, that the location of new stairhall #2 with direct exit to the street, allows for little clearance in direction of traffic for swing of doors to the stairhall and in lieu of same, it is proposed to use sliding doors 1½ hour and 3 hour assemblies; that six occupants are the maximum on any floor and are served with two separate stairs, one having regulation swing doors.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1314-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* and that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, on Alt. Applic. 1314-45, objection 2, and that the appeal be and it hereby is *granted on condition* that the cork insulation in hop storage room shall be maintained as proposed; that the cement plaster on the face of the cork insulation shall not be less than a full one-half inch; that the doors to stairhall No. 1 shall be maintained swinging, as shown on plans filed with this appeal, marked "Received May 9, 1945", and sliding doors to the secondary means of exit shall be maintained as proposed; that such doors shall be automatic, self-closing and normally kept closed; that the number of persons on any floor at any one time shall not exceed six (6); and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MINUTES

283-45-A

APPLICANT—Emil Backstrom, for Defense Plant Corporation, owner (Ranger Aircraft Engines, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—184-10 Jamaica avenue, south side, 429.71 ft. east of 183rd street (4th floor, Building 1); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Emil Backstrom.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (283-45-A)

WHEREAS, Emil Backstrom, for Defense Plan Corporation, owner (Ranger Aircraft Engines, lessee), filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 184-10 Jamaica avenue, south side, 429.71 ft. east of 183d street (Bldg. #1, 4th floor); (Block 10352, Lots 70 and 71), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated April 27, 1945, re Alt. Applic. 628-45, reads:

"1. The construction of a steel and glass partition to be used as a corridor leading to an exit, is contrary to section 270, subdivision 6 of the Labor Law.

2. The installation of sealing devices on required exit doors, is contrary to section 272, subdivision 3 of the Labor Law."

and

WHEREAS, the applicant states that the building is 5 stories and penthouse (64 ft.) in height, 120 ft. by 247 ft. in area; of Class 1 construction; erected in 1922; located in an unrestricted use, Class 1 height district; used and occupied since 1942 as follows: Cellar, storage, 35 persons; 1st to 5th floors, inc., factory, 220 persons per floor (except 4th floor, 193 persons); north penthouse, storage, 50 persons; south penthouse, same, 50 persons; that Certificate of Occupancy #29654, issued August 18, 1943, permits the use of the building for factory and storage, floor loads and occupancy as follows: Basement—(on ground) 35 persons; 1st to 5th floors, 140 lbs. per floor, 220 persons per floor; north penthouse, 30 lbs., 50 persons; south penthouse, 30 lbs., 50 persons; that the building is equipped with a two-source sprinkler system and an approved standpipe system; that there are three interior stairs extending to the roof bulkhead, each 3 ft. 8 in. wide, of concrete construction, enclosed with brick and concrete and having metal, self-closing underwriters doors; that one stairway leads directly to the street and the other two stairways lead to a court; and

WHEREAS, the applicant contends that the property was acquired by the Defense Plant Corporation in 1944, and is leased by Ranger Aircraft Engines Division of Fairchild Engine and Airplane Corporation, for the manufacture of vital war material; that alterations are to be made on 4th floor only; that the occupancy will be 193 persons for that floor; that as to Objection 1, over 500 linear feet of wood partitions will be removed from this area, which is in accordance with Section 270, sub. 6 of the Labor Law; that the use of this area will be for the duration of the Lark Project; that the stairways are adequate and in accordance with the rules of the Dept. of Housing and Buildings; that the approval is sought for the use of steel partitions, as shown on drawing filed with this appeal; as to Objection 2, the following is a memo from Ranger Aircraft Engines Division to the Bureau of Aeronautics Representative, U. S., upon which this appeal is based:

"1. In order to acquire the necessary dispensations for closing off entrances and exits to the Ranger-Lark location on the 4th floor at the Jamaica plant, it is hereby respectfully requested that your office approve the following:

a. That the small door at the east stairway be secured by panic bolts on the inside, in order that the emergency exit may still be available, but entrances would be controlled.

b. That the large door at the west stairway rear be secured by panic bolts on the inside, in order that the emergency exit may still be available, but entrances would be controlled. In addition we will wire this door, so that the persons seeking admittance from the freight elevator location immediately adjacent, can signal the guard on the inside.

c. That the freight elevator in the central floor location on the south end of the building be securely locked, since its use is not required at this landing.

d. That the freight elevator at the northwest corner immediately to the rear of the main entrance door be securely locked, since its use is not required at this landing."

and

WHEREAS, a letter dated May 3, 1945, from the Bureau of Aeronautics representative, U. S. N., addressed to Ranger Aircraft Engines, reads in part:

"2. In view of the classified nature of the work being undertaken by the Ranger-Lark Division on the fourth floor of the Ranger-Jamaica Plant, the security measures recommended in reference (a) are considered as necessary by this office and should be installed—provided, however, the necessary dispensations are obtained from the Board of Standards and Appeals, New York City."

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent, acting on Alt. Applic. 628-45, and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that the steel and glass partitions as proposed and as indicated on plans filed with this appeal marked "Received May 10, 1945", shall not exceed 7 ft. in height, except that such partition at conference room may extend to ceiling as proposed; as to Objection 2, that panic bolts may be installed on exit doors on the fourth floor, as indicated on plans filed with this appeal marked "Received May 10, 1945", provided such panic bolts are of approved type and are removed upon the termination of the present emergency or within six (6) months thereafter; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, otherwise as modified under Cal. Nos. 298-21-A, 530-21-A, 356-42-A, 24-43-S and 665-44-A.

392-41-A

APPLICANT—Slee and Bryson, for Gould and Taylor Cut Stone Company, Incorporated, owner (American Nickel Alloy Mfg. Corp., lessee).
SUBJECT—Application for consideration—reopening, amendment of resolution and extension of variance—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—310-318 Third avenue, west side, 157 ft. 8 in. south of Carroll street and 466-468 Carroll street (Block 453, Lot 52) Borough of Brooklyn.
APPEARANCES—
For Applicant: John B. Slee, K. E. Blomberg and W. B. Lobbenberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (392-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 310-318 Third avenue, west side, 157 ft. 8 in. south of Carroll street and 466-468 Carroll street (Block 453 Lot 52), Borough of Brooklyn, was granted by the Board on May 13, 1941, on certain conditions; and

WHEREAS, the applicant requested on amendment of the resolution, relative to an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 13, 1941, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"that this variance shall continue for a term not exceeding six (6) years from the date of this *amended* resolution; that in the event the adjoining vacant premises are under another ownership, the requirements of this resolution shall nevertheless be complied with and an agreement allowing exit over such premises, shall be filed with the borough superintendent; that other than as herein *amended,* the conditions of the resolution of May 13, 1941, shall be complied with."

407-42-A

APPLICANT—Raymond Irrera, for 28th Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block 678, Lot 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (407-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 31-81 Steinway street, east side, 100 ft. north of Broadway (Block 678, Lot 9), Astoria, Borough of Queens, was granted by the Board on April 6, 1943, on certain conditions; and

WHEREAS, the resolution was amended on April 17, 1945 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 6, 1943, as amended April 17, 1945, so that as further amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent acting on Alt. Applic. 564-42, Objs. 1 and 2 of February 2, 1943, be and it hereby is *modified* and that the appeal be and it here is *granted on condition* that the building shall not be increased in height or area, that this variance shall continue only while the occupancy is retail sale and display of household furniture; that the side walls of the three-story building shall be brick-filled; that no new opening in the sidewalls shall be constructed; that the floors in the three-story building shall be reinforced in a manner similar to that proposed and to the satisfaction of the borough superintendent, so as to provide a floor loading per superficial foot of 75 lbs., except for the office space on the second floor over the show windows, which may have a floor loading of 50 lbs. per superficial foot; that the main interior stairs shall be enclosed as proposed on the basement, first, second and third floors, and the rear stairs from the second story to the underside of roof beams on the third story with a 1-hour enclosure with fireproof self-closing doors; that the existing fire escape shall be provided with a gooseneck ladder to roof of third story; that a loose iron ladder shall be provided on the roof of the one-story extension of sufficient length to reach the rear yard; that a scuttle and ladder shall be provided within the main stairway enclosure at third story to provide access to roof; that at least one window at rear of 1st story shall be changed to a door to provide access to rear yard from which access shall be provided through adjoining premises, and the consent of the adjoining owner for such access through fence shall be filed with the borough superintendent; that trap doors in sidewalk now in front of the main entrance shall be relocated southerly as proposed and shown; that not less than three well holes shall be constructed at intervals of 25 feet in the first floor with removable covers not less than 1 foot square, located substantially in line with the center of building for Fire Department use in the event of a cellar fire, and maintained unobstructed; that the number of occupants employed throughout the building shall not exceed ten (10); that such portable fire fighting appliances shall be maintained as the fire commissioner shall require; that in all other respects, the building and its use and occupancy shall comply with all laws, ordinances and regulations applicable thereto.

Resolved further, that any side walls of any portion of the building that are not masonry or brick-filled between studs shall be filled in between studs for the full height, with Vermiculite concrete or Vermiculite plaster.

Resolved further, that at least one window at the rear of the first story shall be changed to a door, to provide a means of escape to the rear yard and to the adjoining premises."

728-42-A

APPLICANT—Economics Laboratories, Inc., contractual owner; Crane Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution and extension of the variance—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1075 Irving avenue, northeast corner of Schaeffer street (Block 3541, Lot 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry Saia and Gustave W. Iver.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (728-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1075 Irving avenue, northeast corner of Schaeffer street (Block 3541, Lot 7), Ridgewood, Borough of Queens, was granted by the Board on October 14, 1942, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 14, 1942, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1788-42, Objection Nos. 1 and 7, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building

shall not be increased in height or area; that the building shall be occupied substantially as proposed with not more than 10 per cent of the floor space, occupied for manufacturing purposes, toward the center of the building and adjacent to the proposed tower; that the balance of the building shall be occupied for the storage of the products; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that this modification shall continue only for a term of two (2) years, from the date of this *amended* resolution, but shall be subject to review by this Board for considering the requirement that additional fire fighting appliances shall be installed, if determined necessary; that during the term of this modification, no material requiring the issuance by the Fire Commissioner for combustible or inflammable occupancy shall be stored; that the exterior of the tower shall be surfaced with asbestos shingles or some other incombustible material satisfactory to the borough superintendent; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that the frame extension, consisting of canopy over shipping platform at the rear of the building, may be constructed, as indicated on plans marked "Received May 21, 1945", provided that in all other respects, the requirements therefor are complied with and that a certificate of occupancy shall be obtained."

577-44-A

APPLICANT—Joseph J. Furman, for Peoples Realty Corp., owner (Tom Mooney Hall Assn., Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—13-15 Astor place, northwest corner of Lafayette street and 138-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph J. Furman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (577-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 13-15 Astor place, northwest corner of Lafayette street and 136-146 East 8th street (10th and 11th floors); (Block 545, Lot 65), Borough of Manhattan, was withdrawn on October 31, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, this appeal was granted by the Board on April 10, 1945, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 10, 1945, so that as amended, the resolution shall read as follows:

"*Resolved,* that the decision of the borough superintendent on Alt. Applic. 209-45, Objections 1 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the full stairway on the East 8th street side, as indicated on revised plans marked "Received March 28, 1945" as further amended by revised plans marked "Received May 14, 1945", shall be constructed and maintained; that the doors leading from the lobby to both East 8th street and Astor place shall be of an approved type; that such stairway shall be enclosed in lawful partitions; etc. * * * and that other than as herein *amended,* the conditions of the resolution of April 10, 1945, shall be complied with."

533-44-A

APPLICANT—National Feather and Down Co., owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (533-44-A)

WHEREAS, the National Feather and Down Co., owner, filed on September 15, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

62-28-A

APPLICANT—William C. McTarnahan, for Petroleum Heat and Power Co. Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—East side of Eastchester Creek and Northern Boundary Line (Block 5655, Lots 375, 382 and 400), Borough of The Bronx.

APPEARANCES—

For Applicant: August F. Morganier.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

4-45-A

APPLICANT—Cafiero and Lacerenza, for Louis and Leopold Zirinsky, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—68-94 Sackett street, 89-99 Van Brunt street, southeast corner and 69-87 Union street (1st floor); (Block 335, Lots 1 and 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: William A. Lacerenza and Louis Zirinsky.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

MINUTES

100-45-A

APPLICANT—Ben C. Block, for 744 East 138th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—744 East 138th street, southeast corner of Bruckner (Eastern boulevard); (1st and 2nd floors); (Block 2566, Lot 52), Borough of The Bronx.

APPEARANCES—

For Applicant: Ben C. Block.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without prejudice to renewal.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

115-45-A

APPLICANT—Kitzler and Nurick, for Richmond Hill Realty Corp., owner (Endo Products, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—84-40 101st street, west side, 346.31 ft. south of Park Lane South (Block 9177, Lot 23), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Henry J. Nurick and D. L. Klein.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

226-45-A

APPLICANT—Stohldrier and Zetsche, for My-R Construction Corp., owner (872 Gerard Avenue Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert G. Zetsche, Henry E. Stohldrier and S. N. Bender.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 5, 1945 at 2 P. M., pending an inspection by a committee of the Board.

239-45-A

APPLICANT—Samuel Rosenblum, for 198 Broadway, Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to June 5, 1945 at 2 P. M., for applicant to submit plans to Fire Department.

298-39-A

APPLICANT—C. H. Simmons, Jr., for The Corporation of the Brick Presbyterian Church in the City of New York, owner.

SUBJECT—Application reopened April 17, 1945—re Appeal from an order and a decision of fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan.

APPEARANCES—

For Applicant: C. H. Simmons, Jr., Dr. Paul A. Wolfe and Curtis Grove.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to June 5, 1945 at 2 P. M., pending an inspection by a committee of the Board.

ZONING APPLICATIONS

253-23-BZ

APPLICANT—Samuel Gardstein and Son, for Vernon Terrace, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—14-18 East 98th street, west side, 102 ft. south of East New York avenue (Block 4600, Lots 15-23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Gardstein and Solomon Pulin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (253-23-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles, affecting premises 14-18 East 98th street, west side, 102 ft. south of East New York avenue (Block 4600, Lots 15-23), Borough of Brooklyn, was granted by the Board on June 26, 1923, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, re Alt. Applic. 1306-45, dated May 8, 1945, which reads:

"1. As present non-conforming use was granted conditionally by the Board of Standards and Appeals under Cal. 253-23-BZ, any change in the conditions of such use must be submitted the said Board for their consideration."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 26, 1923, by adding thereto:

"* * * that in the event the owner, Terrace Company, desires to lease the building for a conforming use for a term during the present emergency, that such use may be permitted, provided the building complies in all respects with the requirements therefor, without prejudice to the restoration of the garage use upon the termination of such proposed use and that other than as herein *amended,* the conditions of the resolution of June 26, 1923, shall be complied with and that a certificate of occupancy shall be obtained."

55-32-BZ

APPLICANT—Boardwalk Garage, lessee, for Brighton Beach Holding Corp., owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles (previously granted by the Board for erection and maintenance of garage and gasoline service station on part of lot).

PREMISES AFFECTED—202-214 Brighton Beach avenue and 2-20 Brighton 1st road (Calm street), southwest corner (Block 7284, part of Lot 1727), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Barash.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (55-32-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the alteration and conversion of an existing building to a garage for more than five motor vehicles, and also the installation of a gasoline service station, affecting premises 128-138 Brighton Beach avenue, south side, 110.8 ft. west of Calm street, Borough of Brooklyn, was granted by the Board April 1, 1932 on certain conditions, the resolution amended December 6, 1932 and May 8, 1934; and

WHEREAS, the resolution was further amended June 17, 1941, permitting the parking and storage of more than five (5) automobiles under section 7c of the zoning resolution, affecting premises 202-214 Brighton Beach avenue and 2-20 Brighton 1st road (Calm street), southwest corner (Block 7284, part of Lot 1727), Borough of Brooklyn; and

WHEREAS, on September 23, 1941, the Board granted an extension of time to obtain permits and complete the work; and

WHEREAS, the permit was extended on June 8, 1943 and the applicant requested a further extension of such permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 1, 1932, as amended through June 8, 1943, only so far as it has reference to the term of the permit for parking and storage, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7c for a term of two years from the date of this *amended* resolution, to permit the adjoining premises to the east under the same ownership, etc. * * * and that other than as herein *amended,* the conditions of the resolutions of June 17, 1941 and June 8, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

79-37-BZ

APPLICANT—George Jamison, for Katie Jamison, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—1015-1021 East New York avenue, northwest corner of Rochester avenue (Block 1420, Lot 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (79-37-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles, affecting premises 1015-1021 East New York avenue, northwest corner of Rochester avenue (Block 1420, Lot 41), Borough of Brooklyn, was granted by the Board July 7, 1937, on certain conditions; and

WHEREAS, the permit was extended on June 20, 1939, May 27, 1941 and May 18. 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 7, 1937, as amended through May 18, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot under appeal, Lot 41, to be used for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolutions of July 7, 1937 and May 27, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

575-25-BZ

APPLICANT—Reginald S. Hardy, for Sophie Himmelstein, owner (507 Flatbush Avenue Corporation, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under sections 7f and 21 of the zoning resolution, permitting in a business use district, the change of occupancy of a garage for more than five motor vehicles (previously granted by the Board), to include a motor vehicle repair shop, service station, show room and sales place for motor vehicles.

PREMISES AFFECTED—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (Block 1197, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Anna E. Cain.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

428-44-BZ

APPLICANT—Harley, Ellington and Day, for Liebmann Breweries, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use district, the extension in height of existing building in excess of 75 ft., to be used for beer storage (stock) and fermenting not in conformity with Section 8, sub. b, Art. II of zoning resolution.

PREMISES AFFECTED—51-67 Monteith street, north side, 125 ft. east of Stanwix street (Block 3140, Lot 20), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Herman Reese.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn on request of applicant's representative.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

114-28-BZ
APPLICANT—Edward A. Brown, for Arthur Zimtbaum and Albert Horowitz, owners; Department of Sanitation of City of New York, lessee.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the fire commissioner) previously granted on condition under sections 7e and 21 of the zoning resolution, permitting in a business use district the erection and maintenance of a garage for the storage of more than five motor vehicles.
PREMISES AFFECTED—109-07 to 107-17 101st avenue (4453-4459 Jerome avenue) Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Edward A. Brown.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on June 12, 1945 at 10 A. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

1000-40-BZ
APPLICANT—Oscar Goldschlag, for Eckert Realty Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent)—under section 21 of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of the first story of an existing multiple dwelling to business use (stores); (previously withdrawn).
PREMISES AFFECTED—2337 Grand Concourse and 164 Field place, southwest corner (Block 3164, Lot 19), Borough of The Bronx.
APPEARANCES—
For Applicant: Oscar Goldschlag.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

786-42-BZ
APPLICANT—Chester A. Cole, for O. J. Heinzmann, owner.
SUBJECT—Application for consideration—reopening and extension of permit re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop).
PREMISES AFFECTED—8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond.
APPEARANCES—
For Applicant: Chester A. Cole.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on June 12, 1945 at 10 A. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 5:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0 Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
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§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl^2F^2 also dichlorotetrafluoroethane ("F-114") $C^2Cl^2F^4$ and monofluorotrichloromethane ("F-11") CFC^3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit system containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.
4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	¼	1	6
	50	250	⅓	1½	12
	100	400	½	2	16
	150	550	⅔	2½	19
	200	680	⅔	3	25
	250	800	1	3½	29
	300	900	1	4	32
	400	1,100	1¼	4½	38
	500	1,275	1¼	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0 Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1	Col. 2 Low Pressure Side	Col. 3
	High Pressure Side	With Safety Valves	Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane. No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons	1—½"	1—½"
30 to 60 tons	1—½"	1—¾"
60 to 100 tons	1—½"	1—1"
100 to 175 tons	1—½"	1—1¼"
175 to 250 tons	1—¾"	1—1½"
250 to 450 tons	1—1"	1—2"
450 to 900 tons	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO^2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

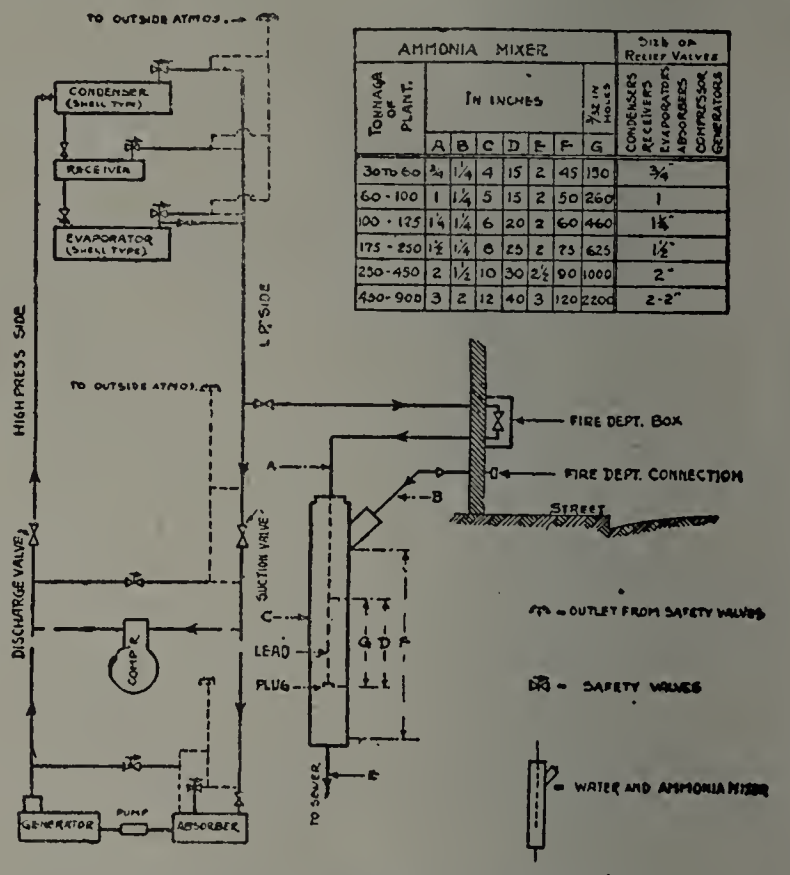
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

§C19-152.0. Violations.

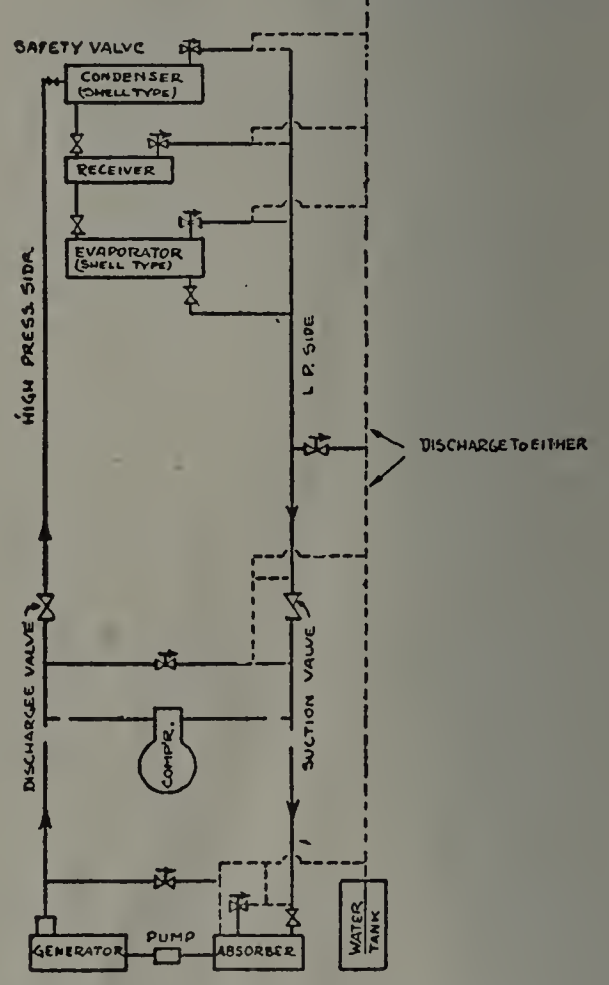
Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.



AMMONIA MIXER

Tonnage of Plant	In Inches							Size of Relief Valves
	A	B	C	D	E	F	G	Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250 - 450	2	1½	10	30	2½	90	1000	2"
450 - 900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT SECTION C19-107.0

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, laquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an in-

dividual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing, drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1.1 Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustile materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1" of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8" unsanded gypsum plaster or 7/8" of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire-fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each

oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal

of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and pipe protected from the woodwork by at least a 1" blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, flourescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10′) feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10′) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2 Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug where the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully engaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinet ventilated to the outer air. Such cabinet to be metal covered on all sides, including the door and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding* 6 *months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule 1.3.4 Heating of Rooms.

Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.

Rule 4.0 Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electric Lighting.

Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule 6. Material, Storage and Mixing.

Rule 7. General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN.

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to May 29, 1945.

Cal. No. *Dept.* *Premises Affected.*

306-45-SM—Giant High Early Strength Cement, manufactured by Giant Portland Cement Co., Material.

307-45-A—H.B.B.—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn, B.N.14277-36.

308-45-A—H.B.Q.—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk), Amendment to N.B.70-44.

309-45-SM—Vermiculite Plaster Fireproofing for Steel Columns, manufactured by Vermiculite Research Institute, Material.

310-45-BZ—H.B.Q.—258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens, N.B.135-45.

311-45-A—F.D.—Re: Transportation of Coal Tar Road Material in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), 41335-LC.

312-45-A—H.B.B.—1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floors); (Block 6774, Lots 55-61), Borough of Brooklyn, Alt. 778-45 to Alt. 784-45, inclusive.

313-45-A—H.B.Bx.—360-368 East 167th street and 1140 Teller avenue, southeast corner (2nd floor); (Block 2429, Lot 15), Borough of The Bronx, Amendment to Alt. 221-45.

314-45-A—H.B.M.—761-779 7th avenue, east side, from West 50th street to West 51st street (penthouse and roof); (Block 1003, Lot 1), Borough of Manhattan, Amendment to Alt. 11-45.

315-45-SM—Allentown High Early Cement, manufactured by Allentown Portland Cement Co., Material.

316-45-SM—Allentown Mortar Cement, manufactured by Allentown Portland Cement Co., Material.

317-45-BZ—H.B.M.—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan, Alt. 556-45.

318-45-A—H.B.M.—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan, Alt. 556-45.

319-45-A—H.B.Q.—103-12 to 103-22 99th street, west side and 103-11 to 103-15 98th street, east side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15, 16, 74 and 75), Ozone Park, Borough of Queens, Misc. 1693-45.

320-45-BZ—H.B.B.—212 Evergreen avenue, south side, 70 ft. east of Willoughby street (Block 3206, Lot 16), Borough of Brooklyn, Alt. 3672-44.

321-45-A—H.B.B.—95 Lombardy street, northeast corner of Vandervoort street (Block 2819, Lot 8), Borough of Brooklyn, Alt. 660-45.

322-45-BZ—H.B.Bx.—2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx, Alt. 231-45.

Restored to Calendar.

390-19-BZ—H.B.B.—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn, Alt. 1104-45.

27-45-A—H.B.Bx.—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx, Amendment to Alt. 641-44.

635-41-A—H.B.B.—398-408 Riverdale avenue, southwest corner of Junius street (Block 3831, Lot 25), Borough of Brooklyn, B.N. 339-43.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May 15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
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Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Dec. 28, 1943—Vol. 28, No. 52A
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
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Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31

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Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	May 29, 1945—Vol. 30, No. 22
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 50b of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

JUNE 5, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 5, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

46-45-BZ—Application, February 1, 1945, under sections 7c and 21 of the zoning resolution, of Reuben Siskin, applicant and owner, to permit in a business use district, the extension of the factory use in an existing factory building so as to be in excess of the lot area; premises 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

531-37-BZ—Application of Joseph Mosgoffian, applicant and lessee, on behalf of Annie Zins, owner, reopened May 15, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary period of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

459-44-BZ—Application, July 21, 1944, under sections 21 and 7c of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Mary L. Richardson, owner, to permit in a business use C area district, manufacturing in excess of the permitted area; premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

146-45-BZ—Application, March 13, 1945, under section 7f of the zoning resolution, of James Whitford, applicant, on behalf of Adam V. Bell, owner, to permit in a business use district, the erection and maintenance of a gasoline service station, for a term of years; premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

585-42-BZ—Application, of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

772-41-BZ—Application of Arnold W. Lederer, applicant, on behalf of Fay Bloom, William A. Jones, Jennie Mateyko and Joseph Filosa, owners (Square Deal Laundry, Inc., lessee), reopened November 8, 1944, under sections 7c and 21 of the zoning resolution, to permit the extension of an existing laundry building from a local retail into a residence use district, the area of proposed building exceeding that permitted in a C area district; premises 427 Ralph avenue and 1813-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64 to 68, inclusive), Borough of Brooklyn.

162-45-BZ—Application, March 21, 1945, under section 21 of the zoning resolution, of Richard Shutkind, applicant, on behalf of Jack Altman, owner, to permit in a residence use G area district, the erection of a one car garage and shower building, increasing the occupied lot area in excess of 35% and not providing the required 15 ft. rear yard and 5 ft. side yard; premises 228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens.

298-45-BZ—Application, May 17, 1945, under section 21 of the zoning resolution, of S. J. Kessler & Sons, applicants, on behalf of 1523-1529 63rd Street Corp., owner (Air King Products Co., Inc., lessee), to permit in a C area unrestricted use district, the erection of a 3rd story to a building, plans for two stories of which have been approved, the 3rd story exceeding the area of coverage permitted by the zoning resolution; premises 6201-6223 15th avenue, east side, from 62nd to 63rd streets (Block 5530, Lot 1), Borough of Brooklyn.

Appeals from Administrative Decisions

235-45-A—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Manhattan.

324-45-A—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

54-45-A—564 and 566 Jackson avenue, east side, 75.10 ft. north of East 149th street (street floor); (Block 2641, Lots 4 and 5), Borough of The Bronx.

311-45-A—Re Transportation of Coal Tar Road Materials in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code requirements, governing Tank Trucks).

HARRIS H. MURDOCK, *Chairman.*

JUNE 5, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 5, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

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298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

239-45-A—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

300-45-A—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

226-45-A—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

728-44-A—457 Knickerbocker avenue and 1350 Greene avenue, northeast corner (2nd floor); (Block 3300, Lot 8), Borough of Brooklyn.

735-44-A—164-40 Hillside avenue, southwest corner of 165th street (Block 9814, Lot 34), Jamaica, Borough of Queens.

58-45-A—87-89 Osborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn.

218-45-A—18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JUNE 8, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning, June* 8, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Rules.

1139-39-SR—Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

170-39-SR—Proposed Amendments to Rules on Uses of Insulating Fibre Board.

465-44-SR—Proposed Rules on Exterior Veneering Materials.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 12, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

786-42-BZ—Application of Chester A. Cole, applicant, on behalf of O. J. Heinzmann, owner, reopened May 22, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop); premises 8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond.

114-28-BZ—Application of Edward A. Brown, applicant, on behalf of Zimtbaum & Horowitz, owners, reopened May 22, 1945, re amendment of resolution—Application, previously granted on condition, under sections 7e and 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 109-07 to 109-17 101st avenue (4453-4459 Jerome avenue), north side, 50 ft. west of 110th street (Block 460, Lots 53-55), Richmond Hill, Borough of Queens.

26-45-BZ—Application, January 17, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harold S. Rogers, owner, to permit in a retail use D area district, and adjoining a residence use district, the erection of a gasoline service station, office, lubritorium, car washing laundry, and, also the omission of the required rear yard; premises 468-478 Forest avenue and 9 City boulevard, southeast corner (Block 259, parts of Lots 1 and 6), West Brighton, Borough of Richmond.

222-45-BZ—Application, April 12, 1945, under section 21 of the zoning resolution, of Jules Lewis, applicant, on behalf of Abgus Realty Corp., owner, to permit in an unrestricted use B area district, the omission of a loading space, as required by section 19a, in a building changed from its present use as a garage to its former use as a factory; premises 461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

836-22-BZ—Application of Harry Hurwit, applicant, on behalf of Flo-El Realty Corp., owner (L. & J. Caterers, Inc., lessee), reopened January 23, 1945, under section 7b of the zoning resolution, to permit in a building partly in a business use and partly in a residence use district, the change of occupancy from a theatre and stores (previously granted by the Board) to catering, meeting rooms, ballrooms and stores; premises 85 West Burnside avenue and 2041 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

Appeals from Administrative Decisions

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

130-45-A—42 West 13th street, south side, 100 ft. east of 6th avenue (3rd floor); (Block 576, Lot 16), Borough of Manhattan.

178-45-A—1068 Flatbush avenue, west side, 86.1½ ft. south of Beverly road (cellar); (Block 5152, Lot 11), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 12, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

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Appeals from Administrative Decisions

726-44-A—109-115 York street, north side, 50 ft. east of Jay street (basement and 1st floors); (Block 54, Lot 12), (Buildings 9 and 10), Borough of Brooklyn.

69-45-A—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan.

516-44-A—240-246 19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8); Borough of Brooklyn.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

104-45-A—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens.

166-45-A—70-15 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn.

169-45-A—6625 Bay parkway (6627 displayed), south side, 53 ft. 11¾ in. east of West 8th street (1st floor); (Block 6577, Lot 3), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 19, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

132-45-BZ—Application, March 2, 1945, under sections 7c and 21 of the zoning resolution, of Kitzler & Nurick, applicants, on behalf of Beatrice Finkelstein, owner (Max Finkelstein, lessee), to permit in a business use district, the enclosure of an existing gas station as part of a new building to be occupied for a conforming use; premises 30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 and 26), Long Island City, Borough of Queens.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7e of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

236-45-BZ—Application, April 21, 1945, under sections 7c and 21 of the zoning resolution, of Goldwater & Flynn, applicants, on behalf of B. P. Hotel Company, Inc., owner, to permit occupancy of a concert hall in a hotel located partly in a business, partly in a retail and partly in a residence use district, for commercial broadcasting and theatrical purposes, the concert hall being located in the residence use portion of the building; premises 1421-1429 6th avenue and 101-107 West 58th street, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 26, Lots 42 and 45), Flushing, Borough of Queens.

Appeal from Administrative Decision.

633-44-A—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 19, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

308-45-A—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk).

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning July* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MAY 29, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, May 22, 1945, and Tuesday afternoon, May 22, 1945, were approved as printed in Bulletin No. 22, Volume 30.

Zoning Applications.

576-44-BZ

APPLICANT—Anthony M. De Rose, for Amrul Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties).

PREMISES AFFECTED—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

APPEARANCES—

For Applicant: A. M. De Rose, M. Fryer and J. W. Genzardi.

For Opposition: L. A. Swarthe and I. Zeff.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 a. m. for an inspection by a Committee of the Board and for consideration of Calendar 633-44-A, a companion case.

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under Section 21-C of the zoning resolution, to permit in a C and F area district, a one-family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—

For Applicant: Ira S. Robbins and Robert C. Weinberg.

For Opposition: None.

For Administration: Gustav Goldman, Board of Education, Harold Klorfein, Park Dep't and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945 at 10 a.m., for applicant to submit revised plans in accordance with report of the City Planning Commission.

50-45-BZ

APPLICANT—The Dime Savings Bank of Brooklyn, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area.

PREMISES AFFECTED—1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Hutton.

For Opposition: Mabel Glass and Morris Sarrel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 10 a.m., at request of the applicant's representative.

556-20-BZ

APPLICANT—Michael Glick, for B-J Holding Corp., owner.

SUBJECT—Application reopened May 8, 1945, for consideration re amendment of resolution as to additional use (decision of the borough superintendent) —Application previously granted on condition, under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection of a garage for more than five motor vehicles.

PREMISES AFFECTED—1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Glick and Louis B. Jaffee.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (556-20-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1930-1932 Jerome avenue, east side, 179.25 ft. north of East 177th street (Block 2853, Lot 9), Borough of The Bronx, was granted by the Board on October 19, 1920, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on May 8, 1945, restored to the calendar and set for hearing on May 29, 1945 at 10 A. M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 29, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 9-45, dated April 6, 1945, reads:

"5. The change of use from a garage for more than five cars, to a tire repair shop and garage, in a partly residence and partly business use district, is contrary to the Zoning Resolution and Cal. 556-20.BZ of the Board of Standards and Appeals."

and

WHEREAS, the building was approved as a garage by the Superintendent of Buildings, in conformance with the resolution adopted by the Board under this Calendar Number on October 19, 1920, but except that it was not extended through to Walton avenue, as was proposed; that the area of the building was approved as indicated on revised plans marked "Received May 12, 1945; that the application for the additional use has been passed upon by the borough superintendent under Alt. Applic. 9-1945, Objection 5.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 19, 1920, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted on condition* that the only entrance to the proposed garage shall be through the wall fronting on Jerome avenue, which wall shall be constructed of pressed brick with stone trim and ornamental in character; that the roof of said garage shall not be carried up to a point higher than 4 ft. below the level of the sidewalk on Walton avenue; that any skylights placed in the roof of the Walton avenue portion of the building shall be placed in the centre of the roof and not within 20 ft. of the side lines of the property; that in the roof at a point at least 75 ft. from Walton avenue, there shall be placed a fire exit, enclosed in fireproof materials with self-closing door leading thereto and that all skylights shall be glazed with plain glass and protected with wire screens both above and below.

Resolved further, that the area of the building shall not exceed the area as indicated on revised plans filed with the borough superintendent under Alt. Applic. 9-45, and as indicated on plans filed with this Board marked "Received May 12, 1945;" and that other than as herein amended, the conditions of the resolution of October 19, 1920, shall be complied with; that the additional use of motor vehicle repairing and recapping of automobile tires may be permitted, *on condition* that the repairing shall be by means of hand tools; that no forge or anvil shall be employed on the premises; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that the building shall not be increased in height or area and in all other respects, shall comply with all laws, rules and regulations applicable thereto; that signs shall not exceed the area of the existing sign on the Jerome avenue facade of the building; that no roof sign shall be constructed; that no lot line windows shall be constructed on the interior lot lines; that any windows constructed in the rear, shall be fireproof, self-closing and shall normally be kept closed; that all permits required shall be obtained and all work completed within 6 months from the date of this amended resolution and that a new certificate of occupancy shall be obtained."

71-35-BZ

APPLICANT—John Krupski, owner.

SUBJECT—Application reopened May 8, 1945, for consideration as to extension of variance (decision of the borough superintendent)—Application previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting in a residence use district, the maintenance of a garage for the storage of one commercial truck.

PREMISES AFFECTED—147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: C. Regule.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (71-35-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a residence use district, for a term of two years, the maintenance of a garage for the storage of one commercial truck, affecting premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block 2725, Lots 412 and 414), Jamaica, Borough of Queens, was granted by the Board on May 28, 1935, on certain conditions; and

WHEREAS, the permit was extended on January 23, 1940 and February 24, 1942; and

WHEREAS, the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on May 8, 1945, restored to the calendar and set for hearing on May 29, 1945, at 10 A. M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 29, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 28, 1935, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*Granted* under section 7e for a term of two (2) years from the date of this *amended* resolution, to permit the storage of one one ton commercial truck in the garage which is accessory to the dwelling, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 28, 1935, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 1238-40)."

78-45-BZ

APPLICANT—Lama and Proskauer, for the Greater New York Brewery, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory use.

PREMISES AFFECTED—284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (78-45-BZ)

WHEREAS, Lama and Proskauer, for The Greater New York Brewery, owner, filed February 16, 1945, an application under section 7e of the zoning resolution, to permit partly in a business and partly in an unrestricted use district, the occupancy of an existing building for 100% factory use; affecting premises: 284-300 Pearl street and 60-68 Tillary street, southwest corner (Block 128, Lot 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 29, 1945, after due notice by publication in the Bulletin of the Board of Stanadards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Jay street and Tillary street are in a business use, B area and Class 2 height district; Pearl street and Johnson street are in an unrestricted use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated February 8, 1945, re Alt. Applic. 2233-45, reads:

"4. Proposed factory use in premises located in a business and unrestricted zone, said use occupying more

than 25% of any floor area and more than the area of the lot in the aggregate, is contrary to Article II, Section 4c of the Zoning Resolution."

and .

WHEREAS, the applicant states the premises consist of a plot 200 ft. frontage by 102.9 ft. in depth, on which is located a 6-story Class 1 constructed building, 200 ft. by 102.9 ft., irregular, in area and that it is proposed to occupy the building as a factory, for manufacture of radar equipment for the full area of the building; and

WHEREAS, the applicant contends that the building has a frontage of 102.9 ft. on Tillary street, 200 ft. on Pearl street, with a 10 ft. court on westerly portion of the building; that the building was constructed as a factory and was used as such until 1928, when a portion of the building was used as a school; that there are three certificates of occupancy on the building at present; #7432 issued January 13, 1921, calls for factory use; #108831 issued April 9, 1943, calls for school and light manufacturing (optical instruments) and #55212 issued March 5, 1929, calls for use of buildings for school purposes for the Long Island University; that it is now the intention of the owners to cancel all three certificates and procure a new one for use of the entire building as a factory, which was the original use; that at present the building is occupied for the manufacture of Radar and that this change does not affect the area, especially since the building was erected as a factory; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, it appears that the building was originally designed and approved for factory occupancy throughout and the occupancy was later changed in part for other occupancy, namely school purposes on several of the floors, which use has now been discontinued; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under Section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the factory occupancy throughout the building as proposed, *on condition* that the building shall not be increased in height or area; that a new certificate of occupancy shall be obtained, superseding the previously issued certificates; that such new certificate of occupancy shall set forth the floor loads as originally approved and the permitted occupancy per floor, based on the lawful stairways; that the sprinkler system and other fire protection shall be maintained to the satisfaction of the fire commissioner; that all deliveries of materials into and from the building shall be from the Pearl street side; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

284-45-BZ

APPLICANT—Andrew A. Oliveri, for Frank Ray Howe, Director, Bureau of Real Estate, Board of Estimate, for the City of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7b of the zoning resolution, to permit the extension of a business use on a lot located partly in a restricted retail district and partly in a residence use district, into the more restricted (residence) use district.

PREMISES AFFECTED—102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1); (old Lot 89), Borough of Manhattan.

APPEARANCES—
For Applicant: J. Haney and B. Cymrot.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (284-45-BZ)

WHEREAS, Andrew A. Oliveri, for Frank Ray Howe, Director, Bureau of Real Estate, Board of Estimate, for the City of New York, owner, filed May 7, 1945, an application under section 7b of the zoning resolution, to permit the extension of a business use on a lot located partly in a restricted retail district and partly in a residence use district, into the more restricted (residence) use district; affecting premises: 102 East 40th street, south side, 80 ft. east of Park avenue (Block 895, Lot 1); (old Lot 89), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 29, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 40th street is in a residence use district; Park avenue is in a restricted retail district and Lexington avenue is in a retail district; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, re Alt. Applic. 684-45, reads:

"1. The extension of a business use in a residence district is not permitted, being contrary to Sec. 3, Article II Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 ft. frontage by 74 ft. ¾ in. in depth, on which is located a two-story, Class 3 constructed building, 25 ft. by 69 ft. in area, originally used as a private stable and later used as a clubhouse and now vacant; that it is proposed to use the entire 1st and 2nd floors for restricted retail business purposes, and to extend such use five feet into the residence use district; and

WHEREAS, the applicant contends that the building was erected in 1911; that up to April, 1929, it was entirely in a residence zone; that the zoning was changed thereafter up to June 1937, to part residential use and part retail use; that the present owner came into possession on September 14, 1937 and that Certificate of Occupancy #6478-23 had been issued July 11, 1923, for the use of the building as a club house by the Four Hundred Club, Inc.; that the applicant further contends that this application is brought under section 7b of the zoning resolution, under which the Board of Standards and Appeals may permit a lot in single ownership, divided by a use district boundary line, to be used for either use of the two districts in which it is located, but not more than 25 feet beyond the boundary line of the district in which such use is authorized; and

WHEREAS, the premises were zoned entirely in a residence use up to April, 1929; then changed to part residence and part retail use districts up to June, 1937; then proposed change to Use Map Sec. 1, 3, 5, 6, 8, 9, 12, City Planning Commission, Cal. #21—Hearing June 14, 1944; now discontinued by action of the City Planning Commission—Cal. #28 (CP-3270) May 9, 1945; and

WHEREAS, under Cal. 478-26-BZ, an application was made under Section 21, to permit in a residence use district, the change of occupancy of the 1st story frame garage to showroom 2nd floor to remain housekeeping apartment and this application was withdrawn October 13, 1926; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision b, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7b thereof, to permit the extension of the restricted retail use into the portion of the building within the residence use district,

on condition that the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

731-44-A

APPLICANT—Franklin W. Gilman, for Loft Candy Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—38-38 9th street (Hamilton street), west side, 244 ft. south of 38th (Freeman) avenue (2nd and 3rd floors); (Block 476, Lot 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Lillian Kaltman and Franklin W. Gilman.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (731-44-A)

WHEREAS, Franklin W. Gilman, for Loft Candy Corporation, owner, filed December 15, 1944, an appeal from an order of the fire commissioner, affecting premises 38-38 9th street (Hamilton street), west side, 244 ft. south of 38th (Freeman) avenue (2nd and 3rd floors); (Block 476, Lot 1), Long Island City, Borough of Queens; and

WHEREAS, Order 98067-C, issued by the fire commissioner November 15, 1944, reads:

"1. Surrender to bearer Fire Department Permit #232080, expiring July 1, 1945, and authorizing the maintenance of a refrigeration system on above premises, as same is revoked until the following is done:

2. Discontinue and remove the direct method of refrigeration from that part of the building prohibited by C19-98-b, Administrative Code.

Note: The piping of refrigerant from one floor to another above the first floor is prohibited."

and

WHEREAS, the applicant states the building is 3 stories (43 ft.) in height; 50 ft. by 100 ft. in area at 1st floor; 50 ft. by 95 ft. in area at typical floor; of Class 1 construction; erected 1929; located in an unrestricted use, A area, Class 2 height district and used and occupied since 1929 as follows: cellar, storage of preserved fruits; 1st floor, manufacturing ice cream and storage, 4 persons; 2nd floor, manufacturing ice cream and preserving fruits, 4 persons; 3rd floor, manufacturing ice cream and manufacturing containers, 2 persons; that the building is equipped with a one source sprinkler system and an interior fire alarm system, but fire drills are not maintained; that there is one 44 in. wide fireproof stairway from the roof bulkhead to the first story and that the building adjoining to the south is 54 ft. in height; and

WHEREAS, the applicant contends the building is used exclusively as an ice cream manufacturing plant, except for a small area used to manufacture preserved fruits; that two 27 ton ammonia compressors are used in the refrigeration of the ice cream plant; that one of these compressors is large enough to service the plant and the second is standby equipment; that the power plant located in adjoining building contains all of the ammonia compressors needed for the complete servicing of all the factory buildings, including these two 27 ton ammonia compressors used for the ice cream plant; that ammonia high and low pressure lines run from the compressors located in the power plant, to the basement of the ice cream plant for use in the refrigeration system located in the ice cream plant; that the first floor of the ice cream plant is refrigerated by direct expansion of ammonia from these lines; that the rest of the building is refrigerated by an indirect method, consisting of a brine tank containing ammonia coils located in the basement, which supplies refrigerated brine to the 2nd and 3rd floors; that the Board of Health has recommended installation of new ice cream manufacturing equipment; that in connection with the installation of this recommended equipment, it is proposed to install the direct refrigeration system throughout the entire building; that the indirect system now in use will be discarded; that the proposed new refrigeration system will be affected by extending the existing high and low pressure ammonia lines from the basement, directly thru the floors to the second and third stories; that the high pressure lines will be 2 in., extra heavy steel pipe and the low pressure line will be 2½ in., extra heavy steel pipe; that branch lines will be of suitable size and will extend on the 2nd floor to the new equipment as indicated on plans filed with this appeal; that protection against corrosion and mechanical injury will be furnished for these pipes; that the pipes will be run through larger pipes securely cemented into the floors and the ends, both top and bottom, sealed to prevent corrosion and mechanical injury; that the ammonia lines in the ice cream plant will continue to be supplied from the compressors in the power house; it is therefore requested that the Board grant a modification, so as to permit the direct method of refrigeration to be used as proposed; that the entire refrigeration system will be under complete supervision of a licensed engineer at all times; and

WHEREAS, this appeal was taken off the calendar by the Board April 24, 1945, for the applicant to submit a complete statement as to the ammonia used in the building and the description of the existing equipment and to file new plans to carry out suggestions of the Board for modification of the proposed installations; and

WHEREAS, the applicant now states that it was originally intended to continue the direct expansion system throughout the building, but it now develops that this system can be rearranged to provide direct expansion to the 1st and 2nd floors only and that an independent refrigerating unit, using freon as a refrigerant, will be installed on the 3rd floor, as indicated on revised plans filed with the Board May 21, 1945, and that the piping layout has been revised, so as to provide for a tight enclosure, vented to the roof, as indicated on such revised plans; and

WHEREAS, the applicant states that the compressors located in the power house, contain approximately 6,000 lbs. of ammonia, of this total 1800 lbs. is used in the brine system for the ice cream plant; that when the proposed installation is completed, approximately 1300 lbs. of ammonia will be used for refrigeration; that all refrigerating and mechanical equipment is under the constant supervision of a licensed engineer, 24 hours each day; that the building will be used exclusively for the manufacture of ice cream, except for a small portion to be used for fruit preserving and storage; that the equipment used is almost identical with that used for ice making and in buildings used exclusively for ice making, the Code permits the direct method of refrigeration; that the building is equipped throughout with a sprinkler system, which complies with the law in all respects.

Resolved, that Order 98067-C issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to item 2, *on condition* that the refrigerator system within the building shall be installed and maintained in accordance with the revised proposal dated May 19, 1945 and as indicated on revised drawing marked "Received May 21, 1945"; that such system shall be maintained to the satisfaction of the fire commissioner; that the sprinkler system shall be maintained in accordance with the requirements therefor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

11-45-A

APPLICANT—William Albert, for Certified Drug Products, Inc., lessee (Fred M. Citron, Jacob Karmin and Irving Kagan, owners).

MINUTES

SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—2417 Webster avenue, west side, 65.08 ft. north of East 187th street (basement and 1st floor); (Block 3025, Lot 25), Borough of The Bronx.
APPEARANCES—
For Applicant: William Albert and Irving Kagen.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (11-45-A)

WHEREAS, William Albert, for Certified Drug Products, Inc., lessee (Fred M. Citron, Jacob Karmin and Irving Kagan, owners), filed January 9, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 2417 Webster avenue, west side, 65.08 ft. north of East 187th street (basement and 1st floor); (Block 3025, Lot 25), Borough of The Bronx; and

WHEREAS, Order 39623-LC, issued by the Fire Commissioner October 30, 1944, and repeated in his decision of December 12, 1944, reads:

"With reference to your application dated recently for a permit to store and use drugs at above location, it is regretted that this department is without power to grant such a permit, for the reason that your building is occupied in part for factory purposes, contrary to Section C19-136.3. Your application for a wholesale drug store permit may not be approved.

YOU ARE THEREFORE HEREBY, ADVISED TO

1. Discontinue the maintenance of operation of a wholesale drug store or chemical supply house without a permit from this department. Sec. C19-134.0, Admin. Code."

and

WHEREAS, the applicant states that the building is two stories (28 ft.) in height, 29 ft. by 83 ft. in area; of Class 3 construction; located in a business use, B area, Class 1½ height district; erected in 1928; used and occupied since 1944 as follows: basement, boiler room and storage; 1st floor, wholesale drug business—7 persons; 2nd floor, drapery business—4 persons; that no change in use or occupancy is proposed; that certificate of occupancy has been issued; that the building is equipped with one interior stairs at the north side, which is 3 ft. 6 in. wide, of steel construction, enclosed in 8 in. brick walls, doors thereto are fireproof, self-closing; that the stairs extend to the roof by a ladder through a scuttle and lead directly to the street; and

WHEREAS, the applicant contends that the factory in question, which is the cause of this order, employs four persons manufacturing draperies; that the lofts so occupied are small and the building is only two stories in height and no fire hazard is created, as the applicant's business is very small and a full line of drugs is not carried; and that all items that would create a fire hazard have been eliminated.

Resolved, that Order 39623-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that the wholesale drug occupancy shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

36-45-A

APPLICANT—Irving Soloway, for Emma E. Smith, owner (National Maple Products Co., Inc., lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (36-45-A)

WHEREAS, Irving Soloway, for Emma E. Smith, owner (National Maple Products Co., Inc., lessee), filed January 26, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn; and

WHEREAS, Order 98391-LC, issued by the fire commissioner on December 9, 1944, and repeated in his decision of January 8, 1945, reads:

"1. Discontinue the process of spraying, dipping or immersing, using flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used in connection therewith, on the above premises or a portion thereof, which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on. Rule 1.3.4, Spray Rules."

and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

126-45-A

APPLICANT—Justin R. Clary and Son, Inc., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—550 Halleck street, southwest side, 250 ft. southeast of Randall avenue (1st floor); (Block 2769D, Lot 204), Borough of The Bronx.
APPEARANCES—
For Applicant: Justin R. Clary.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (126-45-A)

WHEREAS, Justin R. Clary and Son, Incorporated, owner, filed March 8, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises: 550 Halleck street, southwest side, 250 ft. southeast of Randall avenue (1st floor); (Block 2769D, Lot 204), Borough of The Bronx; and

WHEREAS, the order 40286-LC, of the fire commissioner, issued January 17, 1945, reads:

"Before a permit may be issued for the storage of gasoline, also Diesel Oil, the following must be done:

1. Provide an approved buried storage system for gasoline, also for diesel oil. Sec. C19-51-A, Art. 8, Administrative Code.

NOTE: Plan to be filed with and approved by the Department of Housing and Buildings. Sec. C19-13.0, Art. 2, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated February 26, 1945; and

WHEREAS, the applicant states that the building is one story (12 ft.) in height; 36 ft. by 18 ft. in area; of Class 5 construction; located in an unrestricted use, A area, Class 1½ height district; erected in 1931, and used and occupied

as tool house, 3 persons; proposed to be used and occupied tool house and gasoline storage, 3 persons; that no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the plant is located in a sparsely populated section of the city and it is necessary to have one barrel of gasoline on hand to run one air compressor; that this gasoline is now stored in a shed of class 5 construction, where there are no other combustible materials; that in view of the small quantity of gasoline needed, it would be impractical to install an underground tank and request that they be permitted to continue storage of one 50 gallon drum of gasoline.

Resolved, that Order 40286-LC, issued by the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that not more than one (1) fifty gallon drum of gasoline shall be stored on the premises; that such drum shall be stored in a shed of class 5 construction, as proposed and shall be equipped with a pump as approved by the Underwriters' Laboratories or Factory Mutuals Laboratories Inc.; that any gasoline taken from the drum shall be in a safety can, to the satisfaction of the fire commissioner; that in the event the owner desires to store such gasoline, not exceeding one drum, in an approved portable gasoline tank, such tank may be permitted, if maintained to the satisfaction of the fire commissioner and stored within the shed of class 5 construction when not in use; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

251-45-A

APPLICANT—Good and Kent, for Bush Terminal Buildings Co., owner (Control Instrument Co., Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—33-67 35th street, east side, and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East Section C, Building 5); (Block 687, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (251-45-A)

WHEREAS, Good and Kent, for Bush Terminal Buildings Company, owner (Control Instrument Company, Incorporated, lessee), filed April 28, 1945, an appeal from an order of the fire commissioner, affecting premises 33-67 35th street, east side, and east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, East Section C, Bldg. 5); (Block 687, Lot 1), Borough of Brooklyn; and

WHEREAS, the order 99417-LC, of the fire commissioner, issued April 10, 1945, reads:

"1. Discontinue the loading of ammunition (primers) by power machinery C19-37.0 Administrative Code.

2. Discontinue storage of ammunition (primers) on same premises where materials of a highly inflammable nature are stored (paints and lacquers), C19-38.0-d-5, Administrative Code."

and

WHEREAS, the applicant states that the building is six stories (83 ft.) in height; 75 ft. by 700 ft. in area; of Class 1 construction; erected in 1911; located in an unrestricted use A area, Class 2 height district and used and occupied as follows: Subcellar and cellar, vacant; 1st floor, manufacturing and storage, 50 persons; 2nd floor, same, 50 persons; 3rd floor, drafting, 50 persons; 4th floor, assemblying, 100 persons; 5th floor north, assemblying, 75 persons; 5th floor south, manufacturing and storage, 50 persons; 6th floor, manufacturing lampshades, 25 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system and a standpipe system and one interior stairs, 7 ft. 3 in. wide, of steel and concrete construction, extending to the roof bulkhead, and one fire escape leading to the roof by a ladder and to the street through an open railroad siding; that window and door openings along the course of the fire escape are steel sash and wire glass; and

WHEREAS, Certificate of Occupancy 85099, issued November 22, 1937, permits the following use: Cellar, ordinary; 1st to 6th floors, factory, 200 lbs. per sq. ft. live load; and

WHEREAS, the applicant contends as to Item 1, that the lessee is about to manufacture a device known as S.B.5; that it cannot be considered as ammunition within the definition of C19-2.0.1 of the Administrative Code; that it is a timing device for the U. S. Navy; that it is purely a device to start other processes in action and is not used as a means of propulsion; that the device is approximately 1½ in. in diameter and ⅝ in. in depth; and contends as to Objection 2, that the primer is of unusually small size, encased in sheet aluminum and consists of two units; that these primers are not manufactured on the premises, but are manufactured outside of the state and delivered in small quantities by automobile to the premises; that the maximum quantity at any time will not exceed 20,000 and will be stored in a steel cabinet located in an area removed from the assembly proper and separated from the rest of the floor by storage racks and wooden partitions; that the sprinkler system in the building would serve to extinguish any fire that might start in the vicinity; that the supply of primers, required for day to day operation of the plant, will be kept in this cabinet and a small number taken to the operator's bench in a lucite container so designed that only one primer can be moved at a time; that there will be but two persons assigned to insert these primers in the device and as soon as they have been inserted and the detoning pin put in position, the device will be packed for shipment; and

WHEREAS, the applicant further contends that the company is obliged to make deliveries under government requirements of approximately 3500 per day; that the company has been engaged in the manufacture of ordnance instruments and communicating devices for approximately 10 years and has adopted every feasible means of protecting its employees and property from accidents; that the methods employed have been inspected and checked by the Bureau of Explosives of the Association of American Railroads and all suggestions made by Mr. Campbell of that organization for safety protection have been made; that this order has been placed apparently because of the presence of another tenant in the same section of the building who stores small amounts of paint and lacquers.

Resolved, that Order 99417-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to items 1 and 2, *on condition* that the operation as proposed shall be maintained to the satisfaction of the fire commissioner and at all times shall be under the supervision of a representative of the U. S. Navy; that this modification is granted only during the term of the present war emergency and for the length of the contracts now entered into, expiring in April 1946; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied under Cal. Nos. 32-32-A, 122-41-S, 117-43-S and 165-45-A.

273-45-A

APPLICANT—Tobias Goldstone, for Bond Adhesive Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2239, Lots 42 and 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and Henry Joseph.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (273-45-A)

WHEREAS, Tobias Goldstone, for Bond Adhesive Company, owner, filed May 4, 1945, an appeal from an order of the fire commissioner, affecting premises 255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2239, Lots 42 and 43), Borough of Brooklyn; and

WHEREAS, Order 99394-LC, issued by the fire commissioner, dated April 6, 1945, reads:

"1. Discontinue the manufacture of all inflammable mixtures (glues and adhesives consisting of vinyl-polymers or cellulose acetate dissolved in inflammable solvents), since no permit can be issued for any premises used for the manufacture of inflammable mixtures within 50 ft. of a place of public assembly (synagogue). C19-59.0-b-1, Administrative Code."

and

WHEREAS, the applicant states the building is 1 story (15 ft.) in height, 50 ft. by 100 ft. in area, of class 3 construction, erected in 1935, located in an unrestricted B area, class 1½ height district and used and occupied since 1943 by the present owner as follows: cellar—boiler room; 1st floor—manufacture and storage of adhesives—5 persons; that Certificate of Occupancy 77341, dated December 18, 1935, permits the use of the cellar for boiler, no occupancy; 1st floor—storage of inflammable material, 3 persons—120 lbs. live-load; and

WHEREAS, it is proposed to use and occupy the building as follows: cellar—boiler room; 1st floor—manufacturing and storage of adhesives, 5 persons; that the width of the doors is as follows: door to office—3 ft., and another door 12 ft. wide, both facing Wallabout street; 10 ft. opening in east wall leading to an inaccessible yard; an iron ladder to the roof, located in the northwest corner in the rear of the building; and

WHEREAS, the applicant on drawings filed with this appeal, shows proposed storage of inflammable materials as follows: 150 gallons of acetone; 50 gallons of alcohol; 50 gallons of butyl-acetate; 50 gallons of cello-solv-acetate; 100 gallons of lacquer-cement and 50 gallons of vinyl-acetate; and

WHEREAS, Fire Department folder 74687-20, shows application was made March 20, 1945, for a permit to store the following: 1 drum hydroabictyl alcohol; 2 drums carbitol acetate; 1 drum butyl acetate; 2 drums acetone; 1 drum synasol; 1 drum methyl acetone and 10 drums synthetic rubber; and

WHEREAS, laboratory reports show a flashpoint on both "Bond adhesive 4131 cement" and "Bond cement 515" as below 75; and

WHEREAS, the applicant contends that the original building was erected in 1935 and a certificate of occupancy issued for the storage of inflammable materials; that the building is constructed of 12 in. brick walls, concrete floor and wood beam roof; that the easterly wall of the building is unpierced, except for a 8 ft. by 10 ft. door opening to the adjoining yard, 20 ft. 6 in. wide, to the wall of the synagogue; that all skylights on the roof of the building are glazed with wire glass; that it is proposed to store all materials and do all mixing, 54 ft. from the wall of the synagogue; that the materials are stored in sealed drums and all mixing is done in sealed drums; that the major portion of the adhesives and glues manufactured on the premises are water soluble and only a few require the use of inflammable solvents; that the inflammable adhesives are not made on the premises, but are received as prepared materials from approved chemical companies in New Jersey; that the only inflammable adhesives made within the meaning of the fire regulations, are an occasional variation of a stock material to fit the requirements of individual customers and these variations include the addition of plasticizers, which, if anything, reduce the inflammability of the adhesives; that the manufacturing equipment does not include open mixers, but only sealed drums with which materials are brought into solution by rolling and tumbling; that, generally, 25 or 30 gallons of solvent and material are rolled and tumbled in a 50 gallon drum; that the solvents used are alcohol, acetone, etc. excluding hydrocarbons, toluol, benzol, naphtha, etc.; that the synagogue holds early morning services before the business day starts and is generally not open during the day nor evenings, with the exception of Friday evening and Saturday, when no mixing is done at all; that the electric wiring includes a master switch, which when thrown, disconnects all electricity; that the present use of inflammable adhesives has been induced to a great extent by war work orders and the substitution from time to time of materials because of wartime restrictions, which condition will be alleviated considerably after the war and enable the applicant to further reduce the small proportion of inflammable solutions used at present.

Resolved, that Order 99394-LC, issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that there shall be no openings in the easterly wall of this building; that the existing doorway, from this building to the adjoining yard, shall be bricked up with approved masonry; that all inflammable materials shall be maintained as proposed, toward the westerly portion of the building, as far removed as possible from the westerly wall of the building adjacent on the east; that such quantities of inflammable materials as are proposed, shall either be stored in a buried system as required or, if approved by the fire department, in an approved fireproof vault; that a mixing room shall be constructed and maintained in accordance with the requirements therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

299-45-A

APPLICANT—William J. Minogue, for Unexcelled Manufacturing Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond.

APPEARANCES—
For Applicant: Thomas Jurdene, C. R. Rosmussar, W. G. McKnight, Jr., William Minogue, Edward T. Curry and Capt H. R. George, Jr.
For Administration: H. Pinsker and E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (299-45-A)

WHEREAS, William J. Minogue, for Unexcelled Manufacturing Company, Inc., owner, filed May 17, 1945, an appeal from an order of the fire commissioner, affecting premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond; and

WHEREAS, order 41128-LC, issued by the fire commissioner, April 17, 1945, reads:

"Before a permit may be issued to you for the use and storage of fireworks, the following must be done:

2. Discontinue the manufacture of fireworks containing fulminates. This refers to the primer of the M69 oil bomb.

3. Submit evidence that Department of Housing and Buildings has approved the use of the buildings for the manufacture of these oil bombs (M69).

5. Show that the use of building #107 as a motor vehicle repair shop has been approved by the Department of Housing and Buildings.

8. Provide a first class magazine for the storage of primers.

9. Either discontinue the storage of empty packing cases in excess of 2,000 cu. ft. or surround such storage by a substantial fence as required by the Administrative Code.

14. Discontinue the storage of red phosphorus or show that it is not used in the manufacture of fireworks.

15. Discontinue the use of powered machinery in the loading of percussion caps, into the fuses of M69 bombs.

22. Discontinue the storage and/or use of nitrocellulose products or scrap.

25. Discontinue the practice of burning discarded oil bombs (M69) on any part of these premises.

28. Discontinue the use of gasoline powered motor vehicles in the plant compound."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 900 ft. on Richmond avenue with a depth of 3085 ft., irregular therefrom, on which a group of 200 buildings of various sizes, 1 and 2 stories in height, class three and class 4 construction are used for the manufacture of pyrotechnics with an occupancy of 400 persons; and

WHEREAS, the applicant contends as to item 2, that the approval of this plant has been received for the manufacture of pyrotechnics and fireworks and the M69 oil bomb is in the above classification and is so classified by the U. S. Government and the Bureau of Explosives of the Interstate Commerce Commission; as to item 3, that the Department of Housing and Buildings has approved this plant for the manufacture of pyrotechnics; as to item 5, that Building No. 107 has not been specifically approved as a motor vehicle repair shop, but this is an accessory to the use of the motor vehicles employed at the plant in conjunction with the manufacturing process; as to item 8, that the storage of primers is in a magazine of suitable construction, the magazine being corrugated metal and the use of same has been approved by the Safety and Security Division of the U. S. Army Chemical Warfare Service; as to item 9, that these empty packing cases belong to Chemical Warfare Service of the U. S. Army and are being removed by them and the owner has no control over said removal; that this item should be held in abeyance at the pleasure of the Chemical Warfare Service; as to item 14, that the storage and use of Red Phosphorus is requested in an amount not to exceed two pounds, in eight one-quarter pound cans, which will be stored in an isolated magazine of fireproof construction; as to item 15, that the use of powered machinery in the loading of percussion caps into the fuse of M69 bombs is necessary in order to meet the production schedules of the Chemical Warfare Service of the U. S. Army; as to item 22, that the use and storage of nitro-cellulose products is necessary in the manufacture of the materials under contract with the U. S. Government and it would be impossible to comply with the contracts unless the nitro-cellulose products are stored and used; that in regard to the scrap, the rejected materials are collected and burned in a remote part of the plant daily; as to item 25, that the burning of discarded oil bombs and other rejected pyrotechnic materials is necessary, inasmuch as the accumulation of these materials would become a hazard and any disposition other than burning, would also be a serious hazard; that furthermore, this burning is done at the rear of the plant in a very remote location; as to item 28, that the buildings constituting this plant are spread out over the premises, which covers a very large plot and it is necessary for the superintendent to have an automobile available at all times for rapid transportation and immediate use; that this is also necessary for the transportation of any sick or injured employees; that it is necessary for the representatives and officials of the U. S. Government as well as other persons, to frequently visit the plant for the purpose of holding conferences and making inspections and other similar work and in the light of the lack of transportation facilities to and from the premises; that permission is also sought to have on the premises a motor vehicle known as a station wagon, the use of which is indisputably necessary; that it is necessary to have on the premises, automobile trucks to be used in transferring materials from one part of the plant to another and to have trucks loading and unloading materials, as trucks are the only means of transportign materials to the plant.

Resolved, that Order 41128-LC, issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 2, *on condition* that the type of primer shall be as proposed and shall be similar to the manufacture as permitted in Building No. 105 under Cal. No. 496-41-A; as to Item 3, that the buildings in which the M69 oil bombs are manufactured, shall be as approved by the Department of Housing and Buildings, when passed on by the Board under Cal. No. 991-40-BZ; as to Item 5, *denied* without prejudice to an application for Amendment of Cal. No. 991-40-BZ, for a zoning variance as to the motor vehicle repairing involved; as to Item 8, that the two existing magazines of class 5 construction, located at least 175 ft. from adjoining buildings and approved by the U. S. Army for such use, may be continued, provided not more than a total of 50 lbs. of explosives is permitted within each building; as to Item 9, that the storage of empty packing cases shall be maintained within the fenced plant area and shall be segregated toward the Richmond avenue portion of the premises, so as to reduce the hazard and shall be maintained to the satisfaction of the fire commissioner and that such packing cases shall be promptly removed from the premises; withdrawn as to Item 14, in view of the statement that red phosphorus is not used for the manufacture of commercial fire works; as to Item 15, that the requirements as to Items 2 and 3 shall be complied with and the method of using powered machinery is similar to that as previously permitted by the Board as referred to; that all electrical equipment, required for such powered machinery, shall be installed and maintained to the satisfaction of the fire commissioner; as to Item 22, that the use of nitrocellulose products shall be restricted to the containers for holding black powder; that any scrap or waste material therefrom shall be destroyed in a safe place off the manufacturing area as proposed and to the satisfaction of the fire commissioner; that such damaged nitro-cellulose containers, prior to destruction, shall be placed in a metal receptacle under water with a self-closing lid; as to Item 25, that discarded oil bombs shall be burned off the manufacturing area within a swamp area as proposed and as approved by the fire commissioner, protected by a portable metal wind shield; as to Item 28, that no gasoline powered motor vehicles shall be maintained or permitted to traverse the property, except four (4) motor vehicles owned by the company and such other motor vehicles as are essentially required for Army inspection and for delivery of materials and the transportation of finished products; that as far as possible, such delivery of materials and the shipment of products shall be toward the Richmond avenue front, to the satisfaction of the fire commissioner; that such fire-fighting equipment shall be maintained throughout the premises as the fire commissioner shall direct; that in all other respects, the premises shall be maintained in accordance with the requirements therefor and as provided in resolutions adopted by the Board under Cal. Nos. 496-41-A and 991-40-BZ; that the plant shall comply with all the requirements of the State Labor Department, in so far as it has jurisdiction and the plant at all times shall be under the supervision of the officials of the U. S. Army; that this modification shall continue only during the term of the present emergency and for not over six (6) months thereafter, during the term of Government contracts, under which materials are being manufactured and that during such time, the former manufacture of fireworks shall be discontinued.

MINUTES

APPLIANCE SUBMITTED FOR APPROVAL

230-45-SA

APPLICANT—Steiner-Ives Company, owner.

SUBJECT—Steiner-Ives Indirect Gas-Fired Heater, Model 45, and Industrial Baking Oven, approval of.

APPEARANCES—
For Applicant: George Chandler.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (230-45-SA)

WHEREAS, Steiner-Ives Company, owner, filed on April 19, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as the Steiner-Ives Indirect Gas-Fired Heater, Model 45, and Industrial Baking Oven; and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 230-45-SA.
Subject: Steiner-Ives Indirect Gas-Fired Heater Model #45 and Industrial Baking Oven, approval of.

Steiner-Ives Company of Newark, New Jersey filed an application with the Board of Standards and Appeals for approval of the Steiner-Ives Indirect Gas-Fired Industrial Baking Oven under the provisions of C26-178.0b and Article 12 Heating Appliances, Combustion and Chimneys, of the Administrative Building Code and the Rules Covering the Use of Equipment for Spraying of Paint, Varnishes, Lacquers and Other Flammable Surface Coatings and the Storage of such Materials.

DESCRIPTION

This description covers an industrial oven and an indirect gas-fired heater, Model #45, which are usually installed as a single unit, but which can be used separately.

INDIRECT GAS-FIRED OVEN HEATER MODEL #45

This heater is used for heating of industrial ovens for processing at temperatures up to 400 deg. F. The ovens are used for baking of enamel, lacquer and japan finishes on metal parts and varied drying and processing.

This heater is a self-contained unit, usually mounted on the top of the oven, and contains burners, heat exchanger tubes, burner exhaust fan and oven circulating fan with driving motor, and complete automatic safety and temperature controls. Heating chamber is all welded construction enclosed in an insulated housing made up of steel oven-type panels with 3″ thickness mineral wool or equivalent insulation.

The operation is by indirect gas heat. Burners with spark ignition pilot burner are sealed in vacuum type combustion chamber. The products of combustion are drawn across heater tubes by a built-in exhaust blower which provides positive venting of products of combustion. In addition the combustion space is under partial vacuum which renders the burner operation unaffected by changes in atmospheric pressure in the oven room. A separate blower forces air, drawn from the oven through a return duct, together with fresh make-up air from inlet ports, through the heat exchanger tubes; the heated air entering the oven through a duct at the opposite side from the return duct. This blower provides a positive venting of fumes sufficient to maintain safe air conditions in oven. Vent stack from oven is entirely separate from burner vent and the two stack connections are separately piped from building. Both vents are under pressure.

Safety Controls are provided with complete safety equipment to meet requirements of the Rules of Board of Standards and Appeals. The controls also meet the safety requirements of the Factory Mutual Ins. Co. and the Fire Underwriters. This safety equipment gives complete gas shut-off of both main and pilot burners in case of (1) failure of blower exhausting products of combustion, (2) flame failure, (3) gas supply failure, (4) electric supply failure. Equipment includes approved air-flow switch, flame conductivity type safety pilot shut-off (Partlow Saf-T-Flame or equivalent) and continuous spark ignition pilot burner.

Temperature control is by electric contact type controller with "On-Off" action of solenoid valve on gas supply to main burners.

The dimensions of the Indirect Heater vary in accordance with size of oven. Heat input for an oven with inside dimensions of 6 ft. wide, 12 ft. long x 6 ft. high, is 200,000 BTU.

INDIRECT GAS-FIRED OVEN FOR USE WITH MODEL #45 INDIRECT GAS-FIRED HEATER

The ovens are for varied industrial baking and drying processes, including enamel, lacquer and japan baking. Operating temperatures up to 400 deg. F.

The ovens are constructed of insulated steel panels, enclosing 3″ thickness of mineral wool insulation throughout oven. The panels have tongue and grooved joints and are set in welded angle framework, making a rigid construction. Oven floor is also of steel panel construction with 3″ minimum insulation, covered with heavy steel floor plate. Channel tracks set into floor plate in case of truck loading ovens. Double doors are provided at one end, or both ends. Pressure relief covers are provided on roof with area in excess of minimum safety requirements.

The circulating system provides horizontal air-flow from side to side of oven. Heated air from indirect gas-fired heater unit enters oven through opening in top and passes into baking compartment through adjustable ports distributed over entire side of oven. After passing horizontally across the work, air is drawn out through similar adjustable ports distributed over opposite side and into heater through top of oven. Fumes are exhausted under pressure by circulating blower in heating unit before passing through heat exchanger.

The size of the oven varies, as required. Maximum size oven has inside dimensions of 7 ft. wide, 7 ft. high x 12 ft. long.

INSPECTION AND TEST

Inspections and tests of model of this oven and of Model #45 Gas-Fired Heater were made at the plant of the applicant at Newark, New Jersey, and the oven heater were found to operate as designed and to be equipped with safety controls, as required by the Rules of the Board.

RECOMMENDATION

On the basis of the foregoing data and the inspections and tests, the Committee on Tests recommends the approval under C26-191-06 of the Steiner-Ives Indirect Gas-Fired Industrial Oven and the Model #45 Gas-Fired Heater, provided the oven and appurtenances are installed in accordance with the requirements of Article 12 of the Administrative Building Code and the Rules of the Board of Standards and Appeals, and provided, further, that each oven installed shall bear a label, permanently affixed, reading "Approved by the Board

of Standards and Appeals for use in New York City under Cal. 230-45-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Steiner-Ives Indirect Gas-Fired Heater, Model 45, and Industrial Baking Oven, *on condition* that the material appliance be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 1:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, MAY 29, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

352-44-A

APPLICANT—L & R Manufacturing Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner re Packaging of inflammable mixture known as "L and R Rinsing Solution, No. 3" in 32 oz. glass containers (capacity of glass containers not in conformity with Administrative Code requirements).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (352-44-A)

WHEREAS, the L & R Manufacturing Company, owner, filed on June 1, 1944, an appeal from a decision of the fire commissioner, re packaging of inflammable mixture known as "L and R Rinsing Solution, No. 3" in 32 oz. glass containers (capacity of glass containers not in conformity with Administrative Code requirements); and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

15-45-A

APPLICANT—Globe Lighting Products Co., lessee, for Ansonia Holding Co., owner.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—397 7th avenue and 408 12th street, northeast corner (1st floor, Building B); (Block 1098, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold Schattner.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4.
Negative: 0

THE RESOLUTION (15-45-A)

WHEREAS, Globe Lighting Products Co., lessee, for Ansonia Holding Company, owner, filed January 11, 1945, an appeal from an order and decisions of the fire commissioner, affecting premises 397 7th avenue and 408 12th street, northeast corner (1st floor, Bldg. B); (Block 1098, Lot 1), Borough of Brooklyn; and

WHEREAS, Order 12423-LF, issued by the Fire Commissioner, March 28, 1944, reads:

"1. Arrange wire screens on all windows so as to be readily movable or removable from both sides; in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, the applicant states that the building is four stories (48 ft.) in height, 200 ft. by 200 ft. in area; of Class 3 construction; located in an unrestricted use, C area, Class 1½ height district; erected about 1881 and used since 1931 as follows: 1st floor—dies—15 persons; cleaners, 8 persons; shipping, 4 persons; 2nd floor, mfg. yarn and shirts, 50 persons; 3rd floor and 4th floor, mfg. lighting fixtures, 60 persons per floor; that no change in use or occupancy is proposed; that no certificate of occupancy has been issued; that the building is equipped with a one-source approved sprinkler system, an interior fire alarm system and a standpipe system, but fire drills are not maintained; that there are two interior stairs, one located at main entrance 12th street and the other at side, located in an alley on 7th avenue, 4 ft. in width, of wood construction with brick enclosure and kalamein doors; that these extend to the roof bulkhead and directly to the street; that there is an exterior fire escape in the court and that windows and doors on the course thereof are fireproof, self-closing; and

WHEREAS, the applicant contends that the screens on windows are essential to prevent destruction of property, due to the vandals in the neighborhood; that the Police Department is helpless and admits it is unable to control the depredations and that the screens were placed on the building at the time of its erection; and

WHEREAS, the applicant states there are nineteen windows affected, located on the first (ground) floor on the 13th street front of the building; and that there are two exit doors and three secondary means of egress on this floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in order 12423-LF of the Fire Commissioner, and that the appeal be and it hereby is *granted,* as to item 1, *on condition* that the exits as indicated on plans filed with this appeal, marked "Received December 26, 1944", shall be maintained and that in addition, no screens shall be erected on the windows opening on the side yard to the east or to the open yard or court to the north; that the sprinkler system, standpipe system and interior fire alarm systems shall be maintained in accordance with the rules therefor and to the satisfaction of the fire commissioner; that no additional windows shall be screened, other than those affected by the order; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

22-45-A

APPLICANT—Gray and Tomlin, for The Roman Catholic Diocese of Brooklyn, New York, owner (Anthonian Hall, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—101-107 Greene avenue, northeast corner of Vanderbilt avenue (Block 1943, Lots 41-44 inclusive), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: John H. Kearney and Madeline W. Smith.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (22-45-A)

WHEREAS, Gray and Tomlin, for The Roman Catholic Diocese of Brooklyn, New York, owner (Anthonian Hall, Inc., lessee), filed January 15, 1945, an appeal from an order of the fire commissioner, affecting premises: 101-107 Greene avenue, northeast corner of Vanderbilt avenue (Block 1943, Lots 41 to 44, inclusive), Borough of Brooklyn; and

WHEREAS, Order 13987-LF of the Fire Commissioner, issued December 15, 1944, reads:

"2. Have the watchman patrol all portions of the premises and record his movements at each station. Tours or rounds are to be made once every two hours beginning at 6 P. M. and continuing until the day staff have resumed their duties. Used dials are to be kept on file at the premises so that same can be inspected by this Department. 487, E2.Oc-2 Adm. Code."

and

WHEREAS, the applicant states that the building is 3 stories and basement (40 ft.) in height, 80 ft. by 43.2 ft. in area; of Class 3 construction; located in business use, B area and Class 1½ height district; erected in 1908 and used since 1934 as a home for the blind, as follows: basement, dining room, kitchen, laundry and caretaker's room, 2 persons; 1st floor, parlor, library, residence room, chapel, 3 persons; 2nd and 3rd floors, bedrooms, 20 persons per floor; 4th floor, storage room; for which Certificate of Occupancy 90879, issued January 26, 1939, permitted the foregoing use of 105-107 Greene avenue, with 14 persons on each of the 2nd and 3rd floors; and Certificate of Occupancy 99337, issued December 11, 1940, permitted 101-103 Greene avenue to be used as follows: Cellar, storage; basement—maid's sitting room, laundry and offices; 1st floor, office, chapel and meeting room; 2nd floor, four sleeping rooms; 3rd floor, 4 sleeping rooms; 4th floor, (#101 only) storage, no detailed occupancy given; 40 lbs. live-load per floor permitted; that the building is equipped with a one-source sprinkler system and an interior fire alarm system, but fire drills are not maintained; that there are four interior stairs located at the front, of wood construction, enclosed in fireproof enclosure and equipped with fireproof, self-closing doors, and leading directly to the street and extending to the roof bulkhead; that there are four exterior fire escapes at the rear, extending to the roof by stair and to the yard by stair and to the street through a yard; and

WHEREAS, a variation was granted by the Board, to permit the occupancy of these buildings under certain conditions under Cal. Nos. 482-38-A and 493-40-A; and

WHEREAS, the applicant contends that the order of the fire commissioner requires that the watchman's tours shall be made once every two hours at 6 P. M. and continuing until the day staff has assumed their duties; that the premises is occupied by Anthonian Hall, Inc., as a residence for blind women; that all safety provisions of the law have been complied with; that a watchman is employed every night, but goes on duty at 10:30 P. M. and he records station visits every two hours from 11 P. M. to 7 A. M., when the day staff takes over; that during the day, the watchman's service is maintained and that the switchboard attendant is present until 10:30 P. M.; that there is a telephone extension on each floor of each building; that in view of all the conditions maintained, no watchman is necessary until 10:30 P. M. and to require him to start at 6 P. M. would entail duplication of work and additional expense without adding to the safety of the residents and is an unnecessary financial burden; that it is urged this appeal be granted, to permit compliance with the requirements in all respects, except that the watchman's rounds be permitted to start at 10:30 P. M. instead of 6 P. M., as required.

Resolved, that order 13987-LF of the Fire Commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to item 2, *on condition* that in all other respects, the watchman's service shall be maintained in accordance with the requirements therefor and that the building and occupancy shall comply in all other respects with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. Nos. 482-38-A and 493-40-A; and that the certificate of occupancy issued by the Department of Housing and Buildings, 90879, shall be corrected, so as to refer to the correct number of the appeal, namely #482-38-A instead of #428-38-A.

38-45-A

APPLICANT—Irving Kudroff, for 509 East 75th Street Corporation, owner (Center Container Corp., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—507-509 East 75th street, north side, 173 ft. east of York avenue (1st to 4th floors); (Block 1487, Lot 8), Borough of Manhattan.
APPEARANCES—
For Applicant: Irving Kudroff.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (38-45-A)

WHEREAS, Irving Kudroff, for 509 East 75th Street Corporation, owner (Center Container Corp., lessee), filed January 25, 1945, an appeal from a decision of the borough superintendent, affecting premises 507-509 East 75th street, north side, 173 ft. east of York avenue (1st to 4th floors); (Block 1487, Lot 8), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 26, 1944, re Alt. Applic. 1536-44, reads:

"1. Provide two means of exit, remote from each other, from every floor, to comply with Sec. 270 Labor Law.

3. All doors opening on stairway should be 3 ft. 8 in. wide, Sec. 270 Labor Law."

and

WHEREAS, the applicant states that the building is four stories (54 ft.) in height, 50 ft. by 96 ft, and 102 ft. 2 in. in area at first floor, 50 ft. by 96 ft. and 100 ft., irregular, above; Class 3 construction; located in an unrestricted use, B area. Class 2 height district; erected in 1914 and used since May, 1937, as a public garage for over five-motor vehicles; proposed to be used: 1st floor, boiler room, shipping and factory for cardboard boxes, 10 persons; 2nd floor, office and cardboard box factory, 25 persons; 3rd floor, cardboard box factory, 15 persons; 4th floor, storage, 5 persons; that Certificate of Occupancy 23650-38, was issued May 31, 1938, for a public garage; that the building is equipped with one interior stairs at the northeast corner of the building, 3 ft. 8 in. wide of steel construction, enclosed in brick, with kalamein, self-closing doors, extending to the roof bulkhead and leading directly to the street; that there is one fire escape at the rear, extending to the roof by stair, to the yard stair with egress to the street through the 1st story; and

WHEREAS, the applicant contends it is proposed to change the occupancy of the building from a public garage to a factory; that the building was originally erected in 1914, as a storage warehouse and converted in 1937 to a public

garage for more than five cars, subject to Certificate of Occupancy 23650; that the two means of exit from the upper stories, consist of a fireproof stairway and a 45° fire escape on the rear of the building, extending from the yard to the roof; that all windows and doors opening on the course of the fire escapes are fireproof, self-closing and that the present egress to the street is either through the first story or through the adjoining premises; that there is no cellar in the building and the boilerroom, containing a low pressure steam heating boiler, is in a brick extension, one story in height, located in the rear of the building and access thereto is through the yard; that it is proposed to occupy for manufacturing only, the lower three stories, and the 4th floor will be used for storage; and

WHEREAS, this building has been before the Board on appeal in two prior cases, namely Cal. 845-24-A and 944-24-S; that the former was an appeal from a decision of the borough superintendent, objecting to the proposed extension in height above four stories and conversion of the building to factory use, as the building was erected after October 1, 1913 and could not be permitted, under the Labor Law, to be of nonfireproof construction as proposed; that under Cal. 944-24-S, the same question was presented and the appeal was denied; that the building at present, apparently is arranged similarly as to the existing conditions of the stair and fire escapes; that the adjoining building to the west is shown with a depth of approximately 75 ft. and there are lot line windows on all floors, opening upon the yard of the adjoining building; that there is nothing shown as to exit or rear fire escape to the street, other than through the first floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1536-44, objections 1 and 3, and that the appeal be and it hereby is *granted on condition* that the primary means of exit, as indicated shall be maintained throughout the building, with bulkhead to the roof; that the secondary means of exit, consisting of an exterior 45° fire escape, with stairs to the rear yard, shall be maintained and that a passageway, constructed of fireproof materials, shall be installed through the first floor, from the rear yard to the stairway enclosure at the front; that the doors leading to such passageway shall comply with the requirements as to width and that the existing doors to primary means of exit enclosure may be continued, provided such doors are not less than 40 inches in clear width: that the occupancy of the upper floors shall be computed on the capacity of the primary means of exit only; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

202-45-A

APPLICANT—William I. Hohauser, for Plywood Aircraft Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens. (Under section 35, General City Law re bed of proposed mapped street—Powells Cove boulevard.)

APPEARANCES—

For Applicant: William I. Hohauser.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (202-45-A)

WHEREAS, William I. Hohauser, for Plywood Aircraft Corporation, owner, filed April 5, 1945, an application pursuant to Section 35 of the General City Law, for permission to erect a building in the bed of a mapped street (Powells Cove boulevard), as cited in a decision of the borough superintendent, affecting premises 20-20 119th street, west side, 200.38 ft. south of 20th avenue (Block 4160, part of Lot 10), College Point, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated March 19, 1945, on Alt. Applic. 301-45, reads:

"1. The extension of an existing building into the bed of a mapped street, is contrary to the General City Law, Sec. 35, Art. 3, Not further considered."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 54.32 ft. on 119th street with a depth of 240.47 ft. irregular in area, located in an unrestricted use, D, area, class 1 height district, upon which there is an existing building 54 ft. by 136 ft. in area, which it is now proposed to extend by the erection of a new class 3 extension 66 ft. in depth for the full width of the lot and a spray room 21 ft. in depth by 27 ft. in width at the rear, as indicated on plans filed with this appeal, marked "Received April 5, 1945" and "May 5, 1945"; that the entire premises are used as a woodworking shop with 45 persons on the first floor and 15 persons on the second floor; that Certificate of Occupancy Q31112 was issued June 9, 1944, under N. B. Applic. 55-44, permitting the use and occupancy of the building therein described as paint spraying; that this appears to be the building now located in the bed of Powells Cove boulevard which is marked "present paint spray building to be removed" on plan filed with this appeal; and

WHEREAS, the applicant contends that Powells Cove boulevard was first mapped on December 23, 1915; that since then nothing was done on this matter and nothing is on the record, indicating any further action on this proposed boulevard; that the extension to this building is needed immediately in connection with the manufacturing of products of the owner-tenant; that it is unfair to the owner to be prohibited from using this property to the full extent permitted by zoning; and

WHEREAS, the Board is in receipt of a communication from the acting President of the Borough of Queens, wherein it is stated "that Powells Cove Blvd. is indicated at a width of eighty feet on Final Section No. 48 of the Borough of Queens, adopted by the Board of Estimate and Apportionment on December 23, 1915. There is no proceeding pending at this time to acquire title to the street. I believe, however, that if this permit is granted, a stipulation be made to protect the City's interest, in the event that the property in question be acquired."

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 301-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, to permit the bed of the proposed street to be occupied by the proposed building, *on condition* that no claim for damages shall be made against the City of New York, in the event of the acquisition of the property for street purposes, other than for the fair value of the land so taken and for the cost, as determined by the court, for that portion of the building erected within the mapped street, less amortization at the rate of 10% per annum.

221-45-A

APPLICANT—Childs Company, lessee, for Estate of George C. Boldt, owner (Chase National Bank, trustee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—36 West 34th street, south side, 300 ft. east of Broadway and 41 West 33rd street (1st and 2nd floors); (Block 835, Lots 14 and 63), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: George E. Sweet and W. A. Le Gette.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (221-45-A)

WHEREAS, Childs Company, lessee, for Estate of George C. Boldt, owner (Chase National Bank, trustee), filed April 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 36 West 34th street, south side, 300 ft. east of Broadway and 41 West 33rd street (1st and 2nd floors); (Block 835, Lots 14 and 63), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 15, 1945, on Misc. F. P. Applic. 434-45, reads:

"1. Plan shows machinery room of a direct method of refrigeration, located on the 2nd floor of a business building, which is contrary to C19-98.0, sub. b of the Administrative Code."

and

WHEREAS, the applicant states the building is five stories (53 ft.) in height; 25 ft. frontage on 34th street and 21 ft. 2 in. on 33rd street, and 197 ft. 6 in. in depth; of Class 3 construction; located in a restricted retail use, B area, Class 2 height district and occupied: cellar, working portion of restaurant, 10 persons; 1st story, restaurant, 209 persons; 3rd to 5th stories, offices, 20 persons per story; that the means of egress consists of two interior stairways, one on each street front, enclosed with wood studs, wire lath and plaster partitions, with self-closing doors at the openings, extending from the street to the roof and two fire escapes in the interior court, with ladder to the roof and connecting at the 2 story to the fire escape on the adjoining building; and

WHEREAS, the applicant contends that at the restaurant operated by the Childs Company at 36 West 34th street and 41 West 33rd street, it is proposed to install a direct air conditioning system, consisting of a Carrier compressor of 28 H.P. and an evaporator containing 160 lbs. of Freon refrigerant, the machine room containing these units, to be constructed in the 2nd story West 33d street side; that ducts containing the conditioned air, will perforate the 2nd floor and be distributed on the ceiling of the 1st story restaurant; that there is no space in the cellar or in the restaurant for the placing of the machine room, the area to be occupied in the 2nd story is vacant and will remain vacant; that the Department of Housing and Buildings would approve the system, if the machine room were located on the 1st floor; that in this case, the machine room, located on the 2nd floor with ample windows for ventilation, would render the plant much less dangerous than if same were located on the 1st floor and ventilated by mechanical means; that all perforations through the second floor will be protected by fire dampers, directly connected to the machine itself, and these perforations will be fire protected, as shown on the plan filed with this appeal; that the air, passing through the 2nd floor and into the ducts in the 1st story, would not be heated and the plant will be operated as a cooling system only; that the ruling of the Department of Housing and Buildings in this particular case is not contributing to safety and it is therefore requested that a modification be granted to allow the plan as submitted.

Resolved, that the decision of the borough superintendent, acting on F.P. Applic. 434-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition,* that in all other respects, the refrigeration shall comply with the requirements of the Administrative Code therefor; that the rear section of the second floor, facing West 33d street, shall remain vacant as proposed, other than for the refrigerating equipment as shown, which shall be separated by means of a one-hour partition and a fireproof door from that portion of the second floor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

280-45-A

APPLICANT—Irvin J. Berger, for Victor Metal Products Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: Irvin J. Berger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (280-45-A)

WHEREAS, Irving J. Berger, for Victor Metal Products Corp., owner, filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1945, re Alt. Applic. 271-45, reads:

9. "Provide two means of egress from each floor, complying with the requirements of Sec. 270 of the Labor Law, as building was extended under Alt. 6163-29.

10. Vertical openings shall be enclosed throughout their height by enclosures of fireproof materials, as per Sec. 270-7 of the Labor Law. Denied."

and

WHEREAS, the applicant states that the building is 3 stories (51 ft.) in height; 140 ft. 2 in. frontage (plans show a total frontage of 175 ft., additional 35 ft. being a two-story adjoining building occupied by same concern and connected thereto); that it is 50 ft. and 100 ft. in depth at street floor; and 50 ft. and 61 ft. 2 in. in depth at typical floor; Class 3 construction; located in unrestricted use C area, Class 1¼ height districts; erected about 1897 and 1929 and used and occupied since as follows: 1st, 2nd and 3rd floors, manufacturing collapsible tubes, 35 persons, 32 persons and 14 persons, respectively; proposed occupancy —1st floor, 35 persons; 2nd floor, 45 persons; 3rd floor, 80 persons—same use—manufacturing collapsible tubes; that the building is equipped with an approved one-source sprinkler system, standpipe and fire alarm systems and that fire drills are maintained; that there are two interior stairs, one stairway at the northwest corner, marked "Stair A" on plans filed with this appeal, is 3 ft. 8 in. wide, constructed of wood, enclosed with fire-retarded partition on both sides, with #24 gauge sheet metal over ½ in. plaster board, and one stairway, 75 ft. from the southwest corner, marked "Stair B" on plans, constructed of steel and concrete, enclosed in masonry, both lead directly to the street and one extends to the roof bulkhead, construction of doors one and one-half hour, self-closing; that Certificate of Occupancy 60300 was issued May 2, 1930, for use of the building as a factory, with 120 lbs. liveload p.s.f. on each floor and occupancy of 20 persons on 1st floor, 22 persons on the 2nd floor and 4 persons on the 3rd floor; that Permit 6163-29 was issued and work completed May 2, 1930; and

WHEREAS, the applicant contends that the records in the Department of Housing and Buildings indicate that the section of the building at the corner of Diamond and Calyer streets, was erected in 1897 and purchased by the present owner in 1926 and that it has been used continuously for

the same purpose since that time; that in 1928, the building was altered, by enclosing the present wooden stair (indicated as Stair A) on both sides with ½ in. plaster board and 24 in. gauge sheet metal; that in 1929, the building was enlarged by adding a three story extension to the south, which was approved by the Bureau of Buildings and in which there was constructed a steel and concrete stair (indicated as Stair B), enclosed in masonry and so located as to be directly accessible to both the old and new portions of the building; that another Certificate of Occupancy, 62144 was issued October 29, 1930, for this extension, approved for floor loads of 75 lbs. p.s.f. for the 2nd and 3rd floors, the first floor being on the ground and all permitted for factory throughout; that as to objection 9, the Borough Superintendent questions the construction of Stair "A" as to compliance with the Labor Law, under Section 270; and as to objection 10, that the openings consist of conveyors, indicated on the drawings as Nos. 1 and 2; Conveyor #1 extends from 2nd to 3rd floors only and it would be difficult to enclose it, because of the wood floor construction; that it is proposed to construct the necessary guard rails and slatted fire doors at the floor, as called for in Section 10.13.2 of the Building Code; that Conveyor #2 extends from the 1st to the 3rd floors and it is proposed to protect this with self-supporting angle iron construction with 20 gauge sheet metal and fire doors at each opening; and

WHEREAS, it appears that the section of the frontage of 40 ft., used in conjunction with this plant to the south, is separated from the balance of the factory by fireproof, self-closing doors on the ground and second floors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 271-45, and that the appeal be and it hereby is *granted,* as to objection 9 *on condition* that the existing means of exit as indicated on plans filed with this appeal, marked "Received May 10, 1945" shall be maintained, and in addition, a stairway at the Diamond street side of the southerly building, intended for future office space, shall be continued to the roof with a bulkhead, which may be fire-retarded construction and a fire-retarded passageway stair enclosure constructed on the second floor; that the door, leading to the second story roof from the 3rd floor toward the front, shall be maintained; that the enclosures around stairs "A" and "B" may be maintained, as previously approved by the Department of Housing and Buildings, as stated; as to objection 10, that the openings for conveyors may be maintained as proposed and provided that in all other respects, other than as herein modified, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the one source sprinkler system shall be maintained throughout the building and the standpipe, fire alarm systems and fire drills shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that the building shall not be increased in height or area; that the floor loads of 120 pounds per superficial foot per floor shall be maintained throughout the building.

221-41-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—107-60 159th street and north side of 108th avenue, 30 ft. east of 158th street (Block 10137, Lots 1, 9, 10 and 11), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: John P. Riley.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (221-41-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 107-60 159th street and north side of 108th avenue, 30 ft. east of 158th street (Block 10137, Lots 1, 9, 10 and 11), Jamaica, Borough of Queens), was granted by the Board on April 1, 1941, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 1, 1941, only so far as it has reference to the number of children in the day nursery, so that as amended, the resolution shall read:

"*Resolved,* that the order of the fire commissioner, No. 6100-LF, Item No. 1, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained as proposed; that at all times during school hours the building shall be under the supervision of a sufficient number of trained attendants; that the existing exits from that portion of the building in which the day nursery is maintained shall be equipped with approved panic bolts with doors opening outwardly; that a periodic fire drill shall be maintained; that a telephone of the non-coin type with direct connection shall be installed on the premises in a conveniently central location available at all times with a sign posted giving the telephone number of fire headquarters.

Resolved further, that the premises shall be maintained as proposed, except that the number of children may be increased to not over 65, * * * and that other than as herein *amended,* the conditions of the resolution of April 1, 1941, shall be complied with."

175-43-S

APPLICANT—Arthur Ellins, for Federal Machine & Tool Company, lessee (Myron Realty Corporation, owner).

SUBJECT—Application for consideration—reopening and extension of variance—re Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—382 Lafayette street, west side, 74 ft. south of East 4th street (Block 531, Lot 11), Borough of Manhattan.

APPEARANCES—
For Applicant: Arthur Ellins.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and variance extended.

THE VOTE TO REOPEN AND EXTEND VARIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (175-43-S)

WHEREAS, this application from a decision of the borough superintendent, affecting premises 382 Lafayette street, west side, 74 ft. south of East 4th street (Block 531, Lot 11), Borough of Manhattan, was granted by the Board on April 27, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the variance, relative to the partitions on the fifth floor.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 27, 1943, only

so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * that such partitions shall be made to comply with the requirements therefor, within two years from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of April 27, 1943 shall be complied with."

689-44-A

APPLICANT—Mount Sinai Hospital, owner.
SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—41 East 100th street, north side, 70 ft. west of Madison avenue (basement); (Block 1606, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: E. Greenberg.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

47-45-A

APPLICANT—Rubin Fromowitz, for James Marzano and Anthony Telesco, owners.
SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—533-537 West 34th street, north side, 350 ft. east of 11th avenue (cellar); (Block 706, Lot 15), Borough of Manhattan.
APPEARANCES—
For Applicant: Rubin Fromowitz.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

87-45-A

APPLICANT—Bartholdi Turecamo, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Hunter avenue, east side, between 24th avenue and Bay 37th street and west side of Belt parkway, 38 ft. north of Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn.
APPEARANCES—
For Applicant: Otto J. Sambach.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn. Applicant to confer with the Fire Department.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

215-45-A

APPLICANT—Pressed and Welded Steel Products Co., Inc., lessee, for Dogard Realty Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—38-61 11th street, east side, 175 ft. north of 40th avenue (street floor); (Block 473, Lot 558), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Charles R. Thomas.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

635-41-A

APPLICANT—Abe Nichols, lessee, for Henrietta Grum, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn re an order of the fire commissioner).
PREMISES AFFECTED—398-408 Riverdale Avenue, southwest corner of Junius street (Block 3831, Lot 25), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abe Nichols.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

27-45-A

APPLICANT—Milton B. Weissman, for 2861 Third Avenue Realty Corp., owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.
APPEARANCES—
For Applicant: Milton B. Weissman and Sadie Sabatnik.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

516-44-A

APPLICANT—657—5th Ave. Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—240-246—19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Jerome Voletsky.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to June 12, 1945 at 2 p. m., pending an inspection by a committee of the Board and for decision.

726-44-A

APPLICANT—John A. Hawthorne, for Hamlin and Co., Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—109-115 York street, north side, 50 ft. east of Jay street (Basement and 1st floors); (Block 54, Lot 12), Buildings 9 and 10, Borough of Brooklyn.

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APPEARANCES—
For Applicant: John A. Hawthorne.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to June 12, 1945 at 2 p. m., for further consideration and for possible inspection by a committee of the Board. Applicant to file revised plans.

66-45-A

APPLICANT—Frank W. Demuth, for Kew Terminal Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—120-46 to 120-60 Queens boulevard, south side, 167.45 ft. west of 82nd avenue (Block 3358, Lot 18), Kew Gardens, Borough of Queens.
APPEARANCES—
For Applicant: Frank W. Demuth and Daniel J. Bolmer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the Board. Date to be set. No further discussion.

69-45-A

APPLICANT—John Wanamaker, lessee, for Springsley Realty Corp., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan.
APPEARANCES—
For Applicant: Fred Schmertz.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to June 12, 1945 at 2 p. m. at request of applicant's representative.

ZONING APPLICATIONS

762-38-BZ

APPLICANT—Henry Nordheim, for Dorothy Bell Dyer and Isabel Sturges, owners (Gardner Super Service, Inc., lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block 2983, Lots 7, 11, 15 and 21), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (762-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block 2983, Lots 7, 11, 15 and 21), Borough of The Bronx, was granted by the Board on May 23, 1939, on certain conditions; and

WHEREAS, the resolution was amended on July 16, 1940 and the permit was extended on May 13, 1941; and

WHEREAS, on May 25, 1943, the resolution was corrected and the permit was further extended; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1939, as amended through May 25, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"'*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the use of this portion of the plot for parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the amended resolution of May 25, 1943 shall be complied with and that a new certificate of occupancy shall be obtained."

1179-38-BZ

APPLICANT—Herman Horowitz, for 167th Street Terminal Co., Inc., new owner; Inter City Transportation Co., Inc., new lessee.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under sections 7h and 7j of the zoning resolution, permitting in a business use district, for a term of two years, the parking of more than five motor vehicles (buses).
PREMISES AFFECTED—550 West 167th street, south side, from St. Nicholas avenue to Audubon avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Horowitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1179-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking of more than five motor vehicles (buses), affecting premises 550 West 167th street, south side, from St. Nicholas avenue to Audubon avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan, was granted by the Board May 23, 1939, on certain conditions; and

WHEREAS, the permit was extended on May 13, 1941 and on May 18, 1943 and the applicant requested a further extension of the permit; and

WHEREAS, the records indicate that these premises have been occupied for a bus station since approximately 1932.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1939, as amended through May 18, 1943, so that as amended the first portion of the resolution shall read:

"*Granted* under section 7j for a term of two (2) years from the date of this *amended* resolution, to permit the premises under appeal to be used as proposed, as a waiting station for buses, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 23, 1939, shall be complied with, and that a certificate of occupancy shall be obtained."

MINUTES

372-40-BZ

APPLICANT—Arnold W. Lederer, for Hyman Levine, City Savings Bank and Julia Ryan, owners (Leopold J. Brown and William Brandt, lessees).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—768-788 Utica avenue, west side, 40 ft. north of Linden boulevard (Block 4655, Lots 20, 22, 25 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leopold J. Brown and William Brandt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (372-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 768-788 Utica avenue west side, 40 ft. north of Linden boulevard (Block 4655, Lots 20, 22, 25 and 27), Borough of Brooklyn, was granted by the Board on March 18, 1941, on certain conditions; and

WHEREAS, the resolution was amended on July 1, 1941 and the permit was extended on June 29, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 18, 1941, as amended through June 29, 1943, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* '* * * that other than as herein *amended,* the conditions of the resolution of July 1, 1941 shall be complied with and that a certificate of occupancy shall be obtained, in accordance with the resolution adopted by the Board on this day, and including the conditions of the resolution as adopted on July 1, 1941'."

631-40-BZ

APPLICANT—J. Jacques Stone, for Bowery Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—323-345 West 34th street, north side, 395 ft. east of Ninth avenue (Block 758, Lots 16 and 23 to 27, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (631-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 323-345 West 34th street, north side, 395 ft. east of Ninth avenue (Block 758, Lots 16 and 23 to 27 inclusive), Borough of Manhattan, was granted by the Board October 15, 1940, on certain conditions; and

WHEREAS, the resolution was amended on May 27, 1941 and the permit was extended on May 25, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 15, 1940 as amended on May 27, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the amended resolution of May 27, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

222-41-BZ

APPLICANT—James F. Connell, for Mary Egan, owner.

SUBJECT—Application for consideration—reopening, extension of time and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under Sections 7e of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of a stable for five horses to a stable for nineteen horses.

PREMISES AFFECTED—918-922 Clove road, west side, 330 ft. south of Empress avenue (as extended); (Block 323, Lot 50), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James F. Connell.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (222-41-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of a stable for five horses to a stable for nineteen horses, affecting premises 918-922 Clove road, west side, 330 ft. south of Empress avenue (as extended); (Block 323, Lot 50), West New Brighton, Borough of Richmond, was granted by the Board on June 24, 1941, on certain conditions; and

WHEREAS, the permit was extended on June 29, 1943 and the applicant requested a further extension of the permit and an amendment of the resolution, based on a decision of the borough superintendent, acting on B.N. 190-4.5, which reads:

"1. A stable for 30 horses in a residential use district, is contrary to Article 2, Section 3 Zone Resolution. Also change from 20 to 30 horses is contrary to the Board of Standards and Appeals Cal. 222-41-BZ, which was extended June 29, 1943 to June 29, 1945."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 24, 1941, in so far as it has reference to the term of the permit, and as to the number of horses permitted, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7e for a term of two (2) years from the date of this *amended* resolution, to permit the building as indicated on plans filed with this application to be occupied for more than five (5) horses, *on condition* that such horses shall be for riding purposes only and that at no time shall there be more than *thirty* (30) horses; that the building shall not be increased in height or area; that any signs erected facing the park advertising the renting of saddle horses shall be subject to the approval of the Commissioner of Parks; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

176-42-BZ

APPLICANT—Street and Adikes, for Boulevard Housing Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7d of the zoning resolution, permitting in a residence use district, the use of a plot of ground as a recreational area for the tenants of a building not located on the same lot with the proposed use.

PREMISES AFFECTED—56-39 to 56-51 30th avenue, north side, 100.78 ft. east of 56th place (Block 1024, Lot 8), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Walter Adikes.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (176-42-BZ)

WHEREAS, this application under section 7d of the zoning resolution, permitting in a residence use district, the use of a plot of ground as a recreational area for the tenants of a building not located on the same lot with the proposed use, affecting premises 56-39 to 56-51 30th avenue, north side, 100.78 ft. east of 56th place (Block 1024, Lot 8), Woodside, Borough of Queens, was granted by the Board on May 5, 1942, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on June 6, 1944 and the applicant requested a further extension for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 5, 1942, only so far as it has reference to obtaining permits and completing the work, so that as amended, this portion of the resolution shall read:

"Granted under section 7d of the zoning resolution, to permit the plot to be occupied as a playground, *on condition* * * * that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution, and that other than as herein *amended,* the conditions of the resolution of May 5, 1942, shall be complied with (Misc. Applic. 11427-41)."

90-43-BZ

APPLICANT—Cafiero and Lacerenza, for Agnes Barth, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, the maintenance of a motor vehicle repair shop for a temporary term of two (2) years.

PREMISES AFFECTED—1688 St. Marks avenue (rear), southeast corner of Rockaway avenue (Block 1461, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Christine Cascio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (90-43-BZ)

WHEREAS, this application under section 7i of the zoning resolution, permitting in a business use district, for a term of two years, the maintenance of a motor vehicle repair shop, affecting premises 1688 St. Marks avenue (rear), southeast corner of Rockaway avenue (Block 1461, Lot 11), Borough of Brooklyn, was granted by the Board on May 25, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 25, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"Granted under section 7i to permit the premises to be occupied for motor vehicle repairing for a term of two (2) years from the date of this *amended* resolution, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 25, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

390-19-BZ

APPLICANT—Lama and Proskauer, for Edward Brodlieb, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7g of the zoning resolution, permitting in a business use district, the extension of store use now in existence in a garage previously granted by the Board.

PREMISES AFFECTED—6902-6912 Fourth avenue, southwest corner of Bay Ridge avenue (Block 5872, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

220-44-BZ

APPLICANT—Anthony M. De Rose, for D'Abramo Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under section 7f of the zoning resolution, permitting in a business use district the change of occupancy of an existing building from a stable and wagon storage and garage for more

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than 12 motor vehicles (in cellar) to a garage for more than five motor vehicles and a motor vehicle repair shop, not complying with yard and area requirements for a new building.

PREMISES AFFECTED—89 Thompson street, west side, 100 ft. 1 in. north of Spring street (Block 503, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony M. De Rose and Joseph Goldberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

MATERIAL SUBMITTED FOR APPROVAL

503-40-SM

APPLICANT—A B C Kalamein Door Co., for Irving Sternberg, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution to include additional manufacture—re Approval of A.B.C. One and One-Half Hour Kalamein Door, previously approved on condition.

APPEARANCES—

For Applicant: Morris Dorf.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative 0

THE RESOLUTION (503-40-SM)

WHEREAS, the A.B.C. Kalamein Door Company, owner, filed on May 10, 1940, an application with the Board of Standards and Appeals, for approval of the material known as the A.B.C. One and One-Half Hour Kalamein Door; and

WHEREAS, this material was approved by the Board on September 17, 1940, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the manufacture of this door under the name of the Acme and Dorf Metal Door Company.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 17, 1940, by adding thereto:

"* * * that at the request of the applicant the A.B.C. One and One-Half Hour Door Company, this opening protective assembly may be manufactured by the Acme and Dorf Metal Door Company in their premises at 1348-52 Southern boulevard, Bronx, New York, provided all of the requirements of this resolution and the Report of the Committee on Tests embodied therein are complied with."

Adjourned: 4:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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COURT DECISION

Matter of Cities Service Oil Co. vs. Murdock—The premises are located at 3504-3510 Boston Road, southeast corner of Eastchester Road. In 1927, a temporary variance for two years was granted to permit erection of a gasoline station under Cal. No. 626-26 BZ. The variance was extended to expire April 29, 1931. Thereafter, no application was filed for continuance until 1935, when the variance was again granted for two years, expiring January 15, 1937. A request for further extension was denied on December 14, 1937, based on a report of Committee.

Upon court review, the denial of the Board was sustained at Special Term, Supreme Court, by Mr. Justice McGeehan (People ex rel Richel vs. Murdock, N. Y. Law Journal, January 24, 1940). This decision was affirmed by the Appellate Division of the First Department but a stay was granted and leave to appeal to Court of Appeals (N. Y. Law Journal, May 17, 1941). The Court of Appeals, however, refused permission to appeal to that court and denied a further stay (N. Y. Law Journal, June 14, 1941).

On June 2, 1942, the Board again denied an application brought under Section 7, subdivision F. Later, the property having been taken over by the Cities Service Oil Co. from Richel, an application for rehearing was made by George H. Cohn as counsel, and the Board denied a rehearing on September 15, 1942, in the absence of substantial new facts. This decision was subject to court review and has been sustained by Mr. Justice Wasservogel, at Special Term, Bronx County, the court stating:

> "The Board of Standards and Appeals having rendered its decision was powerless to reopen the proceeding except upon a showing of new facts. On the record herein there was not a showing of new facts warranting a reopening of the proceedings and the board was thoroughly justified in denying the application to review its initial determination. Motion to dismiss granted."

(N. Y. L. Journal, February 18, 1944).

Appellate Division, Supreme Court, First Department, unanimously affirmed Special Term's decision, sustaining the Board's determination, with $20 costs and disbursements. No opinion (N. Y. L. J. June 9, 1945, page 2220).

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 5, 1945.

Cal. No. *Dept.* *Premises Affected.*

323-45-BZ—H.B.B.—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn, N.B. 110-45.

324-45-A—H.B.B.—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn, Alt. 2675-44.

325-45-A—H.B.B.—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn, P.A. 701-44.

326-45-A—H.B.M.—76-78 Varick street and 9 Grand street, southeast corner (Block 227, Lot 70), Borough of Manhattan, Alt. 490-45 and Amendment.

327-45-A—H.B.Q.—41-03 Broadway and 31-89 41st street, northeast corner (1st floor); (Block 679, Lot 7), Long Island City, Borough of Queens, Amendment to Alt. 1476-44.

328-45-A—H.B.Bx.—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4015, Lots 31 and 32), Borough of The Bronx, Decision re Alt. 510-44.

329-45-A—H.B.B.—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn, Alt. 910-45.

330-45-A—H.B.B.—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (2nd floor); (Block 5872, Lot 42), Borough of Brooklyn, Alt. 1104-45.

331-45-SA—Fostoria Even Ray System (Infra-Red Heating Equipment), Appliance.

332-45-A—F.D.—31-01 to 31-05 Steinway street and 40-02 to 40-10 31st (Jamaica) avenue, southeast corner (cellar); (Block 678, Lots 30-40-42), Long Island City, Borough of Queens, 14705-LF.

333-45-SA—Ketcham Type SVJ-3011 Sewage Ejector, Appliance.

334-45-SM—Union Metal Monotube Piling (cold-rolled, fluted, tubular steel piling), manufactured by Union Metal Manufacturing Co., Material.

335-45-A—H.B.B.—87-93 Jay street, east side, 90 ft. north of York street (2nd floor); (Block 54, Lot 1), Borough of Brooklyn, Alt. 1530-45.

336-45-A—H.B.B.—704 Liberty avenue (700 displayed), south side, 32 ft. east of Elton street (2nd floor); (Block 3986, Lot 11), Borough of Brooklyn, Alt. 1175-45.

337-45-A—H.B.M.—Block bounded by East Houston street to East 6th street, between Avenue D and East River drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan, N.B. 55-45 to N.B. 71-45, inclusive.

338-45-A—H.B.M.—Block bounded by East 132nd street to East 135th street, between Park avenue and 5th avenue (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan, N.B. 96-45 to N.B. 109-45, inclusive.

339-45-A—H.B.Q.—92-15 159th street, east side, 125.19 ft. south of Jamaica avenue (2nd floor); (Block 10100, Lots 35-46), Jamaica, Borough of Queens, Alt. 287-44.

340-45-A—F.D.—1004 Westchester avenue, south side, 122.82 ft. west of Simpson street (basement, street and 1st floors); (Block 2724, Lot 32), Borough of The Bronx, 41324-LC.

341-45-BZ—H.B.B.—630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn, B.N. 441-45.

342-45-A—H.B.Q.—58-01 Grand avenue, northwest corner of 58th place (2nd floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens, Amendment to Alt. 1003-43.

343-45-BZ—H.B.B.—124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn, N.B. 79-45.

344-45-BZ—H.B.B.—167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn, Alt. 940-45.

345-45-A—H.B.M.—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan, Amendment to B.N. 2338-44.

346-45-SM—Palmer "Redkan" Structural Glass Mastic, Palmer "Grakan" Structural Glass Mastic and Palmer Mastic Bond, manufactured by Palmer Asbestos and Rubber Co., Material.

Restored to Calendar.

504-27-BZ—H.B.Bx.—200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx, Alt. 2344-41.

593-30-BZ—H.B.Q.—219-02 to 219-12 Horace Harding boulevard (Nassau boulevard), and 61-01 219th street, southeast corner (Block 3419, Lot 1), Bayside, Borough of Queens, N.B. 134-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

CALENDAR

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May 15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	May 29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	May 29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

JUNE 12, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 12, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

531-37-BZ—Application of Joseph Mosgoffian, applicant and lessee, on behalf of Annie Zins, owner, reopened May 15, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary period of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

459-44-BZ—Application, July 21, 1944, under sections 21 and 7c of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Mary L. Richardson, owner, to permit in a business use C area district, manufacturing in excess of the permitted area; premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

786-42-BZ—Application of Chester A. Cole, applicant, on behalf of O. J. Heinzmann, owner, reopened May 22, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop); premises 8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond.

114-28-BZ—Application of Edward A. Brown, applicant, on behalf of Zimtbaum & Horowitz, owners, reopened May 22, 1945, re amendment of resolution—Application, previously granted on condition, under sections 7e and 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 109-07 to 109-17 101st avenue (4453-4459 Jerome avenue), north side, 50 ft. west of 110th street (Block 460, Lots 53-55), Richmond Hill, Borough of Queens.

26-45-BZ—Application, January 17, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harold S. Rogers, owner, to permit in a retail use D area district, and adjoining a residence use district, the erection of a gasoline service station, office, lubritorium, car washing laundry, and, also the omission of the required rear yard; premises 468-478 Forest avenue and 9 City boulevard, southeast corner (Block 259, parts of Lots 1 and 6), West Brighton, Borough of Richmond.

222-45-BZ—Application, April 12, 1945, under section 21 of the zoning resolution, of Jules Lewis, applicant, on behalf of Abgus Realty Corp., owner, to permit in an unrestricted use B area district, the omission of a loading space, as required by section 19a, in a building changed from its present use as a garage to its former use as a factory; premises 461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

836-22-BZ—Application of Harry Hurwit, applicant, on behalf of Flo-El Realty Corp., owner (L. & J. Caterers, Inc., lessee), reopened January 23, 1945, under section 7b of the zoning resolution, to permit in a building partly in a business use and partly in a residence use district, the change of occupancy from a theatre and stores (previously granted by the Board) to catering, meeting rooms, ballrooms and stores; premises 85 West Burnside avenue and 2041 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

Appeals from Administrative Decisions

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

130-45-A—42 West 13th street, south side, 100 ft. east of 6th avenue (3rd floor); (Block 576, Lot 16), Borough of Manhattan.

178-45-A—1068 Flatbush avenue, west side, 86.1½ ft. south of Beverly road (cellar); (Block 5152, Lot 11), Borough of Brooklyn.

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295-45-A—421 West 126th street, north side, 226 ft. west of Morningside avenue and 416 West 127th street, south side, 225 ft., west of Morningside avenue (1st floor); (Block 1967, Lots 13 and 33), Borough of Manhattan.

139-45-A—80-18 Cooper avenue and 70-27 80th street, southeast corner (1st floor, Building 31); (Block 3806, Lot 2), Glendale, Borough of Queens.

173-45-A—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

174-45-A—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JUNE 12, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 12, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

726-44-A—109-115 York street, north side, 50 ft. east of Jay street (basement and 1st floors); (Block 54, Lot 12), (Buildings 9 and 10), Borough of Brooklyn.

69-45-A—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan.

516-44-A—240-246 19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8); Borough of Brooklyn.

239-45-A—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

218-45-A—18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan.

647-44-A—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

104-45-A—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens.

166-45-A—70-15 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn.

169-45-A—6625 Bay parkway (6627 displayed), south side, 53 ft. 11¾ in. east of West 8th street (1st floor); (Block 6577, Lot 3), Borough of Brooklyn.

313-45-A—360-368 East 167th street and 1140 Teller avenue, southeast corner (2nd floor); (Block 2429, Lot 15), Borough of The Bronx.

135-45-A—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn.

151-45-A—32-48 Eagle street and 206-212 West street, southeast corner (3rd floor); (Block 2503, Lot 1), Borough of Brooklyn.

297-45-A—10-12 East Van Cortland avenue, south side, 29 ft. 6 in. west of Villa avenue (Block 3322, Lot 29), Borough of The Bronx.

335-45-A—87-93 Jay street, east side, 90 ft. north of York street (2nd floor); (Block 54, Lot 1), Borough of Brooklyn.

337-45-A—Block bounded East Houston street, to East 6th street, between Avenue D and East River drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

338-45-A—Block bounded by East 132nd street to East 135th street, between Park and 5th avenues (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.

356-45-A—221-23 to 223-09 130th avenue, north side, 1662 ft. east of Springfield boulevard, 221-20 130th avenue, southwest corner of 222nd street, 222-04 to 222-20 130th avenue, south side, from 222nd to 223rd streets and 130-03 to 130-11 223rd street, southeast corner of 130th avenue (Block 12825, part of Lot 480 (42-52); Block 12899, part of Lot 250 (105); Block 12900, part of Lot 32 (110-114, inclusive) and Block 12901, part of Lot 329 (309-311), Springfield Gardens, Borough of Queens.

Rules.

465-44-SR—Proposed Rules on Exterior Veneering Materials.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 19, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

132-45-BZ—Application, March 2, 1945, under sections 7c and 21 of the zoning resolution, of Kitzler & Nurick, applicants, on behalf of Beatrice Finkelstein, owner (Max Finkelstein, lessee), to permit in a business use district, the enclosure of an existing gas station as part of a new building to be occupied for a conforming use; premises 30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 and 26), Long Island City, Borough of Queens.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7e of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit

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in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

236-45-BZ—Application, April 21, 1945, under sections 7c and 21 of the zoning resolution, of Goldwater & Flynn, applicants, on behalf of B. P. Hotel Company, Inc., owner, to permit occupancy of a concert hall in a hotel located partly in a business, partly in a retail and partly in a residence use district, for commercial broadcasting and theatrical purposes, the concert hall being located in the residence use portion of the building; premises 1421-1429 6th avenue and 101-107 West 58th street, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901 (2678), Lots 42 and 45), Flushing, Borough of Queens.

Appeal from Administrative Decision.

633-44-A—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 19, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

226-45-A—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

308-45-A—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk).

HARRIS H. MURDOCK, *Chairman.*

JUNE 26, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 26, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

504-27-BZ—Application of Crisona & Murphy, applicants, on behalf of Broadway-230th Street Corporation, owner (Wallace I. Wolpert, lessee), reopened June 5, 1945, for consideration as to extension of time to complete work—Application previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles; premises 200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

159-45-BZ—Application, March 19, 1945, under section 7h of the zoning resolution, of Lama & Proskauer, applicants, on behalf of George C. Tilyou and George C. McCullough, owners, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years; premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

122-45-BZ—Application, March 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of East New York Savings Bank, owner, to permit the extension from a business use district, into a residence use district of a bank and storage building, the building occupying in a C area district in excess of 60% of lot area; premises 176-180 (178 displayed) New Jersey avenue, east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn.

290-45-BZ—Application, May 5, 1945, under section 7h of the zoning resolution, of Simon Cohen, applicant, on behalf of Isidor Faber, owner, to permit in a residence use district, the parking and storage of motor vehicles for a term of two years; premises 155 Beach 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens.

596-42-BZ—Application of Koch & Wagner, applicants, on behalf of The Roberts Numbering Machine Co., owner, reopened May 1, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for five cars of the pleasure car type (granted by the Board) to an office and drafting room, accessory to factory on same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning July* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

CALENDAR

Appeal from Administrative Decision.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law re bed of mapped street —150th street) reopened and restored to calendar May 8, 1945 (previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 5, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, May 29, 1945, and Tuesday afternoon, May 29, 1945, were approved, as printed in Bulletin No. 23, Volume 30.

ZONING APPLICATIONS

531-37-BZ

APPLICANT—Joseph Mosgoffian (lessee), for Annie Zins, owner.

SUBJECT—Application reopened May 15, 1945, for consideration as to extension of variance—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Mosgoffian.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 12, 1945 at 10 A. M. for applicant to file new decisions of Borough Superintendent.

585-42-BZ

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application reopened February 6, 1945—Application (decision of the borough superintendent) under section 7c of the zoning resolutiion, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn).

PREMISES AFFECTED—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: J. Van Deveer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application placed on the Reserve Calendar.

459-44-BZ

APPLICANT—Arnold W. Lederer, for Mary L. Richardson, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 21 and 7c of the zoning resolution, to permit in a business use C area district, the manufacturing in excess of the permitted area.

PREMISES AFFECTED—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 12, 1945 at 10 A. M. to be heard in conjunction with Cal. 460-44-A.

43-45-BZ

APPLICANT—Bay Ridge Savings Bank, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard.

PREMISES AFFECTED—4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert L. Callahan.

For Opposition: Irving M. Hartman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M. for further consideration.

95-45-BZ

APPLICANT—Lama and Proskauer, for Marie Atherton, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the buildings, as extended, being in excess of the area permitted by the zoning resolution.

MINUTES

PREMISES AFFECTED—87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M., for decision by the Board without further argument.

146-45-BZ

APPLICANT—James Whitford, for Adam V. Bell, owner.

SUBJECT—Application (decision of the commissioner of marine and aviation) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, for a term of years.

PREMISES AFFECTED—126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford and A. V. Bell.

For Opposition: J. Chapkin, R. Steffenson, R. Britton, Mary Daunt, Ruth Daly, Jessie Haughnut and Catherine Blush.

For Administration: Mr. C. Pekus and J. Sachmunski, Dep't of Marine & Aviation; Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

772-41-BZ

APPLICANT—Arnold W. Lederer, for Fay Bloom, William A. Jones, Jennie Mateyko and Joseph Filosa, owners (Square Deal Laundry, Inc., lessee).

SUBJECT—Application reopened November 8, 1944—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit the extension of an existing laundry building from a local retail into a residence use district, the area of proposed building exceeding that permitted in a C area district.

PREMISES AFFECTED—427 Ralph avenue and 1813-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64 to 68, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer, Murray Bloom and James Kolar.

For Opposition: Frances Forman, Eva Liebowitz, Sally Abramowitz and Max Weiss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

THE RESOLUTION (772-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting the extension of an existing laundry building, from a local retail use district into a residence use district, affecting premises 427 Ralph avenue and 1815-1817 Bergen street, northeast corner (Block 1445, Lots 1, 67 and 68), Borough of Brooklyn, was granted by the Board on December 2, 1941, on certain conditions; and

WHEREAS, the resolution was amended on January 13, 1942 and February 3, 1942 and time to obtain permits and complete the work, was extended on March 30, 1943 and on March 21, 1944; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit under sections 7c and 21 of the zoning resolution, the extension of an existing laundry building, from a local retail into a residence use district, the area of proposed building exceeding that permitted in a C area district, affecting premises 427 Ralph avenue and 1815-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64, 65, 66, 67 and 68) Borough of Brooklyn; and

WHEREAS, this case was reopened by vote of the Board on November 8, 1944, subject to the usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting June 5, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Ralph avenue is in a local retail and residence use, C area and Class 1 height district; Bergen street is in a residence, local retail use, C area and Class 1 height district, and Dean street is in a local retail and residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated December 15, 1944, re Alt. Applic. 3057-44, reads:

"1. New construction within residential zone for laundry use is contrary to Art. II, Sec. 3 of zone resolution. Area of building excessive for "C" area zone—contrary to Art. IV, Par. 13 of zone resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 25 ft. by 185⅓ ft. by 107 ft. irregular in area, on which is now located a 1 story and cellar building, 25 ft. by 100 ft., occupied as a laundry and boiler room in the cellar and laundry on the 1st floor and five frame dwellings and that it is proposed to demolish the frame dwellings and erect a 1 story and cellar extension to the laundry, 85 ft. 4 in. by 97 ft. in area; and

WHEREAS, the applicant contends that the plot at present is developed with a 1 story and cellar laundry on the corner and five dwellings on Bergen street; that it is proposed to modernize the existing laundry, in conformity with the present trend of self-service; that the legal laundry occupancy in the cellar is to be transferred to the new extension on the 1st floor; that the ironing section now in the main building is also to be located in the new extension, thereby decreasing the prohibited use in the retail district; that the existing laundry has a frontage of 25 ft. on Ralph avenue and faces the new Kings-Boro Housing project, which is now fully opened; that this laundry will in a great measure, serve these persons of limited means and does not require trucking facilities; that the neighborhood is not one that is identified with developments commensurate with its zone classification; that a fire house is located on Block 1445, Lot 2, immediately adjoining these premises and non-descript uses surround the site, such as a parking lot and wood cutting on Block 1451, Lots 14 and 17; that the retail store is to be fitted up similar to a hotel lobby, with counters and chairs provided for patrons; that the exterior of the project will be treated in a tasteful manner as the Board may direct; that the granting of this application will improve the appearance and nature of the present use; that it will serve a public need without materially infringing on a more restricted district; that unnecessary hardships would be caused if the owners are prohibited from expanding in a section that has reached the pinnacle of development; that the legal cellar occupancy laundry work is to be discontinued; that five obsolescent frame buildings on the site will be replaced with a one story glistening light colored structure; that this particular section is populated by low income groups, as shown by the housing development and that a low cost laundry by self-service will have a tendency to improve the living status of these groups; that the project opposite these premises is completed and a great percentage of the occupants use the facilities of this laundry; that the housing projects in the near vicinity, caused the demolition of at

least five large laundries, one at Stone and Blake avenues and two on Osborne street and two on the opposite side and because of war conditions and zoning regulations, the laundries are overtaxed; that this laundry washes clothes with chlorine disinfectants, thereby improving the public health; that the machinery in the new extension is to be run by steam, electric and air pressure; that at the present time, there is a lease with the owner of 433 Ralph avenue expiring in 11 months; that if this variation is granted, the extension of use to 433 Ralph avenue will be discontinued; that the present investment in plant and machinery amounts to over $77,000 and after 25 years of service, the extension is necessary in order to protect this investment; that inasmuch as the building is to be one story in height, it is requested that a 10 ft. rear yard be accepted in lieu of the 15 ft. requested previously in the original resolution; it is therefore respectfully requested that this application be granted under any conditions that the Board sees fit to impose; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision c, as to use of the zoning resolution; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief, as to a variance of area.

Resolved, that the decision of the borough superintendent, dated December 15, 1944, on Alt. Applic. 3057-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

46-45-BZ

APPLICANT—Reuben Siskin, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of the factory use in an existing factory building, so as to be in excess of the lot area.

PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: David E. Toplitz and Reuben Siskin.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (46-45-BZ)

WHEREAS, Reubin Siskin, owner, filed February 1, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of the factory use in an existing factory building, so as to be in excess of the lot area, affecting premises: 1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 5, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Fulton street and Bedford avenue are in a business use, B area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated January 19, 1945, re Alt. Applic. 2675-44, reads:

"Construction.

1. Proposed factory use on 3rd floor resulting in factory use of greater than lot area, is contrary to Article II, Section 4c of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 118 ft. 4 in. by 88 ft. 11 in. by 93 ft. 6 in. by 35 ft. 1½ in., on which is located a 3 story (45 ft. high), Class 3 constructed building, 88 ft. 11 in. by 118 ft. 4 in. occupied on the 1st story as stores, 2nd story, factory, 3rd story, vacant and that it is proposed to occupy the 1st floor as stores, 2nd floor, light manufacturing, 3rd floor, light manufacturing; and

WHEREAS, the applicant contends that the premises in question is a three story structure, the first floor consisting of nine stores, the second floor is occupied for factory use, and the third floor, the use of which is the basis of this application, is now unoccupied; that the floor plan of the proposed use of the third floor area shows an intention on the part of the applicant to use no more than two-thirds of that floor area for factory space; that the 2nd floor plan filed with this application shows only about 75% of the 2nd floor area being used for factory space (the rest of the floor area being devoted to show room and office space); that the third floor was at one time being used for factory purposes, but when the second floor was rented, the third floor had to be vacated, because of zoning regulations; that the applicant cannot carry the overhead of this building and will sustain a loss in operation of the building every year, unless he is able to rent the third floor for factory use; that the third floor as it is now constructed, cannot be rented for residence use, due to the fact that alterations are prohibited by wartime regulations and additionally, the neighborhood is becoming rapidly a loft, factory and commercial district and it is difficult to rent apartments; that many buildings are boarded up and in disuse, while others are only being partly occupied; that since the formulation of the zoning regulations applicable to the building in question, the neighborhood has rapidly deteriorated as a residential district and its character has completely changed; that the only purpose for which the third floor can be rented is for factory use and the ability of the applicant to do so, will enable him to prevent an operation loss on the building; that the request of the applicant is not unreasonable, as granting of this application would allow him to use only about 40% more space than the regulations now allow; that however, the difference between the amount permitted by the regulations and that requested by this applicant, is the difference between the ability to rent and not to be able to do so; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted,* under section 7c thereof, to permit the extension of factory use to the third floor, as proposed, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 324-45-A; that the building shall not be increased in height or area; and that all permits required shall be obtained and all work involved shall be completed within one (1) year from the date of this resolution.

162-45-BZ

APPLICANT—Richard Shutkind, for Jack Altman, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use G area district, the erection of a one-car garage and shower building, increasing the occupied lot area in excess of 35% and not providing the required 15 ft. rear yard and 5 ft. side yard.

PREMISES AFFECTED—228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Richard Shutkind, Herman Brasch and Jack Altman.
For Opposition: John P. White.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on eondition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (162-45-BZ)

WHEREAS, Richard Shutkind, for Jack Altman, owner, filed March 21, 1945, an applieation under section 21 of the zoning resolution, to permit in a residence use, G area district the erection of a one-car garage and shower building, increasing the occupied lot area in excess of 35% and not providing the 15 ft. rear yard and 5 ft. side yard required; affecting premises: 228 Beach 148th street (rear), east side, 90 ft. south of Neponsit avenue (Block 753, Lot 42), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 5, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 147th and Beach 148th streets, Neponsit avenue and Rockaway Beach boulevard are in residence use, G area and Class 1 height districts; and

WHEREAS, the decision of the borough superintendent, dated March 6, 1945, re N.B. Applic. 332-44, reads:

"1. Proposed garage and shower room increases area occupied on plot which is contrary to section 16B subdivision e of B.Z.R.

2. Provide proper side yard and rear yards, as per section 16B, subdivision C of B.Z.R.

3. Shower room and dressing room contrary to sect. 16B, subdivision d of B.Z.R."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage by 100 ft. in depth, on which is located a one-story part cellar frame, Class 4, residence, 36 ft. 8 in. by 44 ft. 8 in. and that it is proposed to erect at the rear of the plot, a one-story, Class 3, constructed building, 12 ft. by 19 ft., to be occupied as a private garage for one car and for shower and dressing rooms; and

WHEREAS, the applicant contends that the one-story and part cellar frame residence, existing on front of the plot, was originally erected about 1919; that the total building at present covers 1671 sq. ft., which equal about 33-2/5% of plot, which is 50 by 100 ft.; that the area designation affecting this plot was changed July 24, 1939, from E to G area; that it is proposed to erect a one-story concrete block garage for one car, located at the rear of the plot, with a shower and dressing rooms attached of glass block construction, total size of new structure, 12 ft. by 19 ft., for accessory use of the existing residence on the front of the lot; that this proposed structure will cover an area of 228 sq. ft. and the combined area of present residence and new garage will total 1899 sq. ft., equalling 37-4/5% of plot; that the area to be oceupied will exceed by 2-4/5%, the 35% limit in a G area district; that the proposed structure as located on the plot, will not affect the light and ventilation of this or adjoining properties, and the garage as located, follows the general arrangement now existing in the surrounding neighborhood; that the owner desires to use the premises as his permanent year-round home and the necessary changes are now in progress for this purpose; that since his business is in New York City and is in connection with meat provisions and marketing, his presence is required at an early hour and he will have to leave each morning at 4 A. M.; that the only means of transportation available at such time would be his private ear; that there are no public garages in this locality and it would be unlawful for him to park the car in the street; that it would be a great hardship for the owner to maintain this residence for his permanent use and attend to his business without the use of his car and the proposed garage; that any other arrangement, such as raising present building and changing grade levels to permit construction of a garage in the lower story of the present building, would involve extreme hardship and extensive alterations at prohibitive cost and create a serious problem as to drainage of the lower grade levels, due to proximity of water conditions; that the garage is located at the southerly lot line, so as to be directly opposite the driveway and avoid damage to the residence and the car when driving in or backing out; and

WHEREAS, the Board deemed that the excess in area is unsubstantial and that the private accessory garage for one car and shower facilities, should be permitted and that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted, on condition* that the structure as proposed, shall not exceed the dimensions as indicated on plans filed with this application marked "Received March 21, 1945"; that the construction of the wall on the lot line, shall be finished in stucco and there shall be no windows on the lot line; that the building and occupancy of all buildings on the premises shall comply with all laws, rules and regulations applicable thereto and that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

298-45-BZ

APPLICANT—S. J. Kessler & Sons, for 1523-1529 63rd Street Corporation, owner (Air King Produets Co., Inc., lessee).
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a C area, unrestricted use district, the erection of a 3rd story to a building, plans for two stories of which have been approved, the 3rd story exceeding the area of coverage permitted by the zoning resolution.
PREMISES AFFECTED—6201-6223 15th avenue, east side, from 62nd to 63rd streets (Block 5530, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: S. J. Kessler and J. Lieberman.
For Opposition: Margaret Guardala.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (298-45-BZ)

WHEREAS, S. J. Kessler & Sons, for 1523-1529 63rd Street Corporation, owner (Air King Products Company, Inc., lessee), filed May 17, 1945, an application under section 21 of the zoning resolution, to permit in a C area, unrestricted use district, the erection of a 3rd story to a building, plans for two stories of which have been approved, the 3rd story exceeding the area permitted by the zoning resolution; affecting premises 6201-6223 15th avenue, east side from 62nd to 63rd streets (Block 5530, Lot 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 5, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 15th avenue, 62nd and 63rd avenues are in an unrestricted use, C area and Class 1 height district;

and

WHEREAS, the decision of the borough superintendent, dated April 19, 1945, re N.B. Applic. 21-42, reads:

"1. Proposed area of structure at 3rd floor exceeds allowable maximum area of 23,100 sq. ft. as permitted by Art. IV, Sec. 13b, zoning resolution. Area of proposed structure below 3rd floor is acceptable, on basis of this department's original approval, prior to recent zone law change."

and

WHEREAS, the applicant states the premises consist of a plot, 200 ft. frontage by 180 ft. in depth, on which is located a 2 story, Class 1 constructed factory building, 200 ft. by 35 ft. in area; plans having been approved for a two story building, 200 ft. by 180 ft. in area and that it is proposed to add a 3rd story, covering the entire area of the lot and a pent house, centrally located, on the 15th avenue front; and

WHEREAS, the applicant contends that plans for a two story and cellar, non-fireproof building, 180 ft. by 200 ft. were prepared for this property and approved by the Department of Housing and Buildings in 1942 under N.B. Applic. 21-42; that a section of the building was erected, when on or about June, 1942, work was suspended by direction of the W.P.B.; that the excavated portion of the plot was back filled and enclosed with a wire fence and the building erected, was made serviceable in connection with applicant's war work; that the W.P.B. granted permission to install one elevator, later a heating plant, and at the present time, a sprinkler system is being installed; that in June, 1944, plans were prepared for a 3 story fireproof structure, and to amend N.B. Applic. 21-42; that while plans were being prepared, inquiries were made at the W.P.B., as to applicant's status, and after much delay, a letter was written to the Department on October 31, 1944, asking if this building operation could be considered as continuous; that the building was incomplete and so recorded by the Department of Housing and Buildings; that work was only suspended because of critical materials needed, and to help the war effort; that on November 6, 1944, the W.P.B. advised of the filing of an application, since allotments of materials and some priorities would be required; that Applic. 617 was filed with the W.P.B., for permission to build a 2 story fireproof building and at the same time, Applic. 21-42 was amended and revised plans filed with the Department of Housing and Buildings; that the plans were disapproved by the Department of Housing and Buildings, because the proposed structure did not conform with the new zoning law; that this was modified however, to the area of the structure as originally proposed, namely a two story building, but the third story was required to conform with the new zoning law; that the use of the entire top floor area is needed for assemblying and to deny the use of this floor space at this time, would work a serious hardship upon the owner; that the purchase of this property and expansion program was predicated upon the availability of a floor space to accommodate the assembly plant; that completion of the building was prevented by the U. S. Government; that the Air King Products Company is engaged in 100% war work since 1942 and will occupy the entire new building when completed; that they now occupy the section of the building that has been erected as well as the adjoining buildings; that an examination of the approved plans on file in the Department of Housing and Buildings and from the structure now in place, there is indication that an additional story was even then intended; that the wall footings, wall thicknesses, the stair extending to the 2nd story roof, column sections and roof framing all appear to indicate preparation for a 3rd story; that it is respectfully requested, the Board grant permission at this time to complete this three story and pent house building as submitted to the Department of Housing and Buildings; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and is therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship, inasmuch as no additional lot coverage at curb is proposed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted,* to permit the construction of a third story and pent house over the area of the plot as indicated on plans filed with this application marked "Received May 17, 1945", *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased further in height, unless in compliance with the requirements of the zoning resolution; that all permits shall be obtained and all work completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

311-45-A

APPLICANT—The Barrett Division of Allied Chemical and Dye Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner re Transportation of Coal Tar Road Materials in Tank Truck in New York City (capacity of tank not in conformity with Administraitve Code requirements, governing Tank Truck).

APPEARANCES—

For Applicant: Joseph Woodcock.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn by applicant, after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

741-44-A

APPLICANT—McCrory Stores Corporation, lessee, for Wilmack Realty Co., Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—502-506 Fulton street, south side, 40 ft. east of Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. Simpson.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (741-44-A)

WHEREAS, McCrory Stores Corporation, lessee, for Wilmack Realty Co., Inc., owner, filed on December 21, 1944, an appeal from a decision re an order of the fire commissioner, affecting premises 502-506 Fulton street, south side, 40 ft. east of Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn; and

WHEREAS, a decision of the fire commissioner, dated November 14, 1944, refers to order 97328-LC, dated June 23, 1944, which reads:

"8. Provide an ammonia mixer in accordance with the requirements of C19-103, O-c, Administrative Code."

and

WHEREAS, Order 97328-LC, was rescinded by the Division of Combustibles of the Fire Department on November 30, 1944, prior to the filing of this appeal.

Resolved, that the appeal be and it hereby is dismissed, as being improperly before the Board.

MINUTES

54-45-A

APPLICANT—Ervin Palmer, for Weatherguard Products Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner and decisions of the borough superintendent.

PREMISES AFFECTED—564 and 566 Jackson avenue, east side, 75.10 ft. north of East 149th street (street floor); (Block 2641, Lots 4 and 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Ervin Palmer.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (54-45-A)

WHEREAS, Ervin Palmer, for Weatherguard Products Corporation, owner, filed February 5, 1945, an appeal from an order of the fire commissioner and decisions of the borough superintendent, affecting premises 564 and 566 Jackson avenue, east side, 75.10 ft. north of East 149th street (street floor); (Block 2641, Lots 4 and 5), Borough of The Bronx; and

WHEREAS, Order 40137-LC, issued by the fire commissioner January 6, 1945, reads:

"With reference to your application dated December 7, 1944, for a permit to manufacture an inflammable and a combustible mixture at the above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Report of city testing laboratory shows washing solution is combustible mixture, Dur-o-lastik and tar asphalt are inflammable mixtures and whereas, Section C19-62.0-a, Article 10 and Section C19-59.0-B-1 of the New York City Administrative Code prohibits the issuance of such permit for any building which is situated within 50 ft. of the nearest wall of any building, occupied as a place of public amusement or assembly and, whereas, auditorium of the church of St. Roch's is within fifty feet.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the manufacture of a combustible or an inflammable mixture on these premises. Sec. C19-61.0—Article 10 and C19-58.0, Article 9, Administrative Code.

NOTE: Among other reasons that would prevent the issuance of permit are the following: There is no evidence that the Department of Housing and Buildings has issued a certificate of occupancy to cover manufacturing at this location. The absence of facilities to carry on such manufacture as required by Art. 9 of the Administrative Code."

and

WHEREAS, the decision of the borough superintendent, dated April 3, 1945 F. P. Applic. 24-45, affecting 566 Jackson avenue, reads:

"3. It is unlawful to store inflammable mixtures in a building within 50 ft. of a place of assembly. (C19-59 Adm. Code.)"

and

WHEREAS, the decision of the borough superintendent dated April 3, 1945 on F. P. Applic. 25-45, affecting 564 Jackson avenue, reads:

"3. It is unlawful to manufacture inflammable mixtures within 50 ft. of a wall of a public building. (C19-59 & 62 Adm. Code.)"

and

WHEREAS, the decision of the borough superintendent dated April 24, 1945, on Alt. Applic. 87-45, affecting 564 Jackson avenue, reads:

"4. It is unlawful to manufacture inflammable mixtures in a building within 50 ft. of a place of assembly. C19-59.0 and 62 Adm. Code. Reconsideration denied."

and

WHEREAS, the decision of the borough superintendent, dated March 27, 1945, on N.B. Applic. 181-44, affecting 566 Jackson avenue, reads:

"18. It is unlawful to store inflammable mixtures in a building within 50 ft. of a place of public assembly. (C19-59 & 62)."

and

WHEREAS, the applicant states that the building in question is 2 stories (40 ft.) in height; 25 ft. by 104 ft. in area at 1st floor; 25 ft. by 60 ft. in area at typical floor; of Class 3 construction; erected prior to 1900; located in a business use, B area, Class 1½ height district, and used and occupied since 1938 as follows: cellar, storage of containers or roofing cement; 1st floor, manufacturing of roofing cement, 10 persons; 2nd floor, office, 6 persons; 3rd floor, vacant; that no change in use or occupancy is proposed; that the building is equipped with one three ft. wide wood stairs, brick enclosed, equipped with fireproof, self-closing doors and extending directly to the street; that a ladder and scuttle to the roof is provided; that the building is also equipped with one fire escape at the front, extending to the street by a ladder; that windows and doors on the course of the fire escape are not fireproof, self-closing; that this building is numbered 564 Jackson avenue; that it is also proposed to erect at 566 Jackson avenue, located partly in an unrestricted use and partly in a business use district, a one story storage building and to install one 6,000 gallon cut back high flash point asphalt storage tank, three 1500 gallon, low flash point, cutback asphalt storage tanks and two 550 gallon kerosene tanks, 2 ft. below floor level; that all tanks to be vented to the roof; and

WHEREAS, Certificate of Occupancy 68, issued December 6, 1933, for premises—east side of Jackson avenue, 75.10 ft. north of 149th street, permitted the use of the three story building of brick construction; located in an unrestricted use district as follows: 1st floor, concrete on earth, junk shop, 1 employee; 2nd and 3rd floors, vacant; and

WHEREAS, the applicant states that the washing solution referred to in Order 40137-LC, is a varnish solution, which is not mixed in any manner on these premises; that this solution is received in 55 gallon drums; that the contents are drawn through a spigot into one gallon cans, sealed airtight and sold; and

WHEREAS, the applicant contends that the owner produces Dur-o-Lastik, a roofing cement which is manufactured at 564 Jackson avenue; that it is a three story brick building at the first story, constructed of steel girders and brick arches with fire retarded ceiling and the factory roof concrete deafened; that the first floor is designed for 120 lbs. live load; that the adjoining lot at 566 Jackson avenue, has recently been acquired and a building is under construction, to be used for loading and as storage space; that 564 Jackson avenue has been used as at present, for five years and previously as a garage, automobile repair shop, junk shop, milk depot and bed spring factory; that the owner moved in the building without investigating its right to manufacture there and not until the recent order of the Fire Department, did the question of need for permits arise, using inflammable or combustible materials in the product; that the materials used in the manufacture of Dur-o-Lastik roofing cement are a cut back asphalt, purchased as a liquid solution and delivered from tank trucks to storage tanks on the premises; that to this solution stone dust and asbestos fibre cement are added; that the manufacturing process is as follows: 150 gallons of asphalt solution is pumped into a 250 gallon mixing container to which 800 lbs. of stone dust and 325 lbs. of asbestos fiber cement are added; that the entire procedure lasts 15 minutes and the compound is then drawn off into five gallon containers and sealed air tight; that the mixing takes place cold in a well-ventilated room, equipped with open skylights; and

WHEREAS, the applicant further contends that the processes involved are safe; that all necessary precautions are

exercised; that all combustible materials will be stored underground and more than 50 ft. from the rear lot line; that the only objection which the owner is unable to eliminate, is the distance from St. Roch's auditorium; that the owner would suffer hardship if compelled to seek another location after five years of successful operation; that no heat, fire or flame is used; that there is adequate natural ventilation; that the quantities mixed are small and the mixing time is short; that due to a capillarity, the stone dust and asbestos cement absorb a certain amount of the liquid and act as a retarder and hence a safeguard during the mixing process; that the auditorium building situated on top of a solid rock and its foundation is 14 ft. above the factory floor of the building in question; that there is a distance horizontally of 12½ ft. from the building in question and about 45 ft. from the mixing tank to the nearest wall of the auditorium building, but not to the auditorium wall; that the portion of the auditorium building near the building in question, is an extension, housing a pantry and service bar only; that the stage and auditorium are nearly 75 ft. from the mixing tank and have a protection of 14 ft. of rock between; and

WHEREAS, the owner was convicted and fined in Magistrates Court on a charge of storing combustible mixture without a permit.

Resolved, that the order of the fire commissioner, acting on Order 40137-LC, Item 1, and decisions of the borough superintendent, dated April 3, 1945, acting on F. P. Applic. 24-45, Objection 3, F. P. Applic. 25-45, Objection 3, Alt. Applic. 87-45, Objection 4, and N.B. Applic. 181-44, Objection 18, be and hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed and arranged substantially as indicated on plans filed with this appeal marked "Received February 5, 1945," except that there shall be no sky light in the roof of either building within a distance of 50 ft. from any portion of the building containing the place of public assembly; that there shall be no openings in the exterior walls of such buildings within 75 ft. of such public assembly building; that the ceiling of the building containing the proposed manufacturing of combustible or inflammable mixtures, shall be fire retarded in accordance with the rules of the Board; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

235-45-A

APPLICANT—Madison Square Garden Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Donopria and Alexander H. McPhee.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (235-45-A)

WHEREAS, Madison Square Garden Corporation, owner, filed April 19, 1945, an appeal from a decision of the fire commissioner, affecting premises 311-333 West 49th street, north side, 124 ft. 9⅝ in. west of 8th avenue and 308-348 West 50th street (2nd floor); (Block 1040, Lot 14), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated April 4, 1945 reads:

"In reply to your inquiry of March 19th, the installation of three drink dispensers as indicated on attached sketch would be contrary to the refrigerating requirements and therefore not permitted."

and

WHEREAS, the applicant states that the building is 1 story, approximately 130 ft. in height, 375 ft. 2⅜ in. by 200 ft. 10 in. in area, of class 1 construction, erected in 1925, located in a residence use, B area class 1½ height district and used and occupied since December 1925 as follows: cellar—expositions, etc.—3,500 persons; 1st floor—sports arena for athletic contests, concerts, dances, etc.—18,000 persons; that no change in use or occupancy is proposed; that the building is equipped with an approved two source sprinkler system in storage area and basement only, an approved stand-pipe system and an interior fire alarm system; that there are thirty-five interior stairs, located at northeast, southeast, southwest and northwest corners of the building, 5 ft. 1 in. to 15 ft. 9 in. in width, of fireproof construction and enclosure, equipped with self-closing doors at the street; that eight stairs lead directly to the street and a scuttle is provided to the roof; that there are four fire escapes which lead to the street by stairs and that window and door openings on the course of the fire escapes are fireproof, self-closing; and

WHEREAS, the applicant contends that the Frigidrink dispensers have been approved by the Board of Standards and Appeals under Cal. 614-41-SA; that the proposed layout of dispensers on 2nd floor level, indicated on plan filed with this appeal, shows two units to be installed and one future unit, making a total of three; that the location selected in this instance is not in direct passage of patrons going to seats, but is located in a recessed enclosure off the Eighth avenue Crossover Passage which connects the 49th and 50th street sides of the building; that as these units dispense soft drinks in paper cups it will reduce accidents and other hazards, which have been occurring quite frequently, due to our present method of using bottled beverages, which patrons leave in aisles, passages, stairs, etc.; that the area in which these units are to be located is very small compared to the total area of the building, which has a system of ventilation, effecting a complete change of air every twenty minutes; that if necessary, this can be supplemented by an exhaust ventilating system for the immediate area, to increase the air changes should a leak occur in the refrigeration system of the dispensers; that in addition, an attendant of dispensers is always present when the building is open to the public and the premises are under the constant supervision of police and usher attendants; that the mechanical equipment is maintained by a staff of licensed engineers in attendance at all hours of the day and night; that the unit uses Freon gas in small quantity (3½ lbs.) and in the event of a leak, this would produce a small concentration of gas when diluted with the very large volume of circulated air in these premises; that there are no open flames in close proximity of the dispensers; and

WHEREAS, Frigidrink Beverage Dispensing Machine was approved under Cal. 614-41-SA under the provisions of C19-96.0, subd. f, "when installed in accordance with this report and the provisions of the Administrative Code, C19-96f, as supplemented by the requirements of the Fire Commissioner."

Resolved, that the decision of the fire commissioner, dated April 4, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than three drink dispensers shall be installed as proposed and the location as indicated on plans filed with this appeal, two sheets marked "Received April 19, 1945;" that such space where the dispensers are to be located, as indicated on such plans, shall be ventiliated by means of a duct and electric fan with a duct carried to the roof, as indicated on plan filed at this hearing marked "Received June 5, 1945", *on condition* that the drink dispenser shall be interlocked with the fan electrically, so as to insure the fan operating at all times while the drink dispenser is in operation; that the drink dispensing machine as proposed shall be of a type as approved by the Board and shall be maintained under the

conditions of such approval, other than as herein modified for this installation; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

324-45-A

APPLICANT—Reuben Siskin, owner.
SUBJECT—Appeal from a decision of the borough superintendent
PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.
APPEARANCES—
For Applicant: David Toplitz and Reuben Siskin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (324-45-A)

WHEREAS, Reuben Siskin, owner, filed May 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 1256-1262 Bedford avenue, northwest corner Fulton street (Block 2000, Lot 35), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated May 16, 1945, on Alt. Applic. 2675-44, reads:

"2. Existing floor load capacity of 100 lbs. does not comply with Section 7.3.2.3, Bldg. Code."

and

WHEREAS, the applicant states the building is 3 stories (45 ft.) in height; 88 ft. 11 in. by 118 ft. 4 in. irregular in area, of Class 3 construction, erected prior to 1914; located in a business use, B area, Class 1¼ height district and used and occupied: cellar, boiler room; 1st floor, stores, 10 persons; 2nd floor, manufacturing dresses, 105 persons; 3rd floor, vacant; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, same; 3rd floor, manufacturing dresses, 75 persons; that the building is not equipped with an interior fire alarm system, but fire drills are maintained; that the building is equipped with one 7 ft. wide wood stairs, enclosed in fire retarded partitions, equipped with metal covered self-closing doors and leading directly to the street and a ladder and scuttle to the roof is provided; that there are two fire escapes, one of which leads to the roof by a stair and the other by a ladder and one to the street by counter-balanced stair and the other to the yard by a counter-balanced stair; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant requested the Board to accept 100 lb. live load in lieu of 120 lbs. as required by Section 7.3.2.3 of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2675-44, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the capacity of the third floor, proposed to be occupied for factory purposes, shall not be less than 100 lbs. per superficial foot and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 46-45-BZ; and that the requirements of the Labor Law shall be complied with as to the exterior fire escape; that the partition on the third floor, shown on plans filed with the zoning application (Cal. 46-45-BZ) marked "Received February 1, 1945" and separating the space marked "dress factory" from space marked "showroom", shall have an additional door therein located to the east, complying with the requirements, to provide an easier means of access to the fire escape on the Fulton street side; that the floor loads shall be posted and that a certificate of occupancy shall be obtained prior to occupancy.

Adjourned: 2:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 5, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

735-44-A

APPLICANT—Lama and Proskauer, for Imperial Motors, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—164-40 Hillside avenue, southwest corner of 165th street (Block 9814, Lot 34), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (735-44-A)

WHEREAS, Lama and Proskauer, for Imperial Motors Inc., owner, filed December 19, 1944, an appeal from a decision of the borough superintendent, affecting premises 164-40 Hillside avenue, southwest corner of 165th street (Block 9814, Lot 34), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated December 14, 1944, re N.B. Applic. 477-44, reads:

"1. The construction of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code.

2. The construction of a frame building for commercial use is contrary to Sec. 4.2.1 of the Building Code."

and

WHEREAS, the applicant states that the building is one story (8 ft. 4 in.) in height, 24 ft. 6 in. by 12 ft. 6 in. in area; Class 4 construction; located in a business use, C area, Class 1½ height district; erected about 1934; used and occupied as an office in connection with the sale and display of more than five cars; and

WHEREAS, the applicant contends that permission is requested for the use of an existing frame building, one story in height, with peak roof, to be used as office for the sale and display of used cars; that this building was moved intact to the location shown on plans filed with this appeal; that the premises are the subject of Certificate of Occupancy Q29392, permitting the sale and display of used cars; that inasmuch as the use on these premises exists, it is requested that this appeal be granted; and

WHEREAS, Certificate of Occupancy Q31662 was issued October 25, 1944, to supersede Certificate of Occupancy Q29392 and permits the use of the premises for the sale and display of used cars (more than 5) on a plot 56 ft. by 100 ft. in area; and

WHEREAS, the applicant has filed a diagram with this appeal, marked "Received December 19, 1944", indicating that the entire Lot 34 has a frontage of 56.24 ft. on Hillside avenue, 105.66 ft. on 165th street and that a fence is erected parallel to the Hillside avenue building line at a point 100 feet easterly therefrom and that a portion of the premises, except for an existing frame 2-story barn at the rear, is used for the sale and display of more than five used cars.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 477-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building, as indicated on plans filed with this appeal, two sheets marked "Received December 19, 1944", shall not be increased in height or area and shall be located on the lot substantially as thereon indicated and shall be used only as an office and shelter for the attendant in connection with the

sale of used cars as permitted under Certificate of Occupancy Q31662, issued October 25, 1944, and for no other use; that whenever the use of this plot for such sale of used cars is discontinued, the building shall be removed and not occupied for another use.

58-45-A

APPLICANT—Kitzler and Nurick, for Jose-Lee Corp., owner (Honey-Knit Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—87-89 Osborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (58-45-A)

WHEREAS, Kitzler and Nurick, for Jose-Lee Corporation, owner (Honey Knit Inc., lessee), filed February 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 87-89 Osborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 2, 1945, on Alt. Applic. 1736-44, reads:

"1. Barring of windows in a factory building is contrary to Sect. 272, par 3, of Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories and balcony (35 ft.) in height, 49 ft. 6 in. by 96 ft. in area, of class 3 construction, erected prior to 1913, located in an unrestricted use, C area, class 1 height district and used and occupied since December 1944 as follows: cellar—boiler room; 1st floor—dance hall; 2nd floor—bank; proposed to be used and occupied: cellar—boiler room; 1st floor—manufacturing sweaters—4 persons; 2nd floor—manufacturing sweaters—24 persons; that the building is equipped with one 5 ft. wide steel stairs, enclosed in fire-retarded partition, equipped with fireproof, self-closing doors and leading directly to the street; that a ladder and scuttle to the roof is provided from the balcony; that there is also one 3 ft. wide exterior stair at the rear leading to the street from its termination through a fireproof passage through the cellar; that doors and windows on the course of the fire escape are not fireproof, self-closing; and

WHEREAS, the applicant states that all windows on the rear and side walls have stationary iron bars; that front windows are not barred, and the building is now occupied for manufacturing of sweaters, employing four women on 1st floor and 17 women and 7 men on the 2nd floor; that the exit facilities on the 1st floor are a direct exit to the street at the front and an iron stair at the rear, leading to the street through a fire passage through the cellar; that on the 2nd floor, there is a 5 ft. stair, leading to the street at the front and an iron stair leading to a fire passage at the rear, and 3 new windows installed in the north wall are fireproof and unbarred and the front windows are not barred; and

WHEREAS, the applicant contends that there are ample exit facilities for this occupancy and requests permission to maintain the present fixed bars; and

WHEREAS, Violation 231-45 was issued January 18, 1945 for violation of C26-185.0 and C26-178.0 of the Administrative Code, for changing the occupancy of the building from dance hall, store, bank and meeting rooms to manufacturing of knit goods, without a certificate of occupancy and that work under Alt. Applic. 1736-44 does not conform to plans, as approved, in that bars on the windows have not been made movable.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1736-44, and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that no windows shall be barred, except those indicated on the 1st and 2nd floors, as shown on plans filed with this appeal marked "Received February 7, 1945", on condition that the exits as shown thereon, shall be maintained and that the windows as indicated to be not barred on the 2nd floor, shall be maintained, so as to be readily usable at all times in the event of fire; that all windows on the course of the fire escape shall be fireproof and self-closing and that exit to such fire escape shall be fireproof and self-closing, as indicated; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

300-45-A

APPLICANT—Sylvania Electric Products, Inc., lessee, for Samuel J. LeFrak, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—83-30 Kew Gardens road, west side, 8 ft. south of 83rd drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Bernard F. Brooks.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (300-45-A)

WHEREAS, Sylvania Electric Products, Inc., lessee, for Samuel J. LeFrak, owner, filed May 17, 1945, an appeal from an order of the fire commissioner, affecting premises 83-30 Kew Gardens road, west side, 8 ft. south of 83d drive (Block 3356, Lot 30), Kew Gardens, Borough of Queens; and

WHEREAS, Order 14918-LF, issued by the Fire Commissioner, April 23, 1945, reads:

"1. Arrange the exit doors on the 1st story so that same can be opened from both the inside and outside. Section 272 of Labor Law."

and

WHEREAS, the applicant states that the building is two stories (35 ft.) in height, 111 ft. by 222 ft. in area; Class 1 construction; erected in 1927; located in business use, D area, Class 1¼ height districts; used and occupied since February 1, 1945 as follows: Cellar, lunchroom, stockroom, testing, 20 persons; 1st floor, administrative offices and laboratory, 25 persons; 2nd floor, development, research and machine shop, 150 persons; that no change in use or occupancy is proposed; that the building is equipped with a two-source sprinkler system, a standpipe system and an interior fire alarm system; that there are three 48 in. concrete and steel stairs, enclosed in masonry construction, equipped with metal, self-closing doors, and leading from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that the research and development work done on the premises is critical and secret; that the U.S. Navy has set up a rigid security system to be followed, whereby indiscriminate entrance and exit to the premises is restricted; that there are five entrances to the building as shown on Drawing #1 filed with this appeal; that these entrances are indicated on plan as A, B, C, D and E; that Entrance A at the northeast corner of the building, is used for general purposes and leads into the lobby and is kept open during all working hours and supervised by a switchboard operator; that Entrance B on the north side, leads to all floors and the basement; that it is used as an employees' entrance and exit and is under constant guard

during working hours; that Entrance C on the east side, leads to the basement and second floor and is used as an emergency exit only; that this entrance has been equipped with a Von Duprin panic bolt on the door which opens to the street; that Entrance D on the southeast corner, leads to the boilerroom, which is a separate basement, housing the furnace and coal bin; that as there is always a fireman on duty during working hours, this door is kept unlocked; that Entrance E on the southwest corner, leads to the first and second floors and is for emergency exit only; that this door is equipped with an approved type panic bolt; that both doors C and E, will be equipped in addition to panic bolts, with an electrical door switch which will be set open when the doors are closed and contact closed if doors are open, sounding an audible alarm to the guard's station; that all the doors in question and all other service doors throughout the building are of approved fire-resisting metal type; that the entire building is fireproof, equipped with an approved sprinkler and standpipe system.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in an order of the fire commissioner, acting on Order 14918-LF, Item 1, and that the appeal be and it hereby is *granted on condition* that panic bolts shall not be placed on any exit doors to street, except at stairways "E" and "C"; that such panic bolts shall be of an approved type; that at such doors, there shall be an electric door switch and alarm as proposed; that the two former garage doors leading to Kew Gardens road and one garage door to 84th avenue north of elevator No. 2, may be sealed or bricked up with approved masonry; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 200-27-BZ and Cal. 238-45-A.

902-21-S

APPLICANT—Samuel Rosenblum, for Annette Lipshitz, new owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the requirements of the Labor Law, as cited in an order of the fire commissioner (previously granted on condition). Reopening based on a decision of the borough superintendent.

PREMISES AFFECTED—31-33 West 31st street, north side, 433 ft. 4 in. west of 5th avenue (Block 833, Lot 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (902-21-S)

WHEREAS, this application from an order of the fire commissioner, affecting premises 31-33 West 31st street, north side, 433 ft. 4 in. west of 5th avenue (Block 833, Lot 22), Borough of Manhattan, was granted by the Board on October 18, 1921, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on Violation 2359-44, issued by the borough superintendent, dated December 13, 1944, as the present occupancy is contrary to that permitted under the action of the Board on October 18, 1921.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 18, 1921, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the appeal be and it hereby is *granted on condition* that the number of occupants on each floor shall not exceed the number lawfully permitted, based on the primary means of exit, with due allowance for the sprinkler system, fire alarm system and fire drills."

129-44-A

APPLICANT—Thomas C. Wilson, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from an order and decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—21-11 44th avenue, north side, 79.3 ft. west of 23rd street (Block 441, Lot 4), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: William F. Drucker and Joseph V. Iarricci.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (129-44-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 21-11 44th avenue, north side, 79.3 ft. west of 23rd street (Block 441, Lot 4), Long Island City, Borough of Queens, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time, relative to the maintenance of fire drills.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 5, 1944, only so far as it has reference to the term of time, so as amended this portion of the resolution shall read:

"*Resolved,* that the decision of the fire commissioner, acting on Order 1869-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the number of occupants as indicated on Certificate of Occupancy Q31587, issued October 9, 1944, shall not be exceeded; that the standpipe shall be maintained to the satisfaction of the fire commissioner; that the interior fire alarm shall be maintained to the satisfaction of the fire commissioner and that fire drills as required by law shall be maintained, commencing on a date not more than three months from the date of this *amended* resolution."

728-44-A

APPLICANT—Cafiero and Lacerenza, for Joseph and George Kraupner, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—457 Knickerbocker avenue and 1350 Greene avenue, northeast corner (2nd floor); (Block 3300, Lot 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Debus and Joseph Kraupner.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

298-39-A

APPLICANT—C. H. Simmons, Jr., for The Corporation of the Brick Presbyterian Church in the City of New York, owner.

MINUTES

SUBJECT—Application reopened April 17, 1945—re Appeal from an order and a decision of fire commissioner and a decision of the borough superintendent.
PREMISES AFFECTED—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan.
APPEARANCES:
For Applicant: None.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., pending an inspection by a committee of the Board.

703-44-A
APPLICANT—American Safety Razor Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., pending an inspection by a committee of the Board.

198-45-A
APPLICANT—Allen A. Blaustein, for Rose Millman, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Thomas Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., pending an inspection by a committee of the Board.

218-45-A
APPLICANT—William Dowling, for Le-Evre Holding Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan.
APPEARANCES—
For Applicant: William Dowling and Max Weiss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 12, 1945 at 2 P. M. Fire Dep't records to be produced.

226-45-A
APPLICANT—Stohldrier and Zetsche, for My-R Construction Corp., owner. (872 Gerard Avenue Corporation, lessee.)
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., pending on inspection by a committee of the Board.

239-45-A
APPLICANT—Samuel Rosenblum, for 198 Broadway Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Inspector Maher, Fire Dep't.
ACTION OF BOARD—Laid over to June 12, 1945 at 2 P. M., for an inspection by a representative of the Division of Fire Prevention, Fire Dep't.

ZONING APPLICATIONS

449-29-BZ
APPLICANT—Max Tirschwell, for Brooklyn Towers Garage Corporation, new owner.
SUBJECT—Application for consideration—reopening and amendment as to temporary use—re Application (decision of the superintendent of buildings) previously granted under sections 7c and 21 of the zoning resolution, permitting the extension from an unrestricted use district into a business district, of a proposed garage for the storage of more than five motor vehicles.
PREMISES AFFECTED—94-98 Orange street, south side, 44 ft. 10 in. west of Fulton street (Block 227, Lot 14), Borough of Brooklyn.
APPEARANCES—
For Applicant: Max Tirschwell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (449-29-BZ)

WHEREAS, this application under section 7b of the zoning resolution, permitting the extension from an unrestricted use district into a business use district, of a proposed garage for the storage of more than five motor vehicles, affecting premises 94-98 Orange street, south side, 44 ft. 10 in. west of Fulton street (Block 227, Lot 14), Borough of Brooklyn, was granted by the Board on January 21, 1930, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, acting on Alt. Applic. 242-45, dated April 12, 1945, which reads:

"1. The Borough Superintendent is without authority to permit the temporary use of this structure as a warehouse. It is located in a business use district and the retention of the existing certificate of occupancy as a garage for more than five motor vehicles without the approval of the Board of Standards and Appeals is not permissible. Obtain an amendment of the resolution of the Board of Standards and Appeals—Calendar 449-29-BZ."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 21, 1930, by adding thereto:

"* * * that the decision of the borough superintendent, acting on Alt. Applic. 242-45, objection 1, is hereby *modified* to permit the 3rd, 4th and 5th floors to be occupied for storage of merchandise for a temporary term not to exceed the term of the present emergency and for six months thereafter, with the privilege of reverting to the garage occupancy as per-

mitted previously, *on condition* that such storage of merchandise shall not include any material of a flammable nature or readily combustible, as may be determined by the fire commissioner; that such portable fire fighting appliances shall be maintained, on such three floors herein permitted to be occupied for storage, as the fire commissioner shall direct; that no structural changes shall be made in the building that would render it unlawful for garage purposes; that during the term of this variance, the balance of the building may be occupied as permitted for garage use."

352-32-BZ

APPLICANT—Max Goldman, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the commissioner of buildings) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a temporary term of two years, the maintenance of a gasoline service station.
PREMISES AFFECTED—3305-3311 Boston road and 1152 East 211th street, southwest corner (Block 4705, Lots 62-65), Borough of The Bronx.
APPEARANCES—
For Applicant: R. M. Johnson and Max Goldman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn . 4
Negative: 0

THE RESOLUTION (352-32-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district for a temporary term, the erection and maintenance of a gasoline service station, affecting premises 3305-3311 Boston road and 1152 East 211th street, southwest corner (Block 4705, Lots 62-65), Borough of The Bronx, was granted by the Board on January 20, 1933, on certain conditions; and

WHEREAS, the resolution was amended on May 28, 1935 and permit extended on May 31, 1939, June 10, 1941 and June 15, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted January 20, 1933, as amended through June 15, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7f for a temporary term of five (5) years from the date of this *amended* resolution to permit the maintenance of a gasoline service station, *on condition* * * * and that other than as *amended* herein, the resolution adopted by the Board January 20, 1933, and May 31, 1939, shall be complied with in all respects and that a certificate of occupancy shall be obtained."

485-38-BZ

APPLICANT—Edith B. Pyne, for William L. Pyne, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a temporary term, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—168-29 88th avenue, northwest corner of 168th place (Block 894 (9821), part of Lot 16), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Edith B. Pyne.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (485-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 168-29 88th avenue, northwest corner of 168th place (Block 894 (9821), part of Lot 16), Jamaica, Borough of Queens, was granted by the Board June 27, 1939, on certain conditions; and

WHEREAS, the permit was extended on June 24, 1941 and June 8, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 27, 1939, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit a portion of the premises to be occupied as indicated on plans filed with this application, marked "Received June 13, 1938", for the parking and storage of more than five motor vehicles, *on condition* that such parking and storage shall be restricted * * * and that other than as *amended* herein, the requirements of the resolution adopted June 27, 1939, shall be complied with and that a certificate of occupancy shall be obtained (Corr. 1488-38)."

1180-38-BZ

APPLICANT—Henry Nordheim, for H. and S. Sonn, Inc., owner. (Morris Shamis, lessee.)
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—1157 Prospect avenue, west side, 248 ft. north of East 167th street (Block 2680, Lots 50 and 54), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1180-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 1157 Prospect avenue, west side, 248 ft. north of East 167th street (Block 2680, Lots 50 and 54), Borough of The Bronx, was granted by the Board on April 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on June 8, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted April 15, 1941, only so far as it has reference to the term of the permit, so

that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the resolution adopted by the Board April 15, 1941, shall be complied with in all respects and that a certificate of occupancy shall be obtained."

574-40-BZ

APPLICANT—Lama and Proskauer, for Giuseppe Proscia, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five motor vehicles.

PREMISES AFFECTED—565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block 958, Lot 70), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (574-40-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five motor vehicles, affecting premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block 958, Lot 70), Borough of Brooklyn, was granted by the Board September 24, 1940, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on October 21, 1941, October 20, 1942, July 20, 1943 and July 5, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 24, 1940, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of September 24, 1940, shall be complied with (Alt. 2326-40)."

55-41-BZ

APPLICANT—Henry Nordheim, for Havender Realties, Inc., owner. (Gordon and Ettl, lessees.)

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3551 Bainbridge avenue, west side, 370.45 ft. north of Gunhill road (Block 3328-A, Lot 108), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (55-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 3551 Bainbridge avenue, west side, 370.45 ft. north of Gunhill road (Block 3328-A, Lot 108), Borough of The Bronx, was granted by the Board on May 20, 1941, on certain conditions; and

WHEREAS, the permit was extended on June 15, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 20, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* for a term of two years, from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* * * * and that other than as *amended* herein, the resolution adopted by the Board May 20, 1941 shall be complied with in all respects and that a certificate of occupancy shall be obtained."

92-41-BZ

APPLICANT—Henry Nordheim, for Nathan Straus, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the storage and parking of more than five motor vehicles.

PREMISES AFFECTED—3375-3399 Boston road, 3425 Wilson avenue, northwest corner, 1195 East 213th street and 1198 East 214th street (Block 4708, Lot 1), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (92-41-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, for a temporary term of two years, the parking and storage of more than five motor vehicles, affecting premises 3375-3399 Boston road, 3425 Wilson avenue, northwest corner, 1195 East 213th street and 1198 East 214th street (Block 4708, Lot 1), Borough of The Bronx, was granted by the Board June 10, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 2, 1941; and

WHEREAS, time was further extended and the resolution amended on June 2, 1942 and the permit was extended on June 8, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 10, 1941, as amended on June 2, 1942, only so far as it has reference to the term of the permit, so that as amended, that portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the resolutions adopted by the Board June 10, 1941 and June 2, 1942, shall be complied with in all respects, and that a certificate of occupancy shall be obtained."

595-41-BZ

APPLICANT—Clayton G. Shirkey, for Bernal Realty Corporation, owner. (Louis Shapiro, lessee.)

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use and business use district, for a term of two years, the parking and storage and storage of more than five motor vehicles.

PREMISES AFFECTED—308 Beach 44th street, east side, 94 ft. north of Rockaway Beach boulevard (Block 367, part of Lot 1), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey and S. Bernstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (595-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use and business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 308 Beach 44th street, east side, 94 ft. north of Rockaway Beach boulevard (Block 367, part of Lot 1), Far Rockaway, Borough of Queens, was granted by the Board on July 17, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on April 7, 1942; and

WHEREAS, the permit was extended on July 27, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 17, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as *amended* herein, the resolution adopted by the Board July 17, 1941, shall be complied with in all respects and that a certificate of occupancy shall be obtained (Misc. Applic. 5184-41)."

479-42-BZ

APPLICANT—J. A. S. Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent), previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2522-2530 (2528-2532 displayed) Tilden avenue, south side, 100 ft. west of Veronica place (Block 5136, Lots 10, 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen dismissed for lack of prosecution.

THE VOTE TO DISMISS REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (479-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2522-2530 (2528-2532 displayed) Tilden avenue, south side, 100 ft. west of Veronica place (Block 5136, Lots 10, 11 and 12), Borough of Brooklyn, was granted by the Board on May 4, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the request for reopening and extension of the permit, be and it hereby is *dismissed* for lack of prosecution.

504-27-BZ

APPLICANT—Crisona and Murphy, for Wallace I. Wolpert, lessee; Broadway-230th Street Corp., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—Application (decision of the borough superintendent) under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of plot for parking and storage of more than five motor vehicles.

PREMISES AFFECTED—200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph List.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on June 26, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

593-30-BZ

APPLICANT—Joseph B. Lynch, for Hauban Investing Corp., owner.

SUBJECT—Application for consideration—reopening on new proposal for alteration—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

(Continued on page 528 of this Bulletin)

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939 AND AMENDED ON JUNE 8, 1945, EFFECTIVE JULY 2, 1945.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *paragraph* 2, *Charter of the City of New York and* C26-189.0 *Administrative Building Code and* C26-610.0 *Administrative Building Code and* C26-660.0, 661.0 *and* 662.0 *Administrative Building Code.*

Note: New matter in italics.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labeling Requirements.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency. When opening protective assemblies are manufactured for stock, the inspection agency shall furnish a report to the manufacturer of his inspection of each assembly including all data as is herein required.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly. When opening protective assemblies are installed in a building as building maintenance, the manufacturer shall furnish similar data on forms obtained from the Borough Superintendent.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

3.5 Where opening protective assemblies are manufactured up to 25% in excess of the sample as tested and as permissively allowed under C26-610.0a, the permitted increase in area shall not exceed width and height dimensions greater than 15 percent of the sample as tested. In all cases the permissively allowed increase in area of 25% shall apply only to the sample when constructed identically in all respects with the tested sample.

3.6 When opening protective assemblies are manufactured for stock, such assemblies shall be inspected as provided herein. As the doors are shipped, the Borough Superintendent shall be furnished with the data as specified in Rules 3.1 and 3.2. When such opening protective assemblies are shipped to jobbers for stock, the manufacturer shall obtain the data from the jobbers, as required under rules 3.1 and 3.2 and immediately submit such data to the Borough Superintendent.

3.7 Openings for vision purposes and signal bells may be installed in an opening protective assembly when they are of approved type and when installed in accordance with the conditions of approval.

RULES

RULES ON USES OF INSULATING FIBRE BOARD

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939, AMENDED JUNE 16, 1942, EFFECTIVE JULY 6, 1942 AND AMENDED JUNE 8, 1945, EFFECTIVE JULY 2, 1945.

(170-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, C-26-462.0, C-26-458.0, sub. g, C-26-538.0, sub. b, C-26-541.0, sub. a, C-26-667.0, paragraphs, 4 and 8, sub. c, C-26-680, sub. 21, C-26-541.0, C-26-619.0, and C-26-721.0, Administrative Building Code.

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Purpose: *It is the purpose of these rules to carry out the intent of Section C 26-3.0 of the Administrative Building Code and to supplement the present requirements of the Administrative Building Code, by including the uses of insulating fibre board as an acoustical or decorative material, when applied to walls and ceilings which use is specifically unprovided for in the Administrative Building Code.*

Rule 1. Classes of Fibre Board.

(1) Wood Fibre
(2) Exploded Wood Fibre
(3) Balsam and Wood Fibre
(4) Western Wood Fibre
(5) Cane Fibre (Bagasse)
(6) Pulp from waste papers
(7) Straw Fibre
(8) Ground Wood Pulp Fibre
(9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature under related humidity conditions so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin and with properties as shown in Table 1.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement or other approved means. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof insulation boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

1.4 The surfaces of fibre board when used for acoustical or decorative purposes shall be finished smooth and flat and reasonably free from projecting, coarse or hairy fibres.

1.5 Fibre board shall be approved by the Board.

1.6. Fibre board treated to reduce and retard its combustibility may be used in accordance with limitations as may be approved by the Board.

TABLE I

	Building Board	Plaster Base	Roof Insulation Board	Interior Boards	Sheathing Boards
Max. thermal conductivity, B.t.u. per hr. per sq. ft. per deg. F. per in. of thickness	0.36	0.38	0.38	0.38	0.42
Min. transverse load at rupture, each direction pounds per sq. in.*	14	14	7	10	14
Deflection at rupture, inch, min.**	0.25	0.25	0.25	0.15	0.25
Deflection, inch, max.	0.85	0.85	1.25	1.00	0.75
Min. tensile strength, pounds per sq. in.***	175	175	100	150	175
Water absorption, percent	5	5	10	10	5
Moisture permeability, time of penetration through the board, not less than, hours	..	..	..	..	20
Max. linear expansion, percent	½	½	½	½	½
Nail holding strength lb...	100	70	60	60	100
Bond strength per sq. ft. of bonded surface	..	700	..	..	..

* This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be increased in direct proportion, that is, for a thickness of 1 inch, it shall be doubled, etc.

** This requirement is based on specimens ½ inch thick. For specimens of other thicknesses, the requirement shall be decreased in inverse proportion, that is, for a thickness of 1 inch, it shall be halved, etc.

*** Tensile strength requirements shall be applicable only on thicknesses up to and including 1 inch.

1.5 EDGE FINISH

1.5.1 Building board edges shall be square.

1.5.2 Plaster base fibre boards shall have short edges square or fabricated and long edges specially fabricated.

1.5.3 ½" roof insulation shall be square edged. For thickness of 1 inch and over, edges shall be square unless offset is specified. When offset material is specified, the amount of the offset shall be 1 inch.

1.5.4 Interior board edges shall be either square, or specially fabricated.

1.5.5 Sheathing board edges shall be either square or specially fabricated as required.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 PLASTER BASE.

Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding ½ hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Building Code.

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. Each length shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1⅛" No. 13 gauge blued or galvanized plaster board nails, with ⅜" heads for ½" board and 1¾" nails with ⅜" heads for ¾" or 1" board, and with proportionately longer nails for thicker fibre board. No nail shall be driven closer than ¼ inch of the edge of fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used.

2.1.1 Fibre board when used as a plaster base shall comply with the requirements of the Administrative Building Code as follows:

C26-458.0. Combustible lath.—a. It shall be unlawful, in the case of structures exceeding three stories in height, to apply combustible lath on wood studs more than two stories in advance of the scratch coat plastering.
b. It shall be unlawful to run combustible lath through from room to room.
C26-462.0. It shall be unlawful to wet fibre board before plastering.

2.1.2 "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than ⅔ by weight of sand and ⅓ calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1½ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than ¼" thick.

2.1.3 "BROWN OR SECOND COAT."

The brown coat shall contain not more than ¾ by weight of sand and the remaining ¼ shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.4 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.5 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of ½" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Fibre board when used as a sheating material shall comply with the requirements of the Administrative Building Code as follows:

C26-538.0b. Approved fibre board sheathing at least one half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on four studs and fastened to each bearing with nails spaced six inches or less apart, except that where necessary for fitting around openings and similar purposes, the dimension of each board used for such purpose shall be the maximum possible if such board is less than four feet in width.

When fibre board is ½" thick the nails used shall be 1½" long with ⅜" head and when the fibre board is ¾" or 1" the nails used shall be 2" long with ⅜" head. Nails shall be driven not closer than ¼ inch of the edge of the sheathing board.
When using fibre board in widths of 2 ft. in addition to the requirements of C-26-538.0b, supplemental bracing of the framework of the wood frame structure shall be provided by means of let-in diagonal braces of 1" x 4"'s sound and free from knots at all external corners in the outside face of the studs at approximately 45° and crossing at least three studs, or supplemental bracing may be by a series of 2" by 4" struts diagonally cut and placed between the studs at an angle of 45° with the horizontal and extending from sill to plate wherever possible. All braces shall be securely nailed to each stud and to sill and plate. Where openings occur near the corners, 1" x 4"'s let-in knee braces in the face of the studs shall be installed above and below the openings at approximately 45°, extending across not less than 3 studs. When used over doorways and under windows, vertical and horizontal 2" x 4"'s shall be provided to afford nailing bases along all edges. Equivalent bracing of steel may be substituted for the required wood bracing. The use of fibre board as roof sheathing is not permitted except as insulation over or under approved sheathing material.

2.3 ASBESTOS CEMENT COVERED FIBRE BOARD. Fibre board protected with at least ⅛" asbestos cement and secured to each face of the fibre board may be used as a siding material in Class 4 and Class 5 construction and as an interior partition material in places where no fire resistive rating is required and when approved by the Board.

Rule 3. Uses of Fibre Board as Wall and Ceiling Covering. Material Supplementing the Requirements of the Administrative Building Code.

3.1 CLASS 1 AND CLASS 2 CONSTRUCTION. In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as an acoustical material in ceilings only of area to be covered and not exceeding 2,000 sq. ft. of fibre board in area and when such spaces are separated from the remainder of the floor area by fireproof partitions and fireproof doors. Fibreboard, when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the strips shall be of fireproofed wood meeting the requirements of C26-331.0 or of approved incombustible materials and the spaces in between the furring strips and the fibre board shall be densely filled with approved incombustible material. Fibre board shall not be applied to side and soffits of beams. When fibre board is used on a suspended ceiling system, all hangers, purlins and cross furring shall comply with C26-461.0 and the fibre board shall be applied directly to a plastered ceiling on approved lath or over a base of approved incombustible board at least ⅜" thick with all joints adequately sealed with gypsum plaster or other approved material.

RULES

3.2 CLASS 3 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways, public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner, fibreboard may be used as a decorative, thermal or acoustical material in areas of 3,000 sq. ft. without restriction, except that there shall be an under surfacing of plaster, plasterboard or other backing, satisfactory to the Borough Superintendent and except that in places of assembly (C26-116.0) fibreboard may be used in areas not exceeding 3,000 sq. ft. but not more than 50% of the area of any floor provided the ceiling construction meets the requirements of C26-669.0 and the walls surrounding the space and opening protective assemblies therein shall be fireproof and when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material and when furring strips are used, the spaces in between the fibre board and the furring strips shall be densely filled with incombustible material.

3.3 CLASS 4 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall be permitted without restriction except when specifically prohibited by the Administrative Building Code or the Board's rules. When fibreboard is used as exterior surfacing, it shall be protected from the elements.

3.4 CLASS 5 CONSTRUCTION.
The use of fibreboard as a decorative, thermal or acoustical material shall not be permitted except within spaces not exceeding 2,000 sq. ft. in area, in elsewhere than stair enclosures, public hallways, public spaces, kitchens or cooking spaces and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner when separated from the rest of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibreboard and the furring strips shall be densely filled with incombustible material. Fibreboard may be used as an interior insulation material when protected by at least 3/8" of plaster or of approved incombustible board of similar thickness and the joints filled or covered with incombustible batten strips.

3.5 CLASS 6 CONSTRUCTION.
In elsewhere than stair enclosures, public hallways and public spaces, and except in places of assembly (C26-116.0) and in occupancies requiring a combustible permit from the Fire Commissioner the use of fibreboard as a decorative, thermal or acoustical material may be permitted in spaces not exceeding 2,000 sq. ft. in area when separated from the remainder of the floor space by fireproof partitions and opening protective assemblies. Fibreboard when used within such space shall be applied by nailing or approved adhesives directly to solid fire-resistive material. When furring strips are used, the spaces in between the fibreboard and the furring strips shall be densely filled with incombustible material.

3.6 LABOR LAW.
The use of fibreboard as a decorative, thermal and acoustical material shall be prohibited except within spaces designated as non-manufacturing area and only when separated from the rest of the floor space by fireproof partitions and opening protective assemblies, except that in factories four stories or less in height, fibreboard may be used elsewhere than stair enclosures and public hallways and public spaces as permitted under the Labor Law.

3.7 MULTIPLE DWELLING LAW.
The use of fibreboard shall be prohibited in kitchens and cooking spaces in class 3 construction and elsewhere as provided in Rule 3.2, except as a plaster base, when the area of floor partitions shall not exceed 15% of the entire partition area to be plastered of any floor. Fibreboard may be used on the top floor ceiling as a plaster base without restriction as to area.

In old law tenements and converted dwellings the use of fibreboard as a decorative, thermal and acoustical material may be permitted elsewhere than in stair enclosures, public hallways, public spaces, kitchens, cooking spaces and in cellars.

2.4 ROOF STRUCTURES AND ROOFING

C26-619.0 FORM AND FIRE RESISTIVE RATINGS OF FLOOR AND ROOF CONSTRUCTION.—a. Floor and roof construction between supporting beams in class 1, fireproof structures, shall consist of arches or slabs of incombustible material or assemblies and shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least three hours, except as specifically provided otherwise. Nothing in this section shall prevent the application of cork or fibre insulation board or other combustible insulation material applied directly to the fire resistive floor or roof construction in cement, provided that in the case of floor construction such insulation is covered by at least one and one-half inch thickness of portland cement concrete or other equally fire resistive material of equal thickness. Similar floor and roof construction in class 2, fire-protected structures, shall either by itself or in combination with its protective ceiling have a fire resistive rating of at least one and one-half hours, except as otherwise specifically provided.

2.4.1 Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

C26-680.0 ROOFING.—a. Materials for roofing.—

1. Roofing placed on any structure shall meet the requirements of section C26-605.0, except as provided in section C26-539.0, and subdivision b of section C26-680.0.

2. The use of cork or fibre board as roof insulation is lawful provided such cork or fibre board is covered with an approved type of fire resistive roof covering applied directly thereto.

2.5 ADDITIONAL ADMINISTRATIVE BUILDING CODE REQUIREMENTS PERTAINING TO THE USE OF FIBRE BOARD ARE AS FOLLOWS:

C26-541.0 MINOR WOOD FRAME STRUCTURES.—a. Wood frame sheds.—Wood frame sheds, open on at least one side, may be erected of wood or with approved fibre board siding, throughout the city, but such sheds shall be fifteen feet or less in height, shall cover twenty-five hundred square feet or less, shall be placed at least four feet from any lot line, and shall be covered on the sides and roof with approved fire retarding material.

b. Wood frame outhouses.—Wooden outhouses used exclusively for domestic purposes may be constructed throughout the city to a wall height of eight feet, and may be one hundred fifty square feet in area, provided the roofs are covered with approved fire retarding materials and the walls are located at least three feet from the lot line.

c. Wood frame builders' shanties.—One story structures for the use of builders in connection with any building operation for which a permit has been issued, may be constructed of wood, or may be sheathed with approved fibre board, and placed on the lot where such building operation is carried on in any part of the city, or on adjoining lots if such structures do not interfere with the safe occupancy of any structures thereon, or on the sheds provided over the sidewalks in front of such building operation.

d. Wooden fences.—Wooden fences may be erected throughout the city to a maximum height of ten feet.

C26-667.0 PERMITTED USES OF WOOD OR OTHER COMBUSTIBLE MATERIALS IN CLASS 1, FIREPROOF STRUCTURES, AND CLASS 2, FIRE-PROTECTED STRUCTURES.—

RULES

4. Wearing surfaces.—

(c). Untreated combustible insulation board in a single layer not to exceed one-half of an inch in thickness, when cemented or attached directly to the surface of an approved type of fire resistive floor construction, may be used elsewhere than in stair enclosures and corridors when covered by an incombustible wearing surface in accordance with the rules of the board.

2.5.1 Except as provided in Section C26-619.0 wearing surface when installed over fibreboard shall be of approved incombustible material bonded and sealed in accordance with the terms of the Board's approval of the wearing surface material.

C26-631.0 CONSTRUCTION OF FIRE WALLS

g. The application of cork or fibre insulation board may be permitted if cemented or attached directly to the face of the wall laid up with no intervening air spaces and protected as required by the rules of the board.

2.5.2 When used on fire walls, fibre board shall be protected by at least ⅜" of plaster or approved incombustible material of similar thickness with joints filled or covered by incombustible batten strips.

GROUP 2—FIRE PARTITIONS

C26-633.0 MATERIALS FOR FIRE PARTITIONS.

b. Where combustible insulation board is permitted, it shall be applied directly to the face of the partition by cement or other approved method, but in no case shall it be built into the required partition construction.

MINUTES

(Minutes continued from page 523)

PREMISES AFFECTED—219-02 to 219-12 Horace Harding boulevard (Nassau Blvd.) southeast corner of 219th street, Bayside, Borough of Queens.

APPEARANCES—
For Applicant: Joseph B. Lynch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, JUNE 8, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

RULES

1139-39-SR

SUBJECT—Proposed Amendments to Rules for Inspection of Approved Opening Protective Assemblies.

APPEARANCES—
C. W. Rulon.

ACTION OF BOARD—Application reopened and rules amended (See page 524 of this Bulletin).

THE VOTE TO REOPEN AND AMEND RULES—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative 0
Absent: Chairman Murdock 1

170-39-SR

SUBJECT—Proposed Amendments to Rules on Uses of Insulating Fibre Board.

APPEARANCES—
George A. Petters, M. J. Brennan, R. P. Mathison, H. J. Schwein, A. P. Green, E. F. Browne, D. C. Sullivan, G. C. Hannam, R. M. Allard and Lonsdale Green, Jr.
For Administration: Fred Dahlem and Frank Burns, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and rules amended (See pages 525 to 528 of this Bulletin).

THE VOTE TO REOPEN AND AMEND RULES—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

465-44-SR

SUBJECT—Proposed Rules on Exterior Veneering Materials.

APPEARANCES—
George L. West, Ephron Cathin, Jr. and H. G. Hedin.
For Administration: John T. O'Connor, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 12, 1945 at 2 p.m.

Adjourned: 11:40 A. M.

JOSEPH J. DOYLE, Chief Clerk.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules on Exterior Veneering Materials.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 12, 1945.

Cal. No. Dept. Premises Affected.

347-45-SM—Washington Mills Electric Furnace Emery, manufactured by Washington Mills Abrasive Co., Emery Floor Division, Material.

348-45-SM—Washington Mills Emery Aggregate, manufactured by Washington Mills Abrasive Co., Emery Floor Division, Material.

349-45-A—H.B.Bx—569-573 Prospect avenue, west side, 25 ft. south of East 150th street (Block 2674, Lot 9), Borough of The Bronx, Amendment to Alt. 279-44.

350-45-A—F.D.—35-37 Nostrand avenue and 1-15 Hopkins street, northeast corner (yard area); (Block 1719, Lot 1), Borough of Brooklyn, 99559-LC.

351-45-BZ—H.B.Q.—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens, Alt. 738-45.

352-45-BZ—H.B.Q.—81-22 Rockaway boulevard and 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26,) Woodhaven, Borough of Queens, N.B. 175-45.

353-45-A—H.B.Q.—58-01 Grand avenue, northwest corner of 58th place (1st floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens, Misc. 1587-45.

354-45-BZ—H.B.B.—341-347 Reid avenue and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn, Alt. 1321-45.

355-45-BZ—H.B.Q.—50-24 Queens boulevard, south side, 193.20 ft. east of 50th street (Block 2283, Lot 43), Woodside, Borough of Queens, Alt. 321-45.

356-45-A—H.B.Q.—221-23 to 223-09 130th avenue, north side, 1662 ft. east of Springfield boulevard, 221-20 130th avenue, southwest corner of 222nd street, 222-04 to 222-20 130th avenue, south side, from 222nd to 223rd streets and 130-03 to 130-11 223rd street, southeast corner of 130th avenue (Block 12825, part of Lot 480(42-52); Block 12899, part of Lot 250(105); Block 12900, part of Lot 32(110-114, inclusive) and Block 12901, part of Lot 329 (309-311, inclusive), Springfield Gardens, Borough of Queens, N.B. 288-45, N.B. 291-45 to N.B. 295-45, inclusive and N.B. 298-45 to N.B. 311-45, inclusive.

357-45-A—F.D.—1282-1300 Broadway, east side, from West 33rd to West 34th streets, 53-63 West 33rd street and 46-62 West 34th street (Block 835, Lot 1), Borough of Manhattan, 33573-LF and Decision.

358-45-A—H.B.Q.—142-30 Barclay avenue, southeast corner of Union street (cellar, P. S. 20); (Block 5047, Lots 1, 20 and 52), Flushing, Borough of Queens, N.B. 20-45.

359-45-A—H.B.Q.—63-55 to 63-73 102nd street, east side, between 63rd drive and 64th avenue (Basement, P. S. 157); (Block 2126, Lot 14), Forest Hills, Borough of Queens, Amendment to N.B. 40-43.

360-45-A—H.B.Q.—83-02 to 83-38 168th street, west side, between 84th avenue and Grand Central parkway (Basement, Thomas A. Edison Vocational High School); (Blocks 9867, 9868, 9869 and 9870, Lot 1), Jamaica, Borough of Queens, Amendment to N.B. 89-43.

361-45-A—H.B.M.—960 Columbus avenue, west side, between West 107th and West 108th streets, 131-169 West 107th street and 100-154 West 108th street (cellar, West Side Vocational High School); (Block 1862, Lots 7, 9, 10 and 11), Borough of Manhattan, Amendment to N.B. 163-44.

362-45-A—H.B.Bx—1180 Morris avenue, southeast corner of East 167th street (Basement, P. S. 22); (Block 2438, Lots 33, 45 and 50), Borough of The Bronx, Amendment to N.B. 100-44.

Restored to Calendar.

28-38-SM—Cantilite Concrete Plank for Floor and Roof Construction, Material.

796-23-BZ—H.B.B.—1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn, Alt. 2478-44.

447-44-A—F.D.—205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn, 12664-LF.

120-33-BZ—H.B.R.—2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond, Decision re Certificate of Occupancy.

560-44-A—H.B.Bx.—85 West Burnside avenue and 2037 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx, Alt. 351-44.

182-42-A—F.D.—242 West 41st street, south side, 300 ft. east of 8th avenue (Block 1012, Lot 49), Borough of Manhattan, Decision re 32798-LF.

36-45-A—F.D.—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn, 98391-LC and Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May 15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	May 29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	May 29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

JUNE 19, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning June* 19, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

576-44-BZ—Application, October 11, 1944, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Amrul Corporation, owner, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties); premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

95-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution of Lama and Proskauer, applicants, on behalf of Marie Atherton, owner, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the building as extended being in excess of the area permitted by the zoning resolution; premises 87-24 to 87-30 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

459-44-BZ—Application, July 21, 1944, under sections 21 and 7c of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Mary L. Richardson, owner, to permit in a business use C area district, manufacturing in excess of the permitted area; premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

132-45-BZ—Application, March 2, 1945, under sections 7c and 21 of the zoning resolution, of Kitzler & Nurick, applicants, on behalf of Beatrice Finkelstein, owner (Max Finkelstein, lessee), to permit in a business use district, the enclosure of an existing gas station as part of a new building to be occupied for a conforming use; premises 30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 and 26), Long Island City, Borough of Queens.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7e of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

236-45-BZ—Application, April 21, 1945, under sections 7c and 21 of the zoning resolution, of Goldwater & Flynn, applicants, on behalf of B. P. Hotel Company, Inc., owner, to permit occupancy of a concert hall in a hotel located partly in a business, partly in a retail and partly in a residence use district, for commercial broadcasting and theatrical purposes, the concert hall being located in the residence use portion of the building; premises 1421-1429 6th avenue and 101-107 West 58th street, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business

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use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901 (2678), Lots 42 and 45), Flushing, Borough of Queens.

Appeals from Administrative Decisions.

173-45-A—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

174-45-A—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

633-44-A—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

460-44-A—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (1st, 2nd and 3rd floors); (Block 6402, Lot 9,) Borough of Brooklyn.

475-44-A—Packaging of Inflammable mixture known as "Reliable Paint, Varnish and Lacquer Remover" in 8 oz., 16 oz., 32 oz. and 128 oz. glass containers (reopened and restored to calendar March 20, 1945; previously withdrawn).

133-45-A—21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn.

134-45-A—79 Washington street, east side, 127 ft. south of Front street (2nd, 3rd and 4th floors); (Block 51, Lot 1), Borough of Brooklyn.

182-45-A—1100-1108 Grand street, south side, 561 ft. 1½ in. west of Morgan avenue (Block 2942, Lot 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JUNE 19, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 19, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

198-45-A—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

516-44-A—240-246 19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8); Borough of Brooklyn.

129-41-A—7 and 8 Chatham Square, west side, 106 ft. 4½ in. north of Mott street, (Block 162, Lot 39), Borough of Manhattan, (reopened March 20, 1945).

156-45-A—318 3rd avenue, west side, 257 ft. south of Carroll street (Block 453, Lot 52), Borough of Brooklyn.

172-45-A—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.

181-45-A—429 5th avenue, east side, 60 ft. 11 in. north of East 38th street (cellar); (Block 868, Lot 4), Borough of Manhattan.

176-45-A—64-70 West 36th street, south side, 125 ft. east of 6th avenue (5th floor); (Block 837, Lot 80), Borough of Manhattan.

196-45-A—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.

276-45-A—454-468 18th street, south side, 200 ft. east of 8th avenue and 445-455 19th street (Block 882, Lot 17), Borough of Brooklyn.

147-45-A—454-468 18th street, south side, 200 ft. east of 8th avenue and 443-455 19th street (Block 882, Lot 17), Borough of Brooklyn.

712-44-A—103-12 to 103-22 99th street, west side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15 and 16), (Buildings No. 2 and 3); Ozone Park, Borough of Queens.

319-45-A—103-12 to 103-20 99th street, west side and 103-11 to 103-15 98th street, east side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15, 16, 74 and 75), Ozone Park, Borough of Queens.

703-44-A—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-68 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

226-45-A—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

104-45-A—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens.

166-45-A—70-15 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn.

337-45-A—Block bounded East Houston street, to East 6th street, between Avenue D and East River drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

338-45-A—Block bounded by East 132nd street to East 135th street, between Park and 5th avenues (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.

308-45-A—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk).

90-45-A—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

180-45-A—1283-1285 Coney Island avenue, east side, 260 ft. south of Avenue I (Block 6704, Lot 74), Borough of Brooklyn.

321-45-A—95 Lombardy street, northeast corner of Vandervoort avenue (Block 2819, Lot 8), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

194-45-A—92-32 Union Hall street and 160-37 Archer avenue, northwest corner (1st floor); (Block 10101, Lot 27), Jamaica, Borough of Queens.

342-45-A—58-01 Grand avenue, northwest corner of 58th place (2nd floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

353-45-A—58-01 Grand avenue, northwest corner of 58th place (1st floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

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JUNE 26, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 26, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

504-27-BZ—Application of Crisona & Murphy, applicants, on behalf of Broadway-230th Street Corporation, owner (Wallace I. Wolpert, lessee), reopened June 5, 1945, for consideration as to extension of time to complete work—Application previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles; premises 200-218 West 230th strect and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

159-45-BZ—Application, March 19, 1945, under section 7h of the zoning resolution, of Lama & Proskauer, applicants, on behalf of George C. Tilyou and George C. McCullough, owners, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years; premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

122-45-BZ—Application, March 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of East New York Savings Bank, owner, to permit the extension from a business use district, into a residence use district of a bank and storage building, the building occupying in a C area district in excess of 60% of lot area; premises 176-180 (178 displayed) New Jersey avenue, east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn.

290-45-BZ—Applieation, May 5, 1945, under section 7h of the zoning resolution, of Simon Cohen, applicant, on behalf of Isidor Faber, owner, to permit in a residence use district, the parking and storage of motor vehicles for a term of two years; premises 155 Beaeh 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens.

596-42-BZ—Application of Koch & Wagner, applicants, on behalf of The Roberts Numbering Machine Co., owner, reopened May 1, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for five cars of the pleasure car type (granted by the Board) to an office and drafting room, accessory to factory on same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaiea avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn.

Materials for Approval.

315-43-SM—Gravel (Coarse Aggregate), manufactured by Gallagher Brothers Sand and Gravel Corporation.

28-38-SM—Cantilite Concrete Plank for Roof and Floor Construction, reopened June 12, 1945 re amendment of resolution.

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 3, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

120-33-BZ—Application of Thomas Nunley, applicant, on behalf of Harry Hugger, owner, reopened June 12, 1945 for consideration as to extension of variance—re Application, previously granted on condition, under section 7f of the zoning resolution, for a period of two years, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop, and, also a gasoline service station; premises 2030 Hylan boulevard; southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond.

227-45-BZ—Application, April 16, 1945, under section 21 of the zoning resolution, of Charles S. Ward, applicant, on behalf of Francis J. Meyer, owner, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot; premises 146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

420-43-BZ—Application, August 30, 1943, under sections 7c and 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of National Fabricating Co., owner, to permit in a residence use F area district, a one story extension to an existing factory building and not complying with F area district requirements; premises 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

274-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Dora F. Kraut, owner, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable; premises 6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

730-44-BZ—Application, December 15, 1944, under section 7f of the zoning resolution, of Kobie Klinghoffer, applicant, on behalf of Lotli, Inc., owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

317-45-BZ—Application, May 17, 1945, under section 7e of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Estate of F. D. Underwood (E. W. Underwood, Executor), owner, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles and dwelling to a chemical laboratory, factory, office and dwelling for a temporary period; premises 330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

Appeal from Administrative Decision.

318-45-A—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning July* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JULY 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law re bed of mapped street —150th street) reopened and restored to calendar May 8, 1945 (previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 12, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, June 5, 1945, and Tuesday afternoon, June 5, 1945, and the minutes of the special meeting of the Board held on Friday morning, June 8, 1945, were approved, as printed in Bulletin No. 24, Volume 30.

ZONING APPLICATIONS

459-44-BZ

APPLICANT—Arnold W. Lederer, for Mary L. Richardson, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 21 and 7c of the zoning resolution, to permit in a business use C area district, the manufacturing in excess of the permitted area.

PREMISES AFFECTED—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M., to be heard in conjunction with Cal. 460-44-A.

546-44-BZ

APPLICANT—Lama and Proskauer, for Ida Siegal, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, ot permit in a business use district, the erection of an extension to an office building of an existing gasoline service station for a car laundry and to house grease lift.

PREMISES AFFECTED—822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M. for further consideration.

210-45-BZ

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area.

PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Joel D. Marder and H. Webb.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M., for further consideration. Applicant to file plans and photographs.

836-22-BZ

APPLICANT—Harry Hurwit, for Flo-El Realty Corp., owner (L. & J. Caterers, Inc., lessee).

SUBJECT—Application reopened January 23, 1945—Application (decision of the borough superintenednt) under section 7b of the zoning resolution, to permit in a building partly in a business use and partly in a residence use district, the change of occupancy from a theatre and stores (previously granted by the Board) to catering, meeting rooms, ballrooms and stores.

PREMISES AFFECTED—85 West Burnside avenue and 2041 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Hurwit.

For Opposition: Martha Grossman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (836-22-BZ)

WHEREAS, this application under section 7b of the zoning resolution, permitting in a business use and partly in a residence use district, the erection and maintenance of a theatre building, affecting premises 85 West Burnside avenue and 2041 Harrison avenue, northwest corner (Block 3210, Lot 65), Borough of The Bronx, was granted by the Board on September 19, 1922, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on January 23, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West Burnside avenue is in a business use, B area, class 1¼ height district; Harrison avenue is in a residence and business use, B area, class 1¼ height district and University avenue is in part business and part residence use, B area and class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated April 13, 1945 on Alt. Applic. 351-44 reads:

"3. Proposed extension of business use within a residence district, is contrary to Article 2, Section 3 of the Zoning Resolution. Since this proposed change is also contrary to Board of Standards and Appeals Resolution 836-22-BZ, it must be referred to the Board of Standards and Appeals for approval."

and

WHEREAS, the applicant states that the premises consist of a plot, 90 ft. frontage by 105 ft. in depth, irregular in area, on which is located a 2 story class 3 constructed building, 90 ft. by 105 ft. irregular in area, erected as a theatre and stores and that it is proposed to occupy the building as stores and ballrooms, meeting rooms and catering; and

WHEREAS, the applicant contends that the building in question is a two story brick structure 26 ft. in height, erected in 1923 as a motion picture theatre and stores and a portion of this structure extended into the residential area, approved by the Board under Cal. 836-22-BZ; that in 1931, it was altered into ballrooms, meeting rooms, catering and for other assembly purposes and stores for which Certificate of Occupancy 30-31 was issued; that at the completion of this alteration, the applicant leased the premises exclusive of the stores for about ten years; that they redecorated and furnished the premises at a great cost and expense believing that the premises could be used as called for in the certificate of occupancy; that in 1938, the applicant purchased the entire structure and in a search, found the premises clear of any violations; that in October 1944, application 560-44-A was filed, requesting permission for increased occupancy, when we were informed that the certificate of occupancy was not valid, because the original owners, who converted the motion picture theatre into ballrooms, catering, etc., failed to apply to the Board for permission to continue the changed occupancy of the premises, extending into the residential area; that the applicant leased, purchased and invested a great sum of money in good faith because of the said certificate of occupancy; that great hardship is wrought on the owners, who did not in any way contribute to create this peculiar and deplorable condition; that permission is requested to continue the occupancy of said building as ballrooms, meeting rooms, catering and stores, for any other decision would mean the confiscation of the business and structure to the owners.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 19, 1922, by adding thereto:

"* * * that in view of the permission by the Department of Housing and Buildings to erect a building within the business use district to a height of two stories instead of one, as formerly proposed, and extending into the residence district as formerly proposed, the proposed extension of use may be permitted into the residence use district, *on condition* that the court leading to Harrison avenue shall be maintained for a full width of 12 feet, as originally proposed, except for exterior exit stairways; and that any structure, that has been erected as an addition to the building and which now reduces the width of the exit court in any part shall be removed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 560-44-A."

114-28-BZ

APPLICANT—Edward A. Brown, for Zimtbaum & Horowitz, owners.

SUBJECT—Application reopened May 22, 1945 re amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under sections 7e and 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles.

PREMISES AFFECTED—109-07 to 109-17 101st avenue (4453-4459 Jerome avenue), north side, 50 ft. west of 110th street (Block 460, Lots 53-55), Richmond Hill, Borough of Queens.

APPEARANCES—
For Applicant: Edward A. Brown.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (114-28-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 109-07 to 109-17 101st avenue (4453-4459 Jerome avenue), north side, 50 ft. west of 110th street (Block 460, Lots 53-55), Richmond Hill, Borough of Queens, was granted by the Board on July 24, 1928 and the resolution was amended on July 9, 1929; and

WHEREAS, the applicant requested a further amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on May 22, 1945, restored to the calendar and set for hearing on June 12, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, acting on Misc. Applic. 1345-45, dated April 12, 1945, reads:

"1. As premises are located within a business use district, any increase in area of an existing public garage, is contrary to Article 2, Section 4, Zoning Resolution.

2. As existing building was approved under Cal. 114-28-BZ, any change would have to be approved by the Board of Standards and Appeals."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 24, 1928 as amended July 9, 1929 by adding thereto:

"that in the event the owner desires to add to this garage, a section of the adjoining building located at 109-17 to 109-21 101st avenue, as indicated on revised plans marked 'Received June 8, 1945' showing an area of ap-

proximately 19 ft. by 48 ft. at the rear, such space may be used in connection with this garage during the term of the lease to the City of New York for the Department of Sanitation, *on condition* that any opening from such space to 110th street, shall be blocked up with approved masonry; that in all other respects, the requirements of this resolution shall be complied with and that a Certificate of Occupancy shall be obtained."

531-37-BZ

APPLICANT—Joseph Mosgoffian (lessee), for Annie Zins, owner.

SUBJECT—Application reopened May 15, 1945, for consideration as to extension of variance—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Mosgoffian.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (531-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the packing and storage of more than five motor vehicles, affecting premises 23-28, 23-30 and 23-32 30th avenue, south side, 91.83 ft. west of Crescent street (Block 572, Lots 37 and 38), Astoria, Borough of Queens, was granted by the Board on February 7, 1939, on certain conditions; and

WHEREAS, the permit was extended on February 18, 1941 and June 22, 1943 and the applicant requested a further extension of the permit; and

WHEREAS, this case was reopened by vote of the Board on May 15, 1945, restored to the calendar and set for hearing on June 12, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting June 12, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 7, 1939 as amended through June 22, 1943 only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the plot to be used for the parking and storage of more than five (5) motor vehicles restricted to the portion of the premises located within the business use district, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of February 7, 1939 as amended through June 22, 1943 shall be complied with and that a certificate of occupancy shall be obtained (M. 411-41 and M. 2254-45)."

786-42-BZ

APPLICANT—Chester A. Cole, for O. J. Heinzmann, owner.

SUBJECT—Application reopened May 22, 1945, for consideration as to extension of variance—Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, for a term of two years, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop).

PREMISES AFFECTED—8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond.

APPEARANCES—

For Applicant: Chester H. Cole and Mrs. T. L. Heinzmann.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (786-42-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting partly in a residence use and partly in a local retail use district, the alteration and conversion of occupancy of an existing building to a factory (tool shop), for a term of two years, affecting premises 8 Crabtree avenue, southwest corner of Bloomingdale road (Block 7092, Lot 61), Rossville, Borough of Richmond, was granted by the Board on January 19, 1943, on certain conditions; and

WHEREAS, plans were approved on March 16, 1943, as required in the resolution of January 19, 1943; and

WHEREAS, the applicant requested an extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on May 22, 1945, restored to the calendar and set for hearing on June 12, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1945, after the notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 19, 1943, only in so far as it has reference to the term of the variance, so that as amended, the resolution adopted by the Board January 19, 1943, as amended for approval of plans on March 16, 1943, as to the term of the variance, shall read:

"*Granted* under section 7e for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied by the owner as proposed, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of January 19, 1943, as amended March 16, 1943, shall be complied with; and that a new Certificate of Occupancy shall be obtained."

26-45-BZ

APPLICANT—Lama & Proskauer, for Harold S. Rogers, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a retail use D area district, and adjoining a residence use district, the erection of a gasoline service station, office, lubritorium, car washing laundry, and also the omission of the required rear yard.

PREMISES AFFECTED—468-478 Forest avenue and 9 City boulevard, southeast corner (Block 259, part of Lots 1 and 6), West Brighton, Borough of Richmond.

MINUTES

APPEARANCES—
For Applicant: Alfred Lama, A. Dubois and Harold S. Rogers.
For Opposition: Paul D. Siegel, Theodore J. Drach, Frank Sweeney, John Burry, P. L. Santori and H. W. Ordeman, office of Borough President.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (26-45-BZ)

WHEREAS, Lama and Proskauer, for Harold S. Rogers, owner, filed January 17, 1945, an application under section 7f of the zoning resolution, to permit in a retail use, D area district and adjoining a residence use district, the erection of a gasoline service station, office, lubritorium and car washing building and also the omission of the required rear yard, affecting premises 468-478 Forest avenue and 9 City boulevard southeast corner (Block 259, part of Lots 1 and 6), West Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Forest avenue is in a retail use, D area and Class 1 height district and City boulevard is partly in a retail use and partly in a residence use, D area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated December 28, 1944, re N.B. Applic. 100-44, reads:

"1. The erection of this proposed one story non-fireproof structure to be used as an office, gasoline service station, lubritorium and auto laundry, is prohibited in a retail use district, as being contrary to zoning resolution, Art. II, Sec. 4a(46)."

and

WHEREAS, the applicant states the premises consist of a plot, 100.16 ft. frontage by 75 ft. in depth, now vacant on which it is proposed to install a gasoline service station, office, lubritorium and car laundry; and

WHEREAS, the applicant contends that the proposed site has a frontage of 100.16 ft. on Forest avenue, 95 ft. on City boulevard, 45 ft. on the southerly lot line and 75 ft. on the westerly lot line; that the plot is now vacant; that it is proposed to construct a modern gasoline service station, with a building located at the southerly end of the plot approximately 60 ft. frontage and 27 ft. 4 in. in depth, housing an office, lubritorium, car washing stand, waiting room and boiler room; that it is proposed to bury three 1000 gallon gasoline storage tanks and have two islands each having two pumps, same to be constructed of the parkway type; that the present owners have tried to improve this site with numerous conforming uses, but have not been able to get the proper financial help from lending institutions and as it is located on two main automobile thoroughfares, namely Forest avenue and City boulevard; that this site has become suitably adaptable for a modern gasoline service station and it is therefore respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, of the zoning resolution.

Resolved, that the decision of the borough superintendent, dated December 28, 1944, re N.B. Applic. 100-44, be and it hereby is *affirmed* and the application be and it hereby is *denied.*

222-45-BZ

APPLICANT—Jules Lewis, for Abgus Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use B area district, the omission of a loading space, as required by section 19-A, in a building changed from its present use as a garage to its former use as a factory.

PREMISES AFFECTED—461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan.

APPEARANCES—
For Applicant: Jules Lewis.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (222-45-BZ)

WHEREAS, Jules Lewis, for Abgus Realty Corporation, owner, filed April 12, 1945, an application under section 21 of the zoning resolution, to permit in an unrestricted use, B area district the omission of a loading space as required by Section 19-A in a building to be changed from its present use as a garage to its former use as a factory, affecting premises 461-467 10th avenue and 500-504 West 36th street, southwest corner (Block 707, Lot 39), Borough of Manhattan; and

WHEREAS a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 10th avenue and West 35th street are in an unrestricted and retail use, A area and Class 2 height district, and West 36th street is in an unrestricted use, A area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated March 30, 1945, re Alt. Applic. 1040-44, reads:

"7. As premises are changed to factory use, storage and display of goods, exceeding 25,000 sq. ft. in the aggregate, a loading space as required by Sec. 19-A of the Zone Resolution is required."

and

WHEREAS, the applicant states the premises consist of a plot, 74 ft. 1 in. frontage by 100 ft. in depth, on which is located a 6 story, Class 1 construction building, 74 ft. 1 in. by 100 ft. in area, with a certificate of occupancy as a garage, but occupied as a factory and that it is proposed to occupy the building as a factory for manufacture of electronic devices; and

WHEREAS, the applicant contends that the purpose of this application is to appeal from Section 19-A of the zoning resolution, which section was added to the law in 1940, 29 years after the building was erected; that this section requires new or converted buildings devoted to factory or storage purposes, to provide an interior freight driveway and contends that this section does not apply to these premises, the intention is clear that it was to apply to new buildings or buildings not formerly arranged for factory or storage use, converted to such use; that this building was originally arranged and erected as a factory, constructed as a four-story fireproof loft building in 1911; that the approved plans however clearly showed that it was designed for two additional stories; that these two stories were added in 1918, in accordance with approved Alteration Application 15-1918, and approved for use as a factory; that the building today has the same arrangement and is structurally the same as it was in 1918; that if it had not been for a change in use since 1918, no change whatever would have been required to continue its use as a factory; that in 1921, however, due to a depression in business conditions, the factory moved out and

the building was rented out as a storage garage, for which a certificate of occupancy was granted; that the building has been vacant for the last few years; that the present owner purchased the building in good faith as a factory building, using it for the manufacture of electronic devices, under contract with the Army and Navy; that after moving in and work was started, a violation was placed because of change of use; that Alt. Applic. 1040-44 was filed to convert the building back to its original use; that the only objection by the Building Department now existing to such use, is the requirement of Section 19-A of the zoning resolution; that omitting the cellar which is used for dead storage, boiler room, etc., the net area devoted to factory or live storage space is 32,500 sq. ft.; that the amount by which this exceeds the limit of 25,000 sq. ft., is small; that furthermore, there is no need for an interior driveway, as the freight elevator is situated directly at the building line, with an opening to the street at sidewalk level; that the method used for loading or unloading trucks is simple and safe; that the merchandise is carried directly from the elevator door opening, across the sidewalk to the truck standing alongside the curb, or vice versa; that the preponderance of the buildings in the neighborhood are factory buildings, warehouses, garages, etc.; that there are no residences of any kind west of 10th avenue; that the stores on the west side of 10th avenue in this neighborhood are not the type of retail shops that are patronized by local residents, but are more of the nature of factories such as tinsmiths, glass works, etc. and a large number are vacant; that consequently there is very little human traffic in front of these premises; that the building was originally erected as a factory and later converted to a garage; that two thirds (4 floors out of 6) of the use of the garage was for dead storage of automobiles, so that the building has always been used for either factory or storage space; that it is not a new condition as far as Section 19-A is concerned and therefore this section should not be invoked; that it would be a hardship on the owner if he were now compelled to make an alteration to comply with Section 19-A; that there are practical difficulties in carrying out the provisions, as the building is now completely occupied; that an important part of the floor area would be taken up; that it would require this section to be rearranged and reinforced for the driveway and platform; that furthermore, from a practical viewpoint it is completely unnecessary, as with the light manufacturing carried on, no difficulties are being encountered with the present arrangement; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, dated March 30, 1945, re Alt. Applic. 1040-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

APPEALS FROM ADMINISTRATIVE DECISIONS

460-44-A

APPLICANT—Arnold W. Lederer, for Mary L. Richardson, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M. to be heard in conjunction with Cal. 459-44-BZ.

173-45-A

APPLICANT—Saul Goldsmith, for Welbilt Stove Co., Inc., owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.
APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M. for an inspection by a committee of the Board.

174-45-A

APPLICANT—Saul Goldsmith, for Welbilt Stove Co., Inc., owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.
APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M., for an inspection by a committee of the Board.

211-45-A

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.
APPEARANCES—
For Applicant: Joel D. Marder and H. Webb.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 10 A. M. in connection with Cal. 210-45-B2.

866-42-A

APPLICANT—Gulf Oil Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of variance—re Appeal from decision of the fire commissioner re packaging of inflammable mixture known as "Gulflex Rubberlube" in one-half gallon glass jugs (capacity of glass jugs not in conformity with Administrative Code specifications); (previously granted on condition for a term of six months).
APPEARANCES—
For Applicant: H. J. Fudenske.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Request to reopen denied.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock and Commissioner Blum 2
Negative: Commissioner Savage and Deputy Chief Gunn 2

130-45-A

APPLICANT—Ornamental Processing Co., Inc., lessee, for Fuller-Searles Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—42 West 13th street, south side, 100 ft. east of 6th avenue (3rd floor); (Block 576, Lot 16), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: Solomon Silverstein and Frank M. Coman.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

295-45—A

APPLICANT—Deco Products Co., Inc., subsidiary of Disinfecting and Exterminating Corp., lessee, for Majec Realty Co., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—421 West 126th street, north side, 226 ft. west of Morningside avenue and 416 West 127th street, south side, 225 ft. west of Morningside avenue (1st floor); (Block 1967, Lots 13 and 33), Borough of Manhattan.
APPEARANCES—
For Applicant: C. L. Phillip and P. Brody.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn after complete discussion.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

560-44-A

APPLICANT—Harry Hurwit, for Flo-El Realty Corp., owner. (L. & J. Caters, Inc., lessee.)
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—85 West Burnside avenue and 2037 Harrison avenue, northeast corner (Block 3210, Lot 65), Borough of The Bronx.
APPEARANCES—
For Applicant: Harry Hurwit.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0
THE VOTE TO GRANT ON CONDITION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (560-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 85 West Burnside avenue and 2037 Harrison avenue, northeast corner (Block 3210, Lot 65), Borough of The Bronx, was withdrawn on October 31, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 351-44, dated April 13, 1945, reads:

"1. Proposed increase in the number of occupants is not permissible. This public building must be of fireproof construction; as per Sections 2.1.3.5 and 4.2.1 of the Building Code.

2. Exit facilities from the second floor as shown, are inadequate for the proposed number of occupants, as per Sections 6.1.10 and 6.4.1.8 of the Building Code. The two enclosed stairways are inadequate for 800 people, as per Section 6.1.10 and the exterior stair does not comply with Section 6.4.1.8.1."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft.) in height, 90 ft., 67 ft. and 38 ft. front by 105 ft. irregular in area, of class 1 and class 3 construction, erected in 1923, located in a business use, B area district and used since 1931 as follows: cellar—boiler room, 1st floor—ball room, meeting rooms, catering and stores—275 persons; 2nd floor—same—50 persons; proposed to be used and occupied as follows: 1st floor—ball rooms, meeting rooms, catering, chapel and stores—500 persons; 2nd floor—same—900 persons; that the building is equipped with one interior stairs 5 ft. 6 in. wide, of fireproof construction, leading directly to the street and provided with a ladder and scuttle to the roof and one outside stairs at the rear of the building, leading to the yard by stairs with egress through a passageway to the street; and

WHEREAS, Certificate of Occupancy 30, issued February 11, 1931, permits the use of the building as follows: 1st floor—stores and dance hall—50 persons; 2nd floor—restaurant and catering, dance hall A—100 persons, dance hall B—175 persons, dance hall C—50 persons; and

WHEREAS, the applicant contends that the building was erected in 1923 as a motion picture theatre and stores and a certificate of occupancy was issued for 1400 persons; that in 1931, the building was altered and converted for ball rooms, meeting rooms, catering and stores and a certificate of occupancy issued for 325 persons; that in 1944 under Alt. Applic. 351-44, plans were filed for the construction of a new and additional fireproof enclosed stair from the second story directly to the street and to create a wedding chapel on the 1st floor, which would have two more exits to the street; that upon completion, the building will have one fireproof enclosed stair 5 ft. 6 in. wide leading to Burnside avenue, one fireproof enclosed stair 4 ft. wide leading to Harrison avenue and one 4 ft. wide outside iron stair leading to Harrison avenue; that all of these exists will be remote; that in addition, the chapel will have two 3 ft. 8 in. door leading to Harrison avenue, acting as additional exits from the 1st floor lobby; that this lobby will then have one exit to Burnside avenue and three exits to Harrison avenue, all of which will be remote; that the owners are willing to go to the expense of creating those exits in the hope that plans will be approved for the occupancy of 1400 persons, which were permitted at the time the theatre was erected; that the borough superintendent has disapproved the application, mainly on the grounds that the building is not fireproof; that in order to carry the building, it is necessary to obtain the capacity of 1400 persons as follows: Room A—300 persons; Room B—425 persons; Room C—125 persons; Room D—125 persons; Chapel—375 persons; that in view of the prevailing critical condition in that a license for only 375 persons for the entire building is tantamount to confiscation, it is requested that the Board permit the occupancy of 900 persons on the 2nd floor and 500 on the 1st floor.

Resolved, that the decision of the borough superintendent, as to Alt. Applic. 351-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; as to objection 2, that the permitted occupancy shall not exceed the number which may be lawfully permitted, based on the existing and proposed means of exit; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied by the Board in Cal. 836-22-BZ; that the fire areas separated by lawful fire partitions, as required for Class 3 construction, shall be located, constructed and maintained; and that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct and that all requirements of the resolution adopted under Calendar 836-22-BZ shall be complied with as a condition of the variance herein granted.

139-45-A

APPLICANT—Saul Goldsmith, for Hemmerdinger Estate Corporation, owner (Hercules Powder Co., Naval Stores Dept., lessee).

MINUTES

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—80-18 Cooper avenue and 70-27 80th street, southeast corner (1st floor, Building 31); (Block 3806, Lot 2), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith, J. M. Carbonara and J. R. Lafferty.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (139-45-A)

WHEREAS, Saul Goldsmith, for Hemmerdinger Estate Corporation, owner (Hercules Powder Co., Naval Stores Dept., lessee), filed March 7, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 80-18 Cooper avenue, 70-27 80th street, southeast corner (1st floor, Building 31); (Block 3806, Lot 2), Glendale, Borough of Queens; and

WHEREAS, order 96169-LC, issued by the fire commissioner December 15, 1943 and repeated in a decision of the fire commissioner dated February 28, 1945, reads:

"You are hereby notified that an inspection of the above premises used to store and use turpentine, etc., shows the following must be done before the permit requested by you can be issued:

5. Discontinue practice of using tank car as a storage room to fill the drums with different commodities.

6. Provide storage tanks for pine oil, terpene and derivatives which are filled into the drums. The tanks to be used to fill drums instead of tank car. C19-11, Administrative Code."

and

WHEREAS, the applicant states that the building is 1 story (17 ft. 6 in.) in height, 71 ft. 4 in. by 209 ft. 6 in. in area, of class 3 construction, erected in 1942, located in an unrestricted use, A area, class 1 height district and used and occupied since 1943 for storage of combustible materials—5 persons; that the building is equipped with a one source sprinkler system and that Certificate of Occupancy 31918 issued December 29, 1944, permits its use for the storage of non-combustible materials—5 persons; and

WHEREAS, the applicant contends that the building is divided into two areas of 7,000 and 9,000 sq. ft. respectively by an 8 in. masonry wall; that the building is used for the storage of combustible materials and liquids and the liquids are stored in 55 gallon steel drums and solid materials in steel drums and bags; that the filling of combustible liquids is from an outside 8,000 gallon railroad tank car on a private railroad siding; that this tank car is emptied into 55 gallon steel drums by means of an overhead by-pass pump, located outside the filling room within the building, through a hose and trigger nozzle located within the filling room; that the filling room is enclosed in fireproof partitions and kalamein doors; that electric lights and switches are vaporproof and ventilation is by a window to the outer air; that the entire building is sprinklered, as are all of the buildings in the entire terminal; that all of the open yard, court and roadway area is equipped with a yard hydrant system; that the sprinkler system is connected to a central station and is supplemented by a manual watchman service 24 hours a day, requiring hourly reports at a central station; that the 8,000 gallon railroad tank cars are normally emptied in one day into the 55 gallon steel drums, which are delivered to the city customers; that while the materials handled and stored are combustible, none of the materials are inflammable mixtures within the terms of Chapter 19 of the Administrative Code; that all mixtures or oils stored and handled are above the flashpoint of 100 deg. F.; that the following materials are stored and handled in the building:

MATERIAL	QUANTITY	REMARKS
Solvenol	17 drums	126 deg. F. Flash
Dipentine	21 drums	126 deg. F. Flash
Pine Oil	193 drums	150 deg. F. Flash
Pexite Resin	187 drums	179° F. Melting
Belro Resin	58 drums	80 deg. Melting
Vinsol Resin Pulv.	1234 50# bags	142 deg. Melting
Vinsol Resin	1 drum	142 deg. Melting
Daintex	12 drums	180° F. Melting
Truline Binder	527 50# bags	239° F. Melting
Coml. Abietic Acid	61 drums	260 deg. Flash
Thanite	113 drums	180° F. Flash
Tarol, Medium	1 drum	347° F. Flash
Terposol No. 8	14 drums	248 deg. Flash
Terposol No. 3	1 drum	178 deg. Flash
Stabinol	693 50# bags	Cement Resinol Mixture
Poly Pale	145 drums	218 deg. Melting
Melhi	121 drums	218° Melting
Staybelite	82 drums	256 deg. F. Flash
Dresinol No. 48	31 drums	207 deg. Melting
DHS Activator	34 drums	250° C. Melting
Brisgo	32 drums	485° F. Flash
Hercolyn	100 drums	Viscous liquid
A balyn	80 drums	Viscous liquid
Hercolyn D	50 drums	Viscous liquid
Pentalyn A	100 drums	112 deg. C. Melting
Pentalyn G	100 drums	130 deg. C. Melting
Pentalyn X	25 drums	155 deg. C. Melting
Pentalyn C	10 drums	130 deg. C. Melting
Flexalyn Solid	25 drums	42 deg. C. Melting
Felxalyn Soln	20 drums	55 deg. C. Melting
Ester Gum 8L	100 drums	89 deg. C. Melting
Staybelite Ester #10	75 drums	80 deg. C. Melting
PolyPale Ester #10	50 drums	109 deg. C. Melting
Lewisol 28	50 drums	135 deg. C. Melting
Lewisol 2L	25 drums	124 deg. C. Melting
Lewisol 33	25 drums	152 deg. C. Melting
Lewisol SS	1 drum	100 deg. C. Melting
Vinsol Ester Gum	10 drums	155 deg. C. Melting
Staybelite Ester #1	5 drums	55 deg. C. Melting
Staybelite Ester #2	3 drums	38 deg. C. Melting
Staybelite Ester #3	1 drum	168 deg. C. Melting
PAD Resin	1 drum	181 deg. C. Melting
Polypale Ester #1	5 drums	214 deg. C. Melting
Ester Gum BK	1 drum	180 deg. C. Melting
Dresinate	611 bags	Sodium salts

Resolved, that the order of the fire commissioner, 96169-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Items 5 and 6, *on condition* that only such materials as have a flashpoint of over 100° F. shall be filled from a railroad tank car into drums as proposed; that the fire fighting equipment as set forth shall be maintained to the satisfaction of the fire commissioner; that the filling shall be done within a fireproof room as indicated on plans filed with this appeal (3 sheets) marked "Received March 7, 1945"; that such fill room shall have a sparkproof floor and shall be fitted with a fixed vent and sash as indicated; that all electrical equipment within such room shall be of the explosionproof type; that all doors to such room shall be fireproof, self-closing; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

178-45-A

APPLICANT—Interborough Engineering Co., for Frank G. Begbie, owner (Shelleys Pastry Shop, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—1068 Flatbush avenue, west side, 86.1 ft. south of Beverly road (cellar); (Block 5152, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ribelle Perotto.

For Administration: E. A. Meyer, Fire Dep't.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (178-45-A)

WHEREAS, Interborough Engineering Co., for Frank G. Begbie, owner (Shelleys Pastry Shop, lessee), filed March 27, 1945, an appeal from a decision re an order of the fire commissioner, affecting premises 1068 Flatbush avenue, west side, 86.1 ft. south of Beverly road (Cellar); (Block 5152, Lot 11), Borough of Brooklyn; and

WHEREAS, order 98339-LC of the fire commissioner, dated March 2, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use fuel oil, shows that the following must be done before the permit requested by you may be issued:

3. Provide that each boiler, heater, range or stove is connected to a separate flue in a legal chimney, Rule 10.1.3, Oil Burner Rules."

and

WHEREAS, the applicant states that the building is 3 stories (34 ft.) in height; 19 ft. 8½ in. by 68 ft. in area at street level, 19 ft. 8½ in. by 50 ft. in area at typical floor, of Class 3 construction; erected in 1909, located in a business use, C area, 1¼ height district, and used and occupied since 1944 as follows: Cellar, boiler and storage; 1st floor, store and bakery, 25 persons; 2nd floor, beauty parlor, 5 persons; 3rd floor, vacant; that no change in use or occupancy is proposed; that the building is equipped with one interior stair at the front of the building, 3 ft. 8 in. wide, of frame construction, extending to the roof bulkhead, enclosed in wire-lath and cement plaster on both sides and equipped with self-closing doors; and

WHEREAS, the applicant contends that one boiler is used for heating the building, except the 3rd floor, which will remain vacant; that the other boiler is used to supply steam to the oven located on the 1st floor; that the oven has its own independent approved metal stack; that the Brooklyn Cornell Utilities, licensed oil burner and heating contractors, installed the second steam boiler and oil burner and connected the smokepipes; that they claim that this connection of two boilers into this chimney is satisfactory, and the boilers have been operating with complete satisfaction for over nine months; that tests made by the above mentioned contractor, show a CO_2 reading of over 10% when the two boilers are operating simultaneously and about the same reading when operating independently of each other; that the chimney is in good condition and has sufficient draft to accommodate the two boilers; that heating engineers and boiler manufacturers will recommend a smaller chimney size for oil burning than for coal burning; that building of another chimney to comply with Rule 12, of the Oil Burner Rules, would constitute a hardship to the owner and an inconvenience to the tenants of the building and it is therefore requested that the appeal be granted.

Resolved, that order 98339-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* only so long as the conditions proposed and substantially as indicated on plans filed marked "Received March 27, 1945", are maintained and that such dampers shall be installed within the breeching as the fire commissioner may deem necessary.

Adjourned: 1:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 12, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

726-44-A

APPLICANT—John A. Hawthorne, for Hamlin and Co., Inc., for National Lead Company, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—109-115 York street, north side, 50 ft. east of Jay street (Buildings 9 and 10 Basement and 1st floors); (Block 54, Lot 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: John A. Hawthorne.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (726-44-A)

WHEREAS, John A. Hawthorne, for Hamlin and Co., Inc., for National Lead Company, owner, filed December 13, 1944 an appeal from an order of the fire commissioner, affecting premises 109-115 York street, north side, 50 ft. east of Jay street (Buildings 9 and 10, basement and 1st floors); (Block 54, Lot 12), Borough of Brooklyn; and

WHEREAS, Order 13802-LF, issued by the fire commissioner, November 14, 1944, reads:

"1. Discontinue the practice of padlocking screens on all windows during working hours. Section 272 of the Labor Law."

and

WHEREAS, the applicant states that the buildings are 1 and 2 stories and basement, Building 9 approximately 36 ft. 6 in. in height and Building 10 approximately 46 ft. in height, of class 3 construction; Building 9 is 36 ft. by 90 ft. in area, Building 10—50 ft. by 90 ft. in area, erected about 1884, located in an unrestricted use, A area, class 2 height district, and used and occupied since 1932 as follows: Building 9—lead melting—2 persons; Building 10: cellar—negative expander—1 low pressure steam boiler, one 8,000 gallon oil tank in 12 in. brick wall with fireproof ceiling—1 person; 1st floor and 2nd floor—miscellaneous storage—no persons normally; that no change in use or occupancy is proposed; that the building is equipped with an approved one source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills are maintained; that there are two interior stairs in Building 10, located at the easterly and northerly sides of the building, approximately 32 in. in width, of wood construction with wood enclosure and wood doors; that a scuttle to the roof is provided, but stairs do not lead directly to the street; and

WHEREAS, the applicant contends that the premises were inspected by the Bureau of Fire Prevention in April 1939 and the plant was found in satisfactory condition, except for the fact that the windows at the basement and first floor levels were protected by metal screens, which were permanently fastened to the window frames; that in view of the request by the inspector that the screens be provided with hinges so that they could be swung open, new screens were purchased and provided with hinges; that the work was completed in June 1939 and the job was found satisfactory with the new hinges on one side of the frames and padlocks and hasp on the opposite side; that in November 1944, when the premises were inspected by the Fire Department, objection was made to the screens being locked with padlocks installed in May 1939; that if the padlocks were removed, the children in the neighborhood would open the screens if they were not locked and break the windows with stones or other missiles; that there is a personal injury hazard to persons working inside the building, and burglary and pilferage hazards; that these buildings are constructed in compliance with the requirements of the building code and are provided with ample vertical and horizontal means of egress; that the hasps that hold the padlocks are fastened in most instances with wood screws in wood window frames and should the Fire Department find it necessary to open

these screens, a pinch bar would open them quickly and without any difficulty; that the exeeption to this rule would be the large window in Building 9, which measures approximately 6 ft. wide by 12 ft. in height; that this screen is permanently fastened to the wall of the building, but the window has small lights of wired glass in solid metal frames; that this situation of screened windows in the buildings in question is no exception to the rule of the surrounding neighborhood; that the adjoining building at 131 York street is a public bath, a New York City building and the building adjoining it, 135 York street, a New York City Public School, which are both equipped with padlocked screened windows, an installation similar in every respect to the one in question; that the number of employees involved in Building 9 is two men and in Building 10, one man occasionally during the day.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in an order of the fire commissioner, acting on Order 13802-LF, Item 1, and that the appeal be and it hereby is *granted on condition;* that the screens on the second story of building No. 10 shall be completely removed; that otherwise, screens on windows as proposed may be permitted, the exits as indicated on revised plans marked "Received June 5, 1945," two sheets, showing exits from buildings No. 9 and 10, shall be maintained; and that in all other respects, the building and occupaney shall comply with all laws, rules and regulations applicable thereto.

151-45-A

APPLICANT—Saul Goldsmith, for West-Eagle Corporation, owner (Pierce Steam Laundry Inc., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—32-48 Eagle street and 206-212 West street, southeast corner (3rd floor); (Block 2503, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (151-45-A)

WHEREAS, Saul Goldsmith, for West-Eagle Corporation, owner (Pierce Steam Laundry, Inc., lessee), filed March 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 32-48 Eagle street and 206-212 West street, southeast corner (3rd floor); (Block 2503, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 515-45, dated March 6, 1945, reads:

"1. Comply with Section 270 of the Labor Law, as to means of egress from 3rd floor."

and

WHEREAS, the applicant states that the building is two and three stories (40 ft.) in height, 200 ft. by 125 ft. in area; Class 3 construction; located in an unrestricted use, A area and Class 2 height district; erected in 1908 and used and occupied since 1938 as follows: No cellar; 1st floor, factory (steam laundry), 100 persons; 2nd floor, same, 41 persons; 3rd floor, offices, 15 persons, for which Certificate of Occupancy 87803 was issued June 14, 1938; that no change in use or occupancy is proposed; that the building is equipped with an approved two-source sprinkler system and two interior stairs, 3 ft. 8 in. wide of steel construction with brick walls and kalamein, self-closing doors, one stair located at West street and one at Eagle street, one extending at Eagle street to the roof bulkhead and the one at West street, extending to the roof through scuttle; that both stairs lead directly to the street; and

WHEREAS, the applicant contends that the building is equipped with a central station sprinkler alarm; that in 1937, the building was altered by interior structural changes and Certificate of Occupancy 87803 issued; that no change in use or occupancy has taken place since 1937; that the building is provided with two interior stairs, the third floor is served by one stairway; that since 1937, small extensions have been erected at the first floor; that in 1944, a one-story extension was erected under Alt. Applic. 2560-44; that no consideration was given to the upper floor use, as there was no change in occupancy; that it is now intended to construct a second story extension, as filed under Alt. 515-45; that the third floor is used as offices, 15 persons; that egress will be by means of the fireproof stairway and by a ladder from the 2nd floor roof to the adjoining one-story garage to the east, owned by same owner; that in view of the sprinkler with central station alarm, good housekeeping conditions and the owners and tenants being the same principals, also that the building is used for a steam laundry with a non-hazardous use and occupancy, the Board is requested to accept the proposed means of egress from the third floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 515-45, and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the primary means of exit at the third story shall be maintained substantially as indicated on plans filed with this appeal marked "Received March 15, 1945" (4 sheets) and shall be continued to the roof; that, in addition, a door shall be provided from each office section to the adjoining two story roof from which exit may be had to the roof of the one story adjoining garage owned by the same owner, by means of a stair of fire escape construction with not more than a 45 degree pitch to the one story garage roof and thence by means of a counterbalanced stair complying with the requirements of the Labor Law, constructed on the front of the one story garage for exit to grade; that the occupancy of the third floor shall not exceed 15 persons; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

169-45-A

APPLICANT—Lama and Proskauer, for Nayda Holding Corp., owner (Murray Friedland, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6625 Bay parkway (6627 displayed), south side, 53 ft. 11¾ in. east of West 8th street (1st floor); (Block 6577, Lot 3), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (169-45-A)

WHEREAS, Lama and Proskauer, for Nayda Holding Corp., owner (Murray Friedland, lessee), filed March 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 6625 Bay Parkway (6627 displayed), south side, 53 ft. 11¾ in. east of West 8th street (1st floor); (Block 6577, Lot 3), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on P.A. Applic. 65-45, dated March 16, 1945, reads:

"1. Two means of exit with egress to the street are required. The rear exit thru the kitchen with no direct egress to the street is not acceptable under Local Law #29 Sec. C26-1438.0".

and

WHEREAS, the applicant states that the building is three stories (30 ft.) in height, 26 ft. 5⅝ in. by 69 ft. 9⅞ in., irregular, in area at first floor, 26 ft. 5⅝ in. by 62 ft. in area at typical floor; Class 3 construction; located in a business use, C area, Class 1 height district; erected in 1923 and used and occupied since 1935 as follows: cellar, ordinary; 1st floor, restaurant, 80 persons; 2nd floor, one family; 3rd floor, one family; proposed to be used and occupied as same; that the building is equipped with one interior stairs, 3 ft. 8 in. wide, of wood construction, enclosed in plaster with wood door, not self-closing, leading directly to the street; that there is a scuttle to the roof and one fire escape in the rear, leading to the yard and through the adjoining yard to West 8th Street; and

WHEREAS, Violation 7224-43 was issued December 7, 1943, by the Department of Housing and Buildings for occupying premises as a restaurant without a certificate of occupancy; and

WHEREAS, the applicant contends that the restaurant has been operated for a number of years; that its number of occupants is eighty (80) and two means of exit are required therefor; that while the capacity of the restaurant is 80 persons, including six employees, the premises have never been filled to capacity; that there are only five occupants above the permitted 75; and that there is one exit leading directly to the street with two 2 ft. by 7 ft. double-acting doors and a rear exit, leading to the yard from which there is a door in the fence leading to adjoining property; that in all other respects the building complies with the law; and

WHEREAS, the applicant states that the premises have been occupied as a restaurant by the present owner and his predecessor since 1927 and have been subject to a Certificate of Occupancy 75644, for such restaurant use since 1935.

Resolved, that the decision of the borough superintendent, acting on P.A. Applic. 65-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the number of seatings for the public shall not exceed 75, and that the exits including the exit through the kitchen, shall be maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the total number of occupants, including the help, at no time shall exceed 80; that the door in the fence at the rear yard, providing an exit through the adjoining premises to Bay Parkway, shall be maintained and a consent from the owner shall be filed with the borough superintendent; that during all hours when the restaurant is in operation, all exit doors shall remain unlocked and readily openable and the exit door to yard shall swing outwardly in the direction of exit.

218-45-A

APPLICANT—William Dowling, for Le-Evre Holding Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan.

APPEARANCES—

For Applicant: William M. Dowling and Max Weiss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

Negative: Commissioner Savage 1

THE RESOLUTION (218-45-A)

WHEREAS, William Dowling, for Le-Evre Holding Corporation, owner, filed April 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 18 East 17th street, south side, 225 ft. west of Broadway (Block 844, Lot 32), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 19, 1945, on amendment to Alt. 305-45, reads:

"2. Two means of egress should be provided from every floor, as per Section 271 Labor Law. Note that fire escape is not acceptable as means of egress, as top floor is more than 90 ft. above curb level Factory Exit Rules, Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 8 stories (110 ft.) in height; 25 ft. by 92 ft. in area at 1st floor; 25 ft. by 84 ft. in area at typical floor, of Class 1 construction; erected 1897; located in an unrestricted use, B area, Class 2 height district and used since 1945 as follows: cellar, ordinary; 1st floor, store, 10 persons; 2nd floor, storage of plastics, 10 persons; 3rd floor, storage of men's underwear, 10 persons; 4th floor, offices, 10 persons; 5th floor, storage and manufacture of shawls, 10 persons; 6th floor, offices, 10 persons, 7th floor, storage and manufacture of boy's wear, 10 persons; 8th floor, storage and manufacture of infants wear, 10 persons, and proposed to be used and occupied throughout for manufacturing, 10 persons per floor; that the building is equipped with a standpipe system, an interior fire alarm system and that fire drills are maintained; that there is one 3 ft. wide iron stairs enclosed in fireproof partitions, equipped with fireproof, self-closing doors leading directly to the street and proposed to be extended to the roof, and one fire escape at the rear of the building, leading to the roof by a ladder, with egress from its lowest termination at the 2nd floor level, through 15-17 East 16th street; that windows and doors on the course of the fire escape are fireproof and will be made self-closing; that adjoining buildings to the east and west are of the same height; and

WHEREAS, the owner was convicted, sentence suspended in Magistrates Court on a charge of violation of Section C26-185.0 of the Administrative Code, as a result of violation 2082-44, issued November 24, 1944, for changing the occupancy from office and show room to factory building without obtaining a certificate of occupancy for such use; and

WHEREAS, the applicant contends that the only objection of the borough superintendent to the granting of the approval of Alt. Applic. 305-45 is the fact that the top floor is more than 90 ft. above curb; that while the top floor is 96 ft. above curb, the building is only 8 stories in height; that it is proposed to replace the present fire escape with one in strict accordance with the requirements of the Labor Law and to do all the work required to comply with the Labor Law and the rules and regulations of all departments having jurisdiction; that the owner will restrict the occupancy of the top floor to ten persons; and

WHEREAS, an order was issued by the Division of Fire Prevention of the Fire Department, December 8, 1944, requiring that self-closing attachments be installed on doors leading to the stairway enclosure on all stories; that defective shutters be repaired or replaced and that iron shutters on the windows in rear be properly painted; and

WHEREAS, Violation 1299 issued March, 1945, by the Department of Housing and Buildings requires that the 4th, 5th and 8th floor doors to elevator be repaired, so that they can not be opened from the outside; and

WHEREAS, the applicant states that an order issued by the Fire Prevention Division of the Fire Department December 8, 1944, will be complied with and that Violation 1299-45 will be complied with as part of this alteration.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent, acting on amendment to Alt. 305-45, Objection 2, and that the appeal be and it hereby is *granted on condition* that the primary means of exit and the secondary means of exit, consisting of a fire escape originally erected under the requirements of the Building Code, shall be maintained, provided such fire escape is made to comply with the requirements of the Labor Law in all respects; that the exit from the rear fire escape shall be maintained through the adjoining premises, as indicated on revised plans marked "Re-

ccived May 13, 1945" (two sheets), and the consent of the adjoining owner, for such exit to East 16th street, shall be filed with the borough superintendent; that the number of occupants per floor shall not exceed 10 at factory work; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, as proposed and as may be required for complete compliance with the Labor Law, Building Code and all other laws, rules and regulations applicable thereto; and that the building shall not be increased in height or area.

297-45-A

APPLICANT—Henry George Greene, for 44th Realty Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—10-12 East Van Cortland avenue, south side, 29 ft. 6 in. west of Villa avenue (Block 3322, Lot 29), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (297-45-A)

WHEREAS, Henry George Greene, for 44th Realty Corporation, owner, filed May 17, 1945, an appeal from a decision of the borough superintendent, affecting premises: 10-12 East Van Cortland avenue, south side, 29 ft. 6 in. west of Villa avenue, (Block 3322, Lot 29), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, acting on amendment to Alt. Applic. 169-45, dated May 7, 1945, reads:

"7. Provide two interior fireproof stairways from second floor, remote from each other and enclosed in three hour partitions, as per Sec. 270 of Labor Law."

and

WHEREAS, the building is two stories (25 ft.) in height, 88 ft. 6 in. by 122 ft. 6 in. in area; Class 1 construction; located in a business and residence use, B area, Class 1¾ height district; erected in 1927 and used and occupied since 1945 as follows: Cellar, boilerroom; 1st and 2nd floors, garage for more than five cars; proposed to be used and occupied: Cellar, same; 1st floor, factory for manufacture of electric parts, 20 persons; 2nd floor, factory and offices, 40 persons; that Certificate of Occupancy 1872 was issued October 4, 1927, for use of the building as a public garage, upon variation granted by this Board for such use in 1927 (Cal. 125-27-BZ); that the building is equipped with one interior stairs at the front, constructed of iron, 3 ft. 8 in. wide, enclosed with terra cotta blocks and equipped with fireproof, self-closing doors; that there is one fire escape at the front, extending to the roof by a ladder and to the street by counterbalanced stairs; that windows and doors along the course thereof are fireproof, self-closing; and

WHEREAS, the applicant contends that it is proposed to change the sliding ladder of the fire escape to a 3 ft. 8 in. counterbalanced stair, in addition to the new 3 ft. 8 in. wide steel stair, as shown on plans filed with this appeal, the westerly enclosure around the new stairway at the second floor level is 2 in. by 4 in. studs with sheet rock on both sides; it is proposed that this enclosure be filled with rock wool; that the occupancy of the floor is comparatively light, with a portion used for offices and storage; that the proposed egress would be more than sufficient for the number of persons to occupy this floor; that the present ramp will be available in an emergency.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on amendment to Alt. Applic. 169-45, and that the appeal be and it hereby is *granted* as to Objection 7, *on condition* that the primary means of exit as indicated on plans filed with this appeal marked "Received May 17, 1945" (2 sheets), shall comply with the requirements of the Labor Law and the Building Code; that a second means of exit, consisting of an exterior fire escape as shown with counterbalanced stairs to street, shall be maintained; that the existing ramp to street may be maintained, but shall not be deemed as meeting the requirements for an exit; that the stair enclosure as indicated, shall be of fireproof material as required for stair enclosures; that if any portion of the building is within the residence district, such portion of the building shall be left vacant; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as varied under application 125-27-BZ, for a variance to permit the erection of the garage building within the business use district, there having been no representation that any part of the building was to be in a residence use district.

313-45-A

APPLICANT—Ervin Palmer, for East River Savings Bank, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—360-368 East 167th street and 1140 Teller avenue, southeast corner (2nd floor); (Block 2429, Lot 15), Borough of The Bronx.
APPEARANCES—
For Applicant: Ervin Palmer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (313-45-A)

WHEREAS, Ervin Palmer, for East River Savings Bank, owner, filed May 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 360-368 East 167th street, and 1140 Teller avenue, southeast corner (2nd floor); (Block 2429, Lot 15), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated May 17, 1945, on amendment to Alt. Applic. 221-45, reads:

"4. Means of egress from second floor is inadequate if fire escape is not to be considered. Fire escape should conform to Sec. 274 of the Labor Law. All windows on course of fire escape should be fireproof self-closing."

and

WHEREAS, the applicant states the building is 2 stories (24 ft.) in height; 75 ft. by 99 ft. in area at 1st floor; 44 ft. by 44 ft. in area at typical floor, of Class 3 construction; erected June, 1913, located in a business use B area, Class 1¼ height district and used and occupied since 1926 as follows; 1st floor, meeting hall, 120 persons; 2nd floor, meeting room, 120 persons; proposed to be used and occupied—1st floor, factory, stores and one car garage; 2nd floor, factory, 38 persons; total factory area to be less than area of plot and of a type permitted in a business use district; that the building is equipped with one 3 ft. 8 in. wide steel stairway with marble treads, enclosed in 4 in. terra cotta block partitions, equipped with fireproof, self-closing doors and leading directly to the street; that an exterior ladder, accessible from the extension roof, is provided, leading to the main roof; that the building is also equipped with one fire escape at the front, leading to the roof by a ladder and to the street by counterbalanced ladder; that window and door openings on the course of the fire escape will be made fireproof, self-closing; and

WHEREAS, Certificate of Occupancy 195, issued Sep-

tember 27, 1922, on Alt. 257-22, permitted the use of the 2nd story brick building as bowling alley and dance hall with 120 persons on the 1st floor and 100 persons on the 2nd floor; and

WHEREAS, the applicant contends that the building was erected in 1913 as a motion picture theatre, plans were filed June 21, 1913, approved July 8, 1913, construction started August 5, 1913; that there is no record covering the progress of the work, but Inspector's final report indicates that the work had been completed on January 21, 1914; that that is really an indication the inspector then signed off the job; that substantial completion of this building, consisting of walls and roof (no cellar) should not have taken more than two or three months, which would have put its date of completion before October 1, 1913; that the building underwent several subsequent alterations and changes of use, but at no time was there an increase in size or bulk; that the building has been used as a showroom, restaurant, cabaret, bowling alley and meeting hall; that the exit facilities are far better than would be required for a building erected before October 1913; that the 2nd floor area is very small; that if required to construct the exits to comply with the law for buildings erected after October 1913, would entail structural and financial difficulties; it is therefore requested that the Board declare this building was erected prior to October 1, 1913 and that the law as relating to exits for buildings erected prior to such date be applied to this building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 221-45, and that the appeal be and it hereby is *granted* as to objection 4, *on condition* that the primary means of exit as indicated on plans filed with this appeal marked "Received May 22, 1945," shall be maintained as well as the door opening outwardly to the one story roof from such stair platform at the second story level; that an iron ladder shall be installed and maintained from the one story adjoining garage roof to the yard level; that, in addition, a second means of exit shall be maintained as proposed, consisting of a Labor Law fire escape with counterbalanced ladder to grade with all openings on the course of the fire escape fire-retarded and made fireproof and self-closing; that the floor load of the second floor shall be not less than 120 lbs. per superficial foot; that the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

335-45-A

APPLICANT—Irving P. Marks, for Empire Electric Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—87-93 Jay street, east side, 90 ft. north of York street (2nd floor); (Block 54, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn 4

Negative: 0

THE RESOLUTION (335-45-A)

WHEREAS, Irving P. Marks, for Empire Electric Co., Inc., owner, filed June 4, 1945, an appeal from a decision of the borough superintendent, affecting premises 87-93 Jay street, east side, 90 ft. north of York street (2nd floor); (Block 54, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 1530-45, dated May 25, 1945, reads:

"1. Comply with Section 270 of the Labor Law as to providing two remote means of egress from 2nd floor, consisting of incombustible stairs 3 ft. 8 in. wide in fireproof enclosure extending to street."

and

WHEREAS, the applicant states the premises consist of a plot 75 ft. by 135 ft. in area, located in an unrestricted use, A area, Class 2 height district, upon which is located a building 72 ft. by 135 ft. in area, 1 story and mezzanine—35 ft. in height, Class 1 and 3 construction; that the north wing is one story and mezzanine, 35 ft. in height, consisting of cellar, first floor and mezzanine, 40 ft. by 135 ft. in area at street level, of Class 1 construction, erected prior to 1913, for which no certificate of occupancy has been issued; that the south wing is 1 story, 16 ft. high at front and 29 ft. high in rear, consisting of a cellar and 1st floor, 32 ft. by 135 ft. in area at street level, of Class 3 construction, erected prior to 1913, for which no certificate of occupancy has been issued; that the building is used and occupied as follows: North wing, cellar-storage of electric motors, no persons; 1st floor, same, 5 persons; mezzanine, offices, 5 persons; no change in use or occupancy is proposed; South wing: Cellar, boilerroom, no persons; 1st floor, storage and repair of electric motors, 14 persons; proposed to be used and occupied: Cellar, same; 1st floor, same; 2nd floor, offices, 5 persons; and

WHEREAS, the applicant states that with respect to the north wing, the only change in occupancy proposed is on the mezzanine floor from office (5 people) to storage of electric motors (no people); that the only alteration proposed is the erection of a Labor Law fire escape at the front of the building, providing a secondary means of egress from the proposed 2nd floor of the south wing; that with respect to the south wing, it is proposed to occupy the proposed 2nd floor as an office (5 people); that in connection with the alteration involved, it is proposed to rebuild the front wall of the 1st floor with face brick; level off the roof to provide for the proposed 2nd floor; construct the front of proposed 2nd floor; with face brick and the south wall with new common brick; construct the proposed new roof of 5-ply tar and felt roofing and rubberoid cap; to provide a new enclosed iron stairway 5 ft. 8 in. wide from proposed 2nd floor to the vestibule of 1st floor, with direct exit to the street; to fire-retard said stairway enclosure walls, under side of stairs and ceiling with wire lath and two coats of gypsum plaster, the walls of the enclosure being so treated on both sides; to provide a Labor Law fire escape, consisting of a balcony and counterbalanced stairway at the front of the building, to provide a secondary means of egress from the proposed 2nd floor; and

WHEREAS, the applicant contends that there are practical difficulties and unnecessary hardships in complying strictly with the requirements of the Labor Law; that in view of the fact the building occupies 100% of area of lot, it would be impossible to provide a second (and remote) fireproof stairway leading directly to street, without the construction of a fireproof passageway through the building, which would take up so much space as to defeat the purpose of the proposed alteration, which is to provide more space and would be so costly as to make the entire project impracticable; that the proposed enclosed iron stairway and proposed Labor Law fire escape will provide adequate means of egress for the limited occupancy of office (5 people) on the proposed 2nd floor; the proposed fire escape has been planned at the front so as not to interfere with the exits from the north and south wings of the building and it will be clear of the driveway entrance into the building; and that in view of the foregoing, it is respectfully requested that the decision of the borough superintendent be modified, so as to permit the erection of the proposed iron stairway in a fire-retarded enclosure and the proposed fire escape, subject to such conditions and safeguards as the Board may deem necessary.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor

Law as cited in a decision of the borough superintendent on Alt. Applic. 1530-45, and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the primary means of exit, complying with the requirements of the Labor Law, shall be maintained from the second floor to street as proposed and as indicated on plans filed with this appeal marked "Received June 4, 1945" (3 sheets); that the second means of exit from such second floor space shall be maintained by means of a fire escape balcony and counter-balanced stair to grade complying with the requirements of the Labor Law, as indicated on such plans; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

356-45-A

APPLICANT—Louis A. Brown, for Certified Queens Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—221-23 to 223-09 130th avenue, north side, 1662 ft. east of Springfield boulevard, 221-20 130th avenue, southwest corner of 222nd street, 222-04 to 222-20 130th avenue, south side, from 222nd to 223rd streets and 130-03 to 130-11 223rd street, southeast corner of 130th avenue (Block 12825, part of Lot 480 (42-52); Block 12899, part of Lot 250 (105); Block 12900, part of Lot 32 (110-114, inclusive) and Block 12901, part of Lot 329 (309-311)), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Norman W. Zaubler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn	4
Negative:	0

THE RESOLUTION (356-45-A)

WHEREAS, Louis A. Brown, for Certified Queens Homes, Incorporated, owner, filed on June 8, 1945, an appeal from a decision of the borough superintendent, affecting premises: 221-23 to 223-09 130th avenue, north side, 1662 ft. east of Springfield boulevard (Block 12825, part of Lot 480), (proposed Lot Nos. 42-52), 222-20 130th avenue, southwest corner of 222nd street (Block 12899, part of Lot 250), (proposed Lot 105); 222-04 to 222-20 130th avenue, south side, between 222nd and 223rd streets (Block 12900, part of Lot 32), (proposed Lots 110-114, inc.); 130-03 to 130-11 223rd street, southeast corner of 130th avenue (Block 12901, part of Lot 329), (proposed Lots 119-121), Springfield Gardens, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated June 7, 1945, on N. B. Applics. 288-45, 291 to 295-45, 298 to 311-45, read:

> "1. The erection of a wood frame structure in a business use district is contrary to Sec. 4.1.2., Building Code."

and

WHEREAS, the applicant states that the premises consist of three plots located in a business use, D area, Class 1 height district and one plot located in a business and residence use, D area, Class 1 height district, which it is proposed to subdivide into separate lots and to erect on each separate lot, a one story one family frame dwelling, brick veneered to the plate line and surfaced on the exterior above plate line with wood siding or incombustible siding and roofs to be surfaced with approved asphalt shingles; that each dwelling will be 25 ft. in width by 33 ft. 8 in. in depth; and

WHEREAS, the plot on the north side of 130th avenue, 1662 ft. east of Springfield boulevard, will be divided into 11 lots, 40.5 ft. by 112.18 ft. in area and the dwellings will be set back from 130th avenue not less than 20 ft. into which set back, front entrance steps will project; that side yards will be provided for these dwellings, 5 ft. 6 in. in width along the proposed westerly lot lines and 10 ft. in width along the proposed easterly lot lines; that chimney breasts and side entrance steps will project into side yards; and

WHEREAS, the plot located at the southwest corner of 130th avenue and 222nd street will be 40 ft. in width by 100.81 ft. in depth; that the dwelling to be erected thereon will be set back from 130th avenue a distance of 25 ft. into which set back front entrance steps may project and will be provided with a side yard along the westerly lot line of 10 ft. in width and will be set back from 222nd street approximately 5 ft.; that the chimney breast and side entrance steps will project into side yard; and

WHEREAS, the plot located on the side south of 130th avenue between 222nd street and 223rd street, will be divided into five lots, each 40 ft. in width, 100.73 ft. in depth and on each lot the proposed dwellings will set back from 130th avenue not less than 20 ft. and will be provided with side yards, 10 ft. and 5 ft. in width respectively, and the corner dwellings will be set back from 222nd street and 223rd street a distance of 5 ft.; that front entrance steps will project into front setbacks on the 130th avenue front and chimney breasts and side entrance steps will project into side yards or into 222nd street and 223rd street setbacks; and

WHEREAS, the plot located at southeast corner of 223rd street and 130th avenue and having a frontage of 109.01 ft. on 130th avenue, will be subdivided into three separate lots, 43.08 ft., 40 ft. and 40 ft. respectively, and a dwelling erected on each of these lots to be set back from 223rd street front not less than 20 ft. into which set back front entrance steps may project; that side yards will be provided on the southerly side of these dwellings not less than 10 ft. in width and on the northerly side of not less than 5 ft. in width; that the corner dwelling (130-03 223rd street) will be set back from 130th avenue approximately 8 ft.; that chimney breasts and side entrance steps will project into side yards or into the 130th avenue setback; and

WHEREAS, the applicant contends that it is ready to start the construction of 123 one family houses under the H-2 housing program of the F.H.A.; that approval has been obtained from the Priorities Division of the F.H.A. under No. 2-012-000183; that the type of construction and costs are limited to a sales price of $7,000. It would therefore be almost impossible to comply with the requirements of construction in the fire limits; that the priorities for this development have been issued to alleviate the housing shortage for veterans and other hardship cases.

Resolved, that the decision of the borough superintendent as to N.B. Applications 288-45, 291 to 295-45, and 298 to 311-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that each plot and building thereon shall comply substantially to the requirements for a building located in an E residence zone and otherwise shall be constructed as proposed; that each building shall be limited to a residence for one family; that in the event the owner desires to construct a private garage as accessory to the residence on the lot occupied by any one of these buildings, such garage may be erected if constructed of class 3 construction to the plate line and located not nearer than one ft. to the side and rear lot lines, with roofs surfaced with approved asphalt shingles or other incombustible materials and the rear walls, if of frame construction above the plate line, shall be brick filled between studs or if such garages are constructed of frame construction, they shall be masonry veneer to the plate line and constructed above the plate line and otherwise as above

required; that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto.

520-43-A

APPLICANT—Lewyt Corporation, for Gretch Building, No. 4, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—54-82 Broadway, southeast corner of Wythe avenue (Basement, 2nd, 8th and 10th floors); (Block 2130, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Ione C. Reed.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (520-43-A)

WHEREAS, this appeal from an order and decisions of the fire commissioner, affecting premises 54-82 Broadway, southeast corner of Wythe avenue (basement, 2nd, 8th and 10th floors); (Block 2130, Lot 5), Borough of Brooklyn, was granted by the Board on December 14, 1943, on certain conditions; and

WHEREAS, the resolution was amended on May 23, 1944 and September 26, 1944 and the applicant requested a further amendment of the resolution; and

WHEREAS, the panic bolts as manufactured by the Monarch Lock Company, have been approved under Cal. No. 156-43-SM.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 14, 1943, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, Order 10992-LF, Item 1, dated August 7, 1943, and that the appeal be and it hereby is *granted on condition* that panic bolts shall be installed on such doors as are indicated on the basement, 2nd, 8th and 10th floors where marked to be so installed on plans filed with this appeal marked "Received December 3, 1943;" that such panic bolts shall be of an approved type (Monarch Lock Company, Cal. 156-43-SM); that the Board of Standards and Appeals does hereby *make a variation* of the requirements of the Labor Law and the Rules of the Board for Smoking in Factories, as cited in a decision of the fire commissioner, dated November 24, 1943, and that the appeal be and it hereby is *granted on condition* that smoking shall be permitted only in those areas as indicated on plans filed with this appeal marked "Received December 3, 1943" on the 2nd floor marked "offices" and on the 8th floor marked "offices"; that suitable receptacles shall be maintained within such spaces as the fire commissioner shall direct; that the sprinkler system and standpipe system shall be maintained throughout the building in accordance with the requirements therefor; that proper signs indicating "no smoking" within the factory, shall be posted and proper signs shall also be posted where smoking is herein permitted; that such portable fire fighting appliances shall be maintained in such spaces as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that these variances as to smoking and panic bolts shall continue only during the term of the present emergency."

170-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution to include the corrected N.B. number—re Appeal from decision of the borough superintendent.
PREMISES AFFECTED—Block bounded by East Houston street to East 6th street, between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Louis S. Joseph.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (170-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises; block bounded by East Houston street to East 6th street, between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan, was granted by the Board on April 10, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 10, 1945 so that as amended the resolution shall read:

"that the decision of the borough superintendent on N.B. Applications 51 to 71-45 (former applications N.B. 214 to 233-44 inclusive) as to incinerator hopper doors, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed incinerator hopper assembly of the type approved by the Board as meeting the requirements for a one hour rating may be installed."

171-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution to include the corrected N.B. numbers—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—Block bounded by East Houston street to East 6th street between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Louis S. Joseph.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (171-45-A)

WHEREAS, New York City Housing Authority, owner, filed February 26, 1945 an appeal from a decision of the borough superintendent affecting premises: Block bounded by East Houston street, East 6th street, Avenue D and East River Drive (Block 356, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 6, 1945, on N. B. Applications 214 to 230-44, reads:

"This refers to your letter of February 2, 1945, regarding the use of a minimum total thickness of concrete columns of 11½ inches.

You are advised that this Department may not approve a reinforced concrete column less than 12 inches in minimum dimension."

and

WHEREAS, the applicant states that the buildings in question will be class 1 construction, four of which will be ten stories and twelve will be 13 stories in height, occupied as multiple dwellings for 1805 families, located in a residence and retail use, D area class 1 height district; and

WHEREAS, the applicant contends that the Building Code provides in Section 8.5.26, that principal reinforced concrete columns shall have a minimum total thickness of 12 inches; that the American Concrete Institute Regulations for Reinforced Concrete which were the result of a study made by the Joint Committee of the American Concrete Institute, reflect later thinking in the field of concrete and reinforced concrete than the Building Code; that Section 1101 of the Regulations adopted by the American Concrete Institute states in part: "Principal columns in buildings shall have a minimum diameter of 12 inches, or in the case of rectangular columns, a minimum thickness of 10 inches, and a minimum gross area of 120 square inches"; that it is proposed to use principal columns having a minimum dimension of 11½ inches, square columns having, therefore, a gross area of 132 square inches; that the minimum dimension and minimum area proposed are above the minimum adopted by the American Concrete Institute; that the reinforcing design of the columns is based on the actual cross section area, thus providing adequate safety; that the use of 11½ inch columns will prove considerably more economical and practicable, because of the elimination of waste in the construction of the forms, and in addition by providing more available space; that in view of the fact that the recommended practices as adopted in 1941 by the American Concrete Institute are generally accepted in structural design, it is requested that this appeal be given favorable consideration; and

WHEREAS, the applicant proposes that the columns be 11½" square and that the proposed dimensions are within the limitations for rectangular columns as provided in Sec. 1101 of the American Concrete Institute's Building Regulations for Reinforced Concrete, ratified July 21, 1941 (ACI 318-41); and

WHEREAS, the columns in all other respects will be designed and proportioned for the loading and restraint conditions in accordance with the pertinent provisions and stresses of the Administrative Building Code; and

WHEREAS, this appeal was granted by the Board on April 10, 1945, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 10, 1945, so that as amended, the resolution shall read:

"*Resolved,* that the decision of the borough superintendent, acting on N.B. Applications 214 to 230-44, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction shall be substantially as proposed and shall be designed, in accordance with the foregoing clause.

Resolved further, that decision of the borough superintendent on N.B. Applications 55 to 71-45 (former applications, N.B. 214 to 230-44 inclusive) be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction shall be substantially as proposed and shall be designed in accordance with the foregoing clause."

27-45-A

APPLICANT—Milton B. Weissman, for 2861—3rd Avenue Realty Corporation, owner.

SUBJECT—Application for consideration—appeal from a decision of the borough superintendent.

PREMISES AFFECTED—558 Melrose avenue, east side, 52 ft. south of East 150th street and 2861 3rd avenue (1st and 2nd floors); (Block 2328, Lot 42), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

69-45-A

APPLICANT—John Wanamaker, lessee, for Springsley Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—150-158 Broadway and 71-73 (69 displayed) Liberty street, northeast corner (basement, 1st and 2nd floors); (Block 64, Lot 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred Schwartz.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

135-45-A

APPLICANT—Arnold W. Lederer, for Peter Crispino, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

239-45-A

APPLICANT—Samuel Rosenblum, for 198 Broadway Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner:

PREMISES AFFECTED—198 Broadway, east side, 110 ft. 11 in. south of Fulton street (cellar and 1st floor); (Block 79, Lot 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

182-42-A

APPLICANT—Sackett, Chapman, Brown & Cross, for The New York Tribune, Inc., owner.

MINUTES

SUBJECT—Application for consideration—reopening and restoration to calendar (previously withdrawn) appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—242 West 41st Street, south side, 300 ft. east of 8th avenue (Block 1012, Lot 49), Borough of Manhattan.
APPEARANCES—
For Applicant: Edward F. Mannion.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

447-44-A

APPLICANT—Emil Koeppel, for Lizzie Lipman, owners.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order of the fire commissioner.
PREMISES AFFECTED—205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn.
APPEARANCES—
For Applicant: Irving P. Marks.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

36-45-A

APPLICANT—Irving Soloway, for Emma E. Smither, owner (National Bed Spring Company, lessee).
SUBJECT—Application for consideration—reopening and restoration to calendar (previously dismissed for lack of prosecution) appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—285-289 Prospect Park West, south side, 40 ft. east of 18th Street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel Rabiner.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

516-44-A

APPLICANT—657—5th Avenue Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—240-246—19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Jerome Valetsky.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M. for an inspection by a committee of the Board.

647-44-A

APPLICANT—F. P. Platt and Brother, for Advertising Club of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Charles E. Murphy, C. C. Platt and J. S. Bookwalter.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over, no date set for decision without further argument.

104-45-A

APPLICANT—Warren E. Green, for William Pick, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens.
APPEARANCES—
For Applicant: Warren E. Green and William Pick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., for an inspection by a committee of the Board.

166-45-A

APPLICANT—Louis Chesir, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—70-15 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Louis Chesir.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M., for an inspection by a committee of the Board.

337-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—Block bounded East Houston street, to East 6th street, between Avenue D and East River drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: L. S. Joseph.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M. at request of applicant.

338-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—Block bounded by East 132nd street to East 135th street between Park and 5th avenues (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.
APPEARANCES—
For Applicant: L. S. Joseph.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 19, 1945 at 2 P. M. at request of applicant.

MINUTES

RULES

SUBJECT—Adoption of Proposed Rules on Exterior Veneering Materials.
ACTION OF BOARD—Rules adopted (See pages 554 to 556 of this Bulletin).
THE VOTE TO ADOPT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

ZONING APPLICATIONS

497-23-BZ

APPLICANT—Edwin W. Kleinert, for Bedford President Garage, Inc., lessee; for 1590 Bedford Avenue Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the alteration and conversion of occupancy of part of a garage for more than five motor vehicles (prev. denied by Board and granted by the Court) so as to form an alcove gasoline service station.
PREMISES AFFECTED—1572-1590 Bedford avenue and 1049-1057 President street, northwest corner (Block 1273, Lot 46), Borough of Brooklyn.
APPEARANCES—
For Applicant: Edwin W. Kleinert.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (497-23-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles, affecting premises 1572-1590 Bedford avenue and 1049-1057 President street, northwest corner (original address 1578-1586 Bedford avenue); (Block 1273, Lot 46), Borough of Brooklyn, was denied by the Board October 3, 1924; and

WHEREAS, the action of the Board was reversed by the court and the garage erected and occupied; and

WHEREAS, the resolution of the Board was amended April 11, 1939, permitting the inclusion of an alcove gasoline service station, time extended April 29, 1941, May 12, 1942, May 18, 1943 and May 31, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 3, 1924, as reversed by the Court and as amended through May 31, 1944, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as *amended* herein the conditions of the resolution of April 11, 1939, shall be complied with and that a certificate of occupancy shall be obtained."

575-25-BZ

APPLICANT—Reginald S. Hardy, for Sophie Himmelstein, owner. (507 Flatbush Avenue Corporation, lessee).
SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under section 7i of the zoning resolution, permitting in a business use district, the change of occupancy of a garage for more than five motor vehicles, to a garage for more than five motor vehicles, repair shop and service station, showroom and sales place for motor vehicles.
PREMISES AFFECTED—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (Block 1197, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Reginald S. Hardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (575-25-BZ)

WHEREAS, this application under section 7e of the zoning resolution permitting in a business use district the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (Block 1197, Lot 1), Borough of Brooklyn, was granted by the Board on November 4, 1925, on certain conditions; and

WHEREAS, on April 6, 1926, the resolution was amended relative to ramps and plans were approved; and

WHEREAS, on December 19, 1944, the resolution was further amended under section 7i, to include a motor vehicle repair shop for a term of seven (7) years; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 4, 1925, as amended through December 19, 1944, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within six (6) months from the date of this *amended* resolution, and by adding thereto: that in the event the owner desires to occupy a portion of the 2nd floor as a parts department, such use may be permitted and a dumb waiter complying with the requirements may be constructed, to connect such parts department with the cellar, *on condition* that in all other respects, the building and occupancy shall comply with the requirements of the resolution as adopted December 19, 1944; that such parts department shall not exceed an area of approximately one-third of the area of the second floor and shall be separated from the balance of the second story by means of a grille or other incombustible partition from floor to ceiling."

53-31-BZ

APPLICANT— I. T. Flatto, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the maintenance of a gasoline service station for a term of two years.
PREMISES AFFECTED—301-331 West 230th street, northeast corner of Spuyten Duyvil road (Block 3406-A, Lot 63 and part of Lots 62 and 64), Borough of The Bronx.

MINUTES

APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (53-31-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a term of two years, affecting premises 301-331 West 230th street, northeast corner of Spuyten Duyvil road (Block 3406-A, Lot 63 and part of Lots 62 and 64), Borough of The Bronx, was granted by the Board on June 30, 1931, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on July 25, 1944; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 30, 1931, as amended through July 25, 1944, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7f for a term of two (2) years from June 30, 1945, permitting the maintenance of a gasoline service station, *on condition* * * * that other than as *amended* herein, the resolution of June 30, 1931, shall be complied with and that a certificate of occupancy shall be obtained."

604-37-BZ

APPLICANT—Marjorie Macormack, for Estate of A. S. Robbins, owner. (William Macormack, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—266-276 Clarkson avenue, south side, 139 ft. 7½ in. west of Nostrand avenue (Block 5068, Lots 41 and 46), Borough of Brooklyn.
APPEARANCES—
For Applicant: Marjorie Macormack.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (604-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a temporary period, the storage and parking of more than five motor vehicles, affecting premises 266-276 Clarkson avenue, south side, 139 ft. 7½ in. west of Nostrand avenue (Block 5068, Lots 41 and 46), Borough of Brooklyn, was granted by the Board on June 7, 1939, on certain conditions; and

WHEREAS, the permit was extended on June 17, 1941 and June 15, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 7, 1939, as amended through June 15, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of June 7, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

931-38-BZ

APPLICANT—Henry Nordheim, for Antonio DePunte, owner.
SUBJECT—Application for consideration, reopening and extension of variance—re Application (decision of the borough superintendent) previously granted on condition under section 21 of the zoning resolution, permitting in a residence district, the storage of more than three motor vehicles and amended through June 22, 1943, under section 7f.
PREMISES AFFECTED—252 East 203rd street, south side, 72.84 ft. east of Valentine avenue (Block 3308, Lots 50 and 51), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (931-38-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use district, for a term of two years, the storage of more than three (3) motor vehicles, affecting premises 252 East 203rd street, south side, 72.84 ft. east of Valentine avenue (Block 3308, Lots 50 and 51), Borough of The Bronx, was granted by the Board May 23, 1939, on certain conditions; and

WHEREAS, under section 7f of the zoning resolution, the permit was extended on May 6, 1941 and June 22, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1939, as amended through June 22, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a temporary term of two (2) years from the date of this *amended* resolution, to permit the storage of not over eight motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of May 23, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

932-38-BZ

APPLICANT—R. McClintock Robinson, for Arthur J. Schutz (lessee), for Long Island Railroad, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—Hillside avenue, bounded by Bessemer street and Babbage street (land under L.I.R.R.); (Block 3258, Lot 54 and Block 9262, Lot 180), Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Arthur J. Schutz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (932-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises Hillside avenue, bounded by Bessemer and Babbage street (land under L. I. R. R.), (Block 9262, Lot 180 and Block 3258, Lot 54), Richmond Hill, Borough of Queens, was granted by the Board June 13, 1939, on certain conditions; and

WHEREAS, the permit was extended on June 10, 1941 and June 15, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 13, 1939, as amended through June 15, 1943, only so far as it has reference to the term of the variance, so as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of June 13, 1939, shall be complied with; and that a certificate of occupancy shall be obtained (Corr. 1790-38)."

796-23-BZ

APPLICANT—Lama and Proskauer, for 1507-1535 Coney Island Avenue Corporation, owner.
SUBJECT—Application for consideration—reopening as to additional use—re Application (decision of the borough superintendent) previously granted on condition under section 21 of the zoning resolution, to permit in a business use district, the alteration of a garage and gasoline service station, to include a room for display and sale of new and used cars.
PREMISES AFFECTED—1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

120-33-BZ

APPLICANT—Thomas Nunley, for Eadie, Nunley, Gale and Rosenholz, for Harry Hugger, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop and a gasoline service station for a temporary term.
PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond.
APPEARANCES—
For Applicant: Thomas Nunley.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on July 3, 1945 at 10 A. M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

MATERIAL SUBMITTED FOR APPROVAL

28-38-SM

APPLICANT—Concrete Plank Co., Inc., owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Cantilite Concrete Plank for Roof & Floor Construction—previously approved on condition.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee on Tests for test and report.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

Adjourned: 6:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on February 20, 1945, as they appeared in Bulletin No. 9, Vol. 30, are hereby corrected to read as follows:

16-45-A

APPLICANT—Halsey Drug Co., Inc., lessee, for Taffenclark Realty Co., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—325-341 Classon avenue, east side, 40 ft. south of DeKalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn.
APPEARANCES—
For Applicant: Harold Marcus.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (16-45-A)

WHEREAS, Halsey Drug Co., Inc., lessee, for Taffenclark Realty Co., owner, filed January 11, 1945 an appeal from an order of the fire commissioner, affecting premises 325-341 Classon avenue, east side, 40 ft. south of DeKalb avenue (5th floor); (Block 1938, Lot 7), Borough of Brooklyn; and

WHEREAS, Order 98410-LC issued by the fire commissioner, December 13, 1944, reads:

"1. You are hereby notified that your application for the storage of drugs and chemicals and the operation of wholesale drug store on the above premises is denied.

2. Discontinue the maintenance of a wholesale drug house or drug and chemical supply house in any building which is occupied as a work shop or factory and which is not constructed of fire resisting materials throughout. C19-136, Administrative Code."

MINUTES

and

WHEREAS, the applicant states that the building is 5 stories (75 ft.) in height, 110 ft. by 50 ft. in area, of class 3 construction, erected in 1901, located in an unrestricted use, B area, class 1½ height district and used and occupied since November, 1943 as follows: 1st floor—manufacturing fibre carton fillers—8 persons; 2nd floor—manufacturing coats and machine shop—50 persons; 3rd floor—manufacturing coats—80 persons; 4th floor—machine shop—12 persons; 5th floor—drug packers—11 persons; that the building is equipped with a two source sprinkler system and an interior fire alarm system, but fire drills are not maintained; that there is one interior stairs leading from the roof bulkhead to the street; that the front stairs are 48 in. in width, of wood construction, with brick enclosure, equipped with metal self-closing doors and the rear stairs are 36 in. in width, of iron construction, enclosed in brick partitions, equipped with metal self-closing doors; that there is also a fire escape at the rear, extending to the roof by stair and to the yard by stair; that the windows and doors on the course of the fire escape are fireproof and self-closing; and

WHEREAS, certificate of occupancy 2194, issued August 24, 1921, permits the use of the building throughout as a factory; and

WHEREAS, the applicant contends that it has occupied the premises for the past 15 years and has never been requested to make any changes or improvements in the permises; that although it comes under the classification of a wholesale drug house, it does not have 5% of the quantity of combustible merchandise carried by a wholesale drug house; that 90% of the items carried are non-combustible materials; that the so-called combustible materials handled, come in tightly sealed drums or containers and are repacked into sealed containers of smaller sizes; that in view of the fact that it is impossible to obtain another loft at the present time, it is requested that the Board grant permission for occupancy of the premises; and

WHEREAS, an examination of Fire Department folder No. 9693.13, indicates that the following materials were applied for: 25 drums of mineral oil; 5 drums isopropl alcohol; 25 lbs. essential oils; 50 lbs. hydrogen peroxide, 15% volume, 200 lbs. hydrogen peroxide—10% volume; 100 lbs. sulphur; 50 gallons of glycerine; 1 barrel of denatured alcohol; 1 carboy of acetic acid; 1 drum kerosene oil; and

WHEREAS, the report of the combustible inspector states that the building is of mill construction, approximately 50 ft. by 150 ft. in area; that all of the materials are stored in the original packages, drums and barrels and distributed in various parts of the open floor and used in the preparation of rubbing alcohol, shampoo, Bay rum, castor oil, mouth wash and Witch Hazel; that there is a laboratory separated from the remainder of the floor area by means of board partitions; that there are two mixing tanks in this laboratory used in the preparation of Burow's solution, Rubbarb and Soda, Calamine solution, and other preparations; that the kettles used in mixing these solutions are equipped with steam lines for heating; that there are no open flames in the laboratory and there is an electric bottling machine equipped with vaporproof globes and switches.

Resolved, that order 98410-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that the premises under appeal shall be maintained to the satisfaction of the fire commissioner; that the sprinkler and interior fire alarm systems shall be maintained to the satisfaction of the fire commissioner.

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* Correction—The words "or standpipe system" omitted in line 29 of the resolution and the word "standpipe" omitted in line 84 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 15, 1945, as they appeared in Bulletin No. 21, Vol. 30, are hereby corrected to read as follows:

289-40-BZ

APPLICANT—William H. Fuhrer, for Lerad Realty Corporation, owner. (Samuel Adler, Inc., lessee.)

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension in height of an existing milk bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block 2278, Lots 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (289-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the extension in height of an existing milk bottling and distribution station, affecting premises 447-457 East 133rd street, north side, 195 ft. west of Brown place (Block 2278, Lots 64 and 69), Borough of The Bronx, was granted by the Board July 16, 1940, on certain conditions; and

WHEREAS, the resolution was amended on February 24, 1942 and on March 31, 1942 and the time to obtain permits and complete the work was extended on May 9, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 16, 1940, as amended through May 9, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended*, the conditions of the resolutions of July 16, 1940, February 24, 1942 and March 31, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

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* Correction—Applicant's name changed from Irving M. Fenichel to William H. Fuhrer.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES ON EXTERIOR VENEERING MATERIALS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 12, 1945, EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, JULY 7, 1945.

(465-44-SR)

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, Paragraph 2, Charter of the City of New York and C26-189.0 of the Administrative Building Code, these rules are to supplement the existing requirements of the Administrative Building Code, Sections C26-437.0, C26-438.0, C26-439.0, C26-544.0 through C26-550.0, C26-544.0 and C26-550.1 j.

SCOPE:

These rules are supplementary and additional to the requirements pertaining to thin not exceeding 2″ exterior veneering materials so as to provide for the sufficiency of attaching and anchoring mediums on such exterior veneers in accordance with the intent of the Administrative Building Code as outlined in Section C26-3.0. They shall apply to veneering materials of metal, cement-asbestos, precast or natural stone, ceramic, tile, concrete masonry units, glass sheets, glass block, plastic materials and other veneering materials, as may be approved by the Board. Note: These rules shall not apply to interior veneering materials.

Extracts from the Administrative Building Code contained herein in small type have been assigned decimal rule numbers for convenient reference only and are not to be construed as rules.

Rule 1.0 General.

1.1 These rules shall apply to all materials used as exterior veneers of a thickness not exceeding two inches, bonded or unbonded, and with or without air spaces between the veneer and the supporting surface.

1.2 Veneer materials shall not be credited with contributing to the total wall thickness, the stress resisting sections, or to the fire resistive value of the composite construction unless specifically approved by the Board for any given combination of materials.

1.3 Veneer materials shall not be used to support vertical loads other than the veneering material above unless permitted otherwise as provided for in Rule 1.3. Where openings occur the veneer shall be supported by substantial lintels of incombustible materials.

1.4 All joints between masonry veneer materials shall be filled flush with mortar or approved mastic cement. Around wall openings the joints between the veneer and backing material shall be filled flush with similar materials. Gypsum shall not be used in veneer exposed to the weather.

1.5 All metal reinforcements, bolts, clips, tie wires and supports shall be of non-corroding metal and of a type and for uses as may be approved by the Board.

1.6 Veneering material shall not be placed over existing veneering material.

1.7 Veneering when placed on a structure shall not encroach beyond the building line.

1.8 Before attaching veneering materials to any surface, the soundness of structural members shall be examined by exposing the structural members and when found necessary, reinforcement or replacement of structural members shall be made to the satisfaction of the borough superintendent.

1.9 Signs shall be so hung that their weight shall not bear on the veneering material and shall be supported by grounds set in the supporting wall.

1.10 Veneering materials used above the first floor shall be installed in a manner permitting fire department access to each floor by means of existing or new windows or readily accessible access panels installed as provided in C26-550.1d.

Rule 2.0 Metal Veneers.

2.1 Metal veneers shall be of non-ferrous materials or of steel sheets protected on all sides by porcelain enamel or other approved corrosion resistant surfacing.

2.2 Metal veneers shall be securely attached to the supporting construction with approved non-corroding metal hangers, clips, ties, screws, or bolts, secured to the metal veneer in a manner approved by the Board for each specific veneering material, and spaced not more than 16 o.c. vertically and 24 inch o.c. horizontally. Veneer units exceeding 4 sq. ft. in area shall be attached to the construction at not less than four points, so distributed as to render adequate attachment to the supporting construction.

2.3 Where allowed to be used all corrosive supports for metal veneers shall be adequately protected from the effects of the elements by painting with approved paint, galvanizing or other equivalent means. Where the use of wood is permissible all wood used with metal veneers shall be impregnated with creosote or other approved preservative material.

2.4 The joints and edges of all metal veneers shall be caulked or painted with approved waterproofing materials or other approved equivalent methods of providing resistance against moisture penetration.

2.5 The height of walls veneered with metal units on walls other than panel or enclosure walls shall be not more than 40 ft. above the foundations.

Rule 3.0 Precast or Natural Stone, Structural Clay, Ceramic and Porcelain Tile, Terra Cotta and Precast Concrete Units.

3.1 C26-157.0 Veneered Wall.—The term "veneered wall" shall mean a wall with a masonry facing which is attached to, but not bonded so as to form an integral part of, the wall for purposes of load bearing and stability.

3.2 C26-437.0 Anchorage for veneered masonry walls.—When masonry walls are veneered with brick, architectural terra cotta, stone or other masonry, the material shall be securely tied into the backing with the equivalent of the following minimum anchorage requirements:

1. For anchorage of brick veneering on masonry, one substantial non-corroding metal wall tie for each three hundred square inches of wall surface.
2. For anchorage of architectural terra cotta and other moulded units on masonry, one non-corroding metal anchor at least equal to five-sixteenths of an inch round or one-eighth of an inch by three-quarters of an inch flat in sectional area to each piece and two or more such anchors to all pieces over 18 inches in length or more than three hundred square inches in superficial area, except where such architectural terra cotta facing is bonded and completely filled with the brick backing.

3. For anchorage of stone veneering on masonry, one non-corroding anchor at least three-sixteenths of an inch by one inch flat, or its equivalent in cross sectional area, to each piece over one-half of a square foot in face area and at least two anchors to all pieces over 24 inches in length or more than four hundred square inches in superficial area.

3.3 C26-438.0 Thickness and height of veneered walls.—In all cases the veneering shall be excluded in calculating the bearing wall thickness and the required thickness of the wall. The maximum height of veneering on walls, other than panel or enclosure walls, shall be forty feet above the foundations.

3.4 C26-439.0 Veneered wood frame structures.—a. Wood frame structures may be veneered with masonry laid up in cement or cement-lime mortar. Such veneer shall be anchored to the frame by non-corroding metal ties equivalent to the following minimum requirements:

1. For anchorage of brick veneer on frame structures, one wall tie to every 160 square inches of wall area.
2. For anchorage of stone, architectural terra cotta and other moulded units on frame structures, one spike anchor or two wall ties to every two hundred sixty square inches of wall area.

b. It shall be unlawful to use such veneer on frame structures above a maximum height of 35 ft. above the foundation; it shall be unlawful also, to use such veneer on structures having more than two stories and a gable. The veneer shall be directly supported on the foundation.

c. Frame structures veneered with masonry shall be considered to be in a different class from masonry structures. It shall be unlawful to attribute any structural strength to the veneer.

3.5 Veneer units in this group shall be of approved type and not be greater than 2 in. in thickness. The surface bond of veneer units with the scored parging shall be adequately scored or provided with equivalent keys to obtain adequate anchorage. In addition to the attachment herein required, the anchorage requirements of C26-437.0 shall be complied with. Equivalent substitute methods of anchorage consisting of non-corroding pin and rosette or a continuous angle or anchor bolts secured to the reinforcement within the veneer may be used when approved by the Board for any specific veneering material.

3.6 The parging material in which veneer units are embedded shall consist of a portland cement mortar of 1:2 mix, 1 part of approved portland cement to two parts of screened sand passing through a 20 mesh screen not less than ¾ in. thick and reinforced with 4 in. mesh (13 gauge) galvanized wire reinforcement or equivalent reinforcing. Such reinforcement to be secured to the masonry or concrete wall with approved non-corroding anchors at the rate prescribed in C26-437.0. When the supporting wall is of wood framework, approved paper backed wire lath or other approved material may be used when attached to the wood framework as provided in C26-459.0h, provided the weight of the veneering materials is carried on an incombustible base. The parged surface shall be troweled to a plane surface and then scratched to receive the setting bed. The setting bed of not less ⅜" thick shall not be applied until the scratched parged surface is set. Prior to parging masonry on concrete surfaces, such walls shall be thoroughly wetted prior to the application of the parging mortar.

3.7 Waterproofing material if used in mortar shall be of approved type.

3.8 Veneer units in this group shall be not greater than 144 sq. in. in area.

3.9 The base for supporting veneers shall be of suitable incombustible materials.

3.10 All veneer units used in Class 1, 2 and 3 buildings exceeding 20 ft. in height, regardless of thickness, shall be attached to the scored parged surface by mechanical anchorage as provided in C26-437.0, pars. 1, 2, 3 and shall have lugs, keys or equivalent scoring of the backside of the veneer unit.

Rule 4.0 Glass Veneer on the exterior of structures may be used only in accordance with the provisions of this title and the rule of the Board.

4.1 C26-545.0 Minimum thickness.—The minimum thickness of glass veneer shall be eleven-thirty-seconds of an inch, except where glass veneer extends within 4 in. or less of the sidewalk level, the minimum thickness of that portion of the veneer below a level of four inches above the sidewalk at its point of intersection with the veneer shall be seven-sixteenths of an inch.

4.2 C26-546.0 Maximum area and dimensions.—a. The maximum area of a single section of glass veneer shall not exceed 10 sq. ft. in area when 15 ft. or less above the level of the sidewalk directly below and shall not exceed 6 sq. ft. in area when more than 15 ft. above the level of the sidewalk directly below.

b. The maximum length of any section of glass veneer shall be 60 in.

4.3 C26-547.0 Edges.—All edges of each plate of glass veneer shall be ground square. It shall be unlawful to use mitred joints.

4.4 C26-548.0 Backing for glass veneer.—Glass veneer may be placed only against substantial, rigid, incombustible surfaces of true plane, plumb and straight. The backing shall in any case provide rigidity and stability equal to or greater than that provided by one-inch thick cement mortar on wire lath secured to studs spaced 12 in. or less on centers. It shall be unlawful to use wood backing surfaces, regardless of whether they are fireproofed.

4.5 C26-549.0 Setting of glass veneer.—a. Glass veneer shall be set only when the backing is thoroughly dry and after the application of a thorough and uniform bond coat of material approved by the board. The bond coat shall be such as to effectively seal the portions of the veneer backing and to insure against the absorption of the vital properties of the mastic cement.

b. Mastic cement approved by the board shall be applied to the back surface of each plate of the glass veneer, which veneer shall be applied to the backing with a substantial and uniform pressure over its entire area sufficient to flatten out the gobs of mastic cement to a thickness of between one-quarter of an inch and five-eighths of an inch. Sufficient mastic cement shall be applied to insure that at least 60% of the total area of the section is bonded to the backing.

c. The bond coat and the mastic cement shall be of one manufacture and shall be certified to be of such composition as to insure close affinity between the two materials.

d. Abutting edges of glass veneer shall be ground square and uniformly buttered with an approved pointing compound.

e. Where glass veneer extends to the sidewalk surface each such section shall rest on two cushions of approved resilient material, one near the end of each such section or plate. Cushions shall be one-quarter of an inch or more in thickness. The joint between the bottom edge of the glass section and the top of the sidewalk shall be caulked with a waterproof compound.

f. Where the glass veneer is permitted to extend below the level of the sidewalk surface, an expansion joint of one-quarter of an inch or more shall be provided between the outer face of the glass veneer and the edge of the sidewalk. Such expansion joint space shall be filled with a resilient caulking compound from the level of the sidewalk surface to a depth at least ¾ of an inch below such level.

g. Where glass veneer is applied at an elevation more than eight feet above the sidewalk surface, the mastic cement binding shall be supplemented by the use of metal clip angles of a design approved by the Board. Clips shall be located in each vertical or horizontal edge of each section of veneer and shall be secured through the backing directly into the wall behind by means of expansion bolts and in a manner satisfactory to the superintendent. Angle clips shall be two inches or more in length and shall be of at least No. 16 U. S. gauge, and shall be so designed as to furnish at least two-inch bearing support on each clip and shall hold the glass in a vertical plane independently of the mastic cement.

h. All horizontal joints shall be cushioned with pads of adhesive asphaltic tape which shall extend from the rear surface of the glass to one-eighth of an inch or less from the front surface. Horizontal joints shall be buttered with joint cement over the full depth of the joint, including the surface of the cushion tape.

RULES

i. Shelf angles of approved design shall be set at vertical intervals of 3 ft. or less, in all horizontal joints located 8 ft. or less above the sidewalk, except that, where there are show windows it shall be unnecessary to have shelf angles below the level of the tops of the show window bulkheads. Shelf angles shall be of a type approved by the board and shall be secured to the backing in a manner satisfactory to the superintendent.

j. Where glass veneer is confined between non-resilient materials at ends, expansion shall be provided for by means of an expansion joint at each end of one-quarter of an inch or more throughout the entire height of the veneer.

4.5.1 Clips required under C26-549.0, sub-section g shall be non-corroding and located in each vertical plane in horizontal edge of each section of veneer and shall be thoroughly secured through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corrodible expansion bolts at least 1¼" long.

4.5.2 Shelf angles required under C26-549.0, sub-section i shall be of non-corroding metal of a type approved by the board and shall be thoroughly secured through the backing by means of non-corroding toggle bolts or into the wall directly behind the glass veneer by means of non-corroding expansion bolts at least 1¼" long.

4.5.3 Glass veneer units shall be separated from each other and adjoining material by an expansion joint at least 1/32" wide. Between the bolts and the veneer units there shall be a clearance of 1/64". All expansion joints shall be filled with an approved waterproofing mastic compound.

4.5.4 Glass veneer material shall not be used any higher than 2 stories and not exceeding 35 ft. in height above the foundation of the structure.

4.5.5 Exposed edges of glass veneer shall be flashed with non-corrodible sheet metal and caulked with an approved waterproofing mastic compound.

4.5.6 All awning brackets shall be set so as to be free of contact with the glass veneer. Glass veneer above awning boxes shall be carried by a continuous steel angle attached to the wall by anchors.

4.5.7 Signs shall be hung clear of the glass veneering material.

4.6 Glass Blocks.

4.6.1 C26-550.1.

j. Veneer or ashlar: Glass blocks may be used as exterior wall veneer under the rules of the Board.

Note: Investigation has shown that glass block is not used as a veneer material in building construction and when uses of glass block are developed as veneer, the Board will then consider including in these rules the safe provisions for use.

5.0 Veneering units of a type unprovided for in these rules, may be used, provided they are approved by the Board and are used in accordance with the limitations of the approval.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting, June 19, 1945, at 2 P.M., Affecting Calendar Numbers 129-41-A, 516-44-A, 703-44-A, 104-45-A, 129-45-A, 156-45-A, 166-45-A, 176-45-A, 198-45-A, 226-45-A, 276-45-A, 319-45-A, 342-45-A, 353-45-A, 330-20-A, 710-26-A, 337-44-A, 712-44-A, 147-45-A, 180-45-A, 181-45-A, 194-45-A, 279-45-A, 308-45-A, 298-39-A, 90-45-A, 140-45-A, 163-45-A, 172-45-A, 196-45-A, 321-45-A, 337-45-A, 338-45-A, 858-19-BZ, 309-28-BZ, 315-41-BZ, 271-43-BZ, 323-45-BZ and 665-42-SA.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No Appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 19, 1945.

Cal. No. Dept. Premises Affected.

363-45-A—H.B.M.—1029-1039 6th avenue, west side, from West 38th to West 39th streets, 103-105 West 38th street and 104-106 West 39th street (Block 814, Lots 32, 33, 38, 39, 40, 41, 42, 43, 45 and 45½), Borough of Manhattan, Amendment to N.B. 52-44.

364-45-A—F.D.—241-243 9th avenue and 400-404 West 25th street, southwest corner (Block 722, Lot 43), Borough of Manhattan, 33605-LF and Decision.

365-45-A—F.D.—47-55 Rodney street, north side, 75 ft. east of Wythe avenue (yard area); (Block 2185, Lot 21), Borough of Brooklyn, 98660-LC and Decision.

366-45-A—H.B.B.—505 Kent avenue, east side, 130 ft. south of Division street (Block 2163, part of Lot 10), Borough of Brooklyn, Amendment to Misc. Spr. 2838-44.

367-45-A—H.B.B.—7-9 Herkimer place, north side, 560 ft. west of Nostrand avenue (1st floor); (Block 1865, Lot 87), Borough of Brooklyn, Alt. 1250-45.

368-45-A—H.B.Q.—30-98 to 30-102 Crescent street, northwest corner of 31st avenue (1st floor); (Block 570, Lots 58 and 59), Long Island City, Borough of Queens, Alt. 684-45.

369-45-A—H.B.B.—840-848 60th street, south side, 320 ft. east of 8th avenue (Block 5714, Lots 23 and 25), Borough of Brooklyn, B.N. 685-45.

370-45-A—H.B.B.—100 Prospect place, south side, 247 ft. 7 in. east of 6th avenue (Basement and 1st floors); (Block 939, Lot 21), Borough of Brooklyn, Alt. 1340-45.

371-45-A—F.D.—502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn, 99854-LC.

372-45-A—F.D.—1215 Nostrand avenue, east side, 60 ft. south of Hawthorne street (1st floor); (Block 4819, Lot 106), Borough of Brooklyn, 99832-LC.

373-45-SM—P.C. Cavalon, 6026 FR and P.C. Fabrikoid, 6205 FR, manufactured by E. I. duPont de Nemours and Co., Inc., Material.

374-45-A—H.B.M.—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan, Amendment to Alt. 379-45.

375-45-A—H.B.M.—500-528 West 17th street, 97-111 10th avenue, southwest corner and 501-521 West 16th street, entire block (Block 628, Lot 21), Borough of Manhattan, D.C. 950-45.

376-45-A—F.D.—132-184 39th street and 3902-3924 2nd avenue, southwest corner (Building 19, 1st, 2nd, 6th, 7th and 8th floors); (Block 706, Lot 1), Borough of Brooklyn, Decision.

377-45-BZ—H.B.B.—990 Flatbush avenue, west side, 58 ft. 3 in. south of Albemarle road (Block 5125, Lot 14), Borough of Brooklyn, Alt. 1721-45.

378-45-BZ—H.B.Q.—116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens, Alt. 667-45.

Restored to Calendar.

665-42-SA—Sipho-O Universal Smooth Faucet Adapter, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Certificates of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10, 1945, Vol. 30, No. 15A.

CALENDAR

JUNE 26, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, June* 26, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

132-45-BZ—Application, March 2, 1945, under sections 7c and 21 of the zoning resolution, of Kitzler & Nurick, applicants, on behalf of Beatrice Finkelstein, owner (Max Finkelstein, lessee), to permit in a business use district, the enclosure of an existing gas station as part of a new building to be occupied for a conforming use; premises 30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 and 26), Long Island City, Borough of Queens.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel dcck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

504-27-BZ—Application of Crisona & Murphy, applicants, on behalf of Broadway-230th Street Corporation, owner (Wallace I. Wolpert, lessee), reopened June 5, 1945, for consideration as to extension of time to complete work—Application previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles; premises 200-218 West 230th strect and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

159-45-BZ—Application, March 19, 1945, under scction 7h of the zoning resolution, of Lama & Proskauer, applicants, on behalf of George C. Tilyou and George C. McCullough, owners, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years; premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

122-45-BZ—Application, March 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of East New York Savings Bank, owner, to permit the extension from a business use district, into a residence use district of a bank and storage building, the building occupying in a C area district in excess of 60% of lot area; premises 176-180 (178 displayed) New Jersey avenue, east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn.

290-45-BZ—Application, May 5, 1945, under section 7h of the zoning resolution, of Simon Cohen, applicant, on behalf of Isidor Faber, owner, to permit in a residence use district, the parking and storage of motor vehicles for a term of two years; premises 155 Beach 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens.

596-42-BZ—Application of Koch & Wagner, applicants, on behalf of The Roberts Numbering Machine Co., owner, reopened May 1, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for five cars of the pleasure car type (granted by the Board) to an office and drafting room, accessory to factory on same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn.

Appeals from Administrative Decisions.

133-45-A—21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn.

134-45-A—79 Washington street, east side, 127 ft. south of Front street (2nd, 3rd and 4th floors); (Block 51, Lot 1), Borough of Brooklyn.

287-45-A—460 West 34th street, 406-416 10th avenue, southeast corner and 457 West 33rd strcet, northeast corner of 10th avenue (8th floor); (Block 731, Lot 1), Borough of Manhattan.

371-45-A—502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn.

Materials for Approval.

315-43-SM—Gravel (Coarse Aggregate), manufactured by Gallagher Brothers Sand and Gravel Corporation.

28-38-SM—Cantilite Concrete Plank for Roof and Floor Construction, reopened June 12, 1945 re amendment of resolution.

HARRIS H. MURDOCK, *Chairman.*

JUNE 26, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, June* 26, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

172-45-A—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.

321-45-A—95 Lombardy street, northeast corner of Vandervoort avenue (Block 2819, Lot 8), Borough of Brooklyn.

314-45-A—761-779 7th avenue, east side, from West 50th street to West 51st street (penthouse and roof); (Block 1003, Lot 1), Borough of Manhattan.

233-45-A—120-134 Park avenue, 76-82 East 42nd street, southwest corner and 57-63 East 41st street (1st floor); (Block 1276, Lot 33), Borough of Manhattan.

329-45-A—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn.

336-45-A—704 Liberty avenue (700 displayed), south side, 32 ft. cast of Elton street (2nd floor); (Block 3986, Lot 11), Borough of Brooklyn.

349-45-A—569-573 Prospect avenue, west side, 25 ft. south of East 150th street (Block 2674, Lot 9), Borough of The Bronx.

363-45-A—1029-1039 6th avenue, west side, from West 38th to West 39th streets, 103-105 West 38th strcet and 104-106 West 39th street (Block 814, Lots 32, 33, 38, 39, 40, 41, 42, 43, 45 and 45½), Borough of Manhattan.

367-45-A—7-9 Herkimer place, north side, 560 ft. west of Nostrand avenue (1st floor); (Block 1865, Lot 87), Borough of Brooklyn.

370-45-A—100 Prospect place, south side, 247 ft. 7 in. east of 6th avenue (basement and 1st floor); (Block 939, Lot 21), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JULY 3, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 3, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

120-33-BZ—Application of Thomas Nunley, applicant, on behalf of Harry Hugger, owner, reopened June 12, 1945 for consideration as to extension of variance—re Application, previously granted on condition, under section 7f of the zoning resolution, for a period of two years, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop, and, also a gasoline service station; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond.

227-45-BZ—Application, April 16, 1945, under section 21 of the zoning resolution, of Charles S. Ward, applicant, on behalf of Francis J. Meyer, owner, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot; premises 146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

420-43-BZ—Application, August 30, 1943, under sections 7c and 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of National Fabricating Co., owner, to permit in a residence use F area district, a one story extension to an existing factory building and not complying with F area district requirements; premises 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

274-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Dora F. Kraut, owner, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable; premises 6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

730-44-BZ—Application, December 15, 1944, under section 7f of the zoning resolution, of Kobie Klinghoffer, applicant, on behalf of Lotli, Inc., owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

317-45-BZ—Application, May 17, 1945, under section 7e of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Estate of F. D. Underwood (E. W. Underwood, Executor), owner, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles and dwelling to a chemical laboratory, factory, office and dwelling for a temporary period; premises 330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

Appeal from Administrative Decision.

318-45-A—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 3, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

332-45-A—31-01 to 31-05 Steinway street and 40-02 to 40-10 31st (Jamaica) avenue, southeast corner (cellar); (Block 678, Lots 30, 40 and 42), Long Island City, Borough of Queens.

169-44-A—309-311 West 92nd street, north side, 100 ft. west of West End avenue (Block 1252, Lot 12), Borough of Manhattan.

676-44-A—6724 (6720 displayed) 19th avenue, northwest corner of 68th street (1st floor); (Block 5569, Lot 45), Borough of Brooklyn.

345-45-A—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan.

397-45-A—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning July* 10, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7i of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs)

CALENDAR

building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901 (2678), Lots 42 and 45), Flushing, Borough of Queens.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

624-39-BZ—Application of Lama & Proskauer, applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike, south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

624-44-BZ—Application, October 30, 1944, under sections 7c and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Catherine Lama, owner, to permit on a lot in a business use district, on which there exists a garage for three motor vehicles, an additional garage for two motor vehicles; premises 1632 Glover street, east side, 40.9 ft. south of Castle Hill avenue (Block 3990, Lot 33), Borough of The Bronx.

285-45-BZ—Application, May 10, 1945, under section 7e of the zoning resolution, of Glenn Phelps, applicant, on behalf of 341 Corporation, owner (J. A. Patterson Trucking Corp., lessee), to permit in a residence use district, the change of occupancy of a garage for more than five motor vehicles to storage of naval and military materials for a temporary period; premises 329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

244-45-BZ—Application, April 18, 1945, under section 21 of the zoning resolution, of Abraham Davis, applicant, on behalf of 133-135 Roosevelt Avenue Corp., Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co., lessee), to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space; premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

Appeals from Administrative Decisions.

245-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

637-44-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

286-45-A—329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

192-45-A—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law re bed of mapped street—150th street) reopened and restored to calendar May 8, 1945 (previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 17, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

196-45-A—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.

90-45-A—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

402-45-A—17 Clinton Walk, west side, 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without a frontage on mapped street—Clinton Walk).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 19, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The meeting of the Board of Standards and Appeals scheduled for Tuesday morning, June 19, 1945, was postponed to Wednesday morning, June 20, 1945, due to the proclamation by Mayor LaGuardia, declaring a holiday in celebration of the return of General Eisenhower.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 19, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

129-41-A

APPLICANT—Yuen Shing Hong Corporation, owner.
SUBJECT—Appeal reopened March 20, 1945—re Appeal from an order of the fire commissioner.
PREMISES AFFECTED—7 and 8 Chatham Square, west side, 106 ft. 4½ in. north of Mott street (Block 162, Lot 39), Borough of Manhattan.
APPEARANCES—
For Applicant: William Polglase and Lee Tom Kin.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (129-41-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 7 and 8 Chatham Square, west side, 106 ft. 4½ in. north of Mott street (Block 162, Lot 39), Borough of Manhattan, was granted by the Board on March 4, 1941, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a new order of the fire commissioner; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the new order of the fire commissioner, 33095-LF, dated January 25, 1945, reads:

"1. Discontinue the storage of merchandise above the second story, in accordance with the resolution of the Board of Standards and Appeals under Cal. 129-41-A."

and

WHEREAS, the applicant states that the building is 8 stories (102 ft. 6 in.) in height; 31 ft. 11 in. by 125 ft. in area; of Class 1 construction; erected 1900; located in an unrestricted use, B area, Class 2½ height district, and used and occupied since 1941 as follows: cellar, storage of food stuffs; 1st floor, stores, 5 persons; 2nd floor, storage of food stuffs, no persons; 3rd floor, temporary storage of tobacco, no persons; 4th to 8th stories, vacant; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, storage of food stuffs, no persons; 3rd floor, storage of tobacco, etc. no persons; 4th, 5th, and 6th floors, storage; that the building is equipped with one 6 ft. wide steel stair, enclosed in iron partitions, equipped with iron doors which are not self-closing and extending from the roof bulkhead directly to the street and two fire escapes, one at front of the building and one at rear, extending to the roof by stairs and to the street by ladder and to the yard by stairway, with egress to the street from the yard through hallway; and

WHEREAS, the applicant contends that the Board originally modified an order of the fire commissioner, to permit the building to be maintained with a dry standpipe system, on condition the floors above the 2nd story were not occupied; that an application was made to the Department of Housing and Buildings for use of the lower 6 floors for storage purposes and approved; that however, the fire commissioner under date of January 25, 1945, directed that the temporary storage of merchandise above the 2nd floor be discontinued; that the appeal is taken from this order of the fire commissioner; that the ceiling of the 6th floor is less than 85 ft. above the street floor; that the decision of the Board should be modified to permit the use of the basement and 2nd, 3rd, 4th, 5th and 6th stories for storage purposes, without the installation of a standpipe system and that the dry standpipe system is in operation and has not been removed.

Resolved, that the order of the fire commissioner, acting on Order 33095-LF, Item 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied* for use of the upper stories as proposed, contrary to resolution previously adopted under this calendar number.

516-44-A

APPLICANT—657 5th Avenue Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—240-246 19th street and 657-661 5th avenue, southeast corner (Block 885, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Jerome Voletsky.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (516-44-A)

WHEREAS, 657 5th Avenue Corporation, owner, filed September 5, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 240-246 19th street, and 657-661 5th avenue, southeast corner (Block 885, Lot 8), Borough of Brooklyn; and

WHEREAS, Order 12917-LF issued by the fire commissioner June 13, 1944 and referred to in a decision of the fire commissioner dated August 3, 1944 reads:

"1. Provide through-out building a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Section C19-161.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 3 stories (60 ft.) in height, 40 ft. by 85 ft. in area, of class 3 construction, erected in 1882, located in a business use, B area class 1½ height district and used and occupied since 1920 as follows: cellar—department store; 1st floor—department store; 2nd floor—loft—vacant; 3rd floor—loft—vacant; proposed to be used and occupied: cellar—same; 1st floor—same; 2nd floor—same; that the building is equipped with three interior stairs of wood construction and two fire escapes and a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that the order is a clear abuse of discretion, since no necessity exists which would require the directions therein contained; that the order is vague and not susceptible of reasonable interpretation in the use of the alternative method designated "other means for the extinguishment of fire satisfactory to the Fire Commissioner"; that the recommendation or order for a fixed fire extinguishing system *throughout* the building, is clearly

neither necessary nor proper, since the most that the present use would require, might be some fire control in the cellar and first floor of the building, the only parts thereof in use; that the order should be rescinded in its entirety, or in the alternative, a simple clear direction made of the minimum means required by the fire commissioner for the extinguishment of fire; and

WHEREAS, Order 10790-LF issued by the fire commissioner June 22, 1943, which is not the subject of this appeal, reads:

"1. Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals, and the enclosed approved layout. Section 279 of the Labor Law."

and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, acting on Order 12917-LF, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

703-44-A

APPLICANT—American Safety Razor Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—305-317 Jay street, 80-94 Johnson street, southeast corner, 60-88 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mr. A. Roche and C. H. Higginson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (703-44-A)

WHEREAS, American Safety Razor Corporation, owner, filed November 30, 1944, an appeal from a decision of the borough superintendent, affecting premises 305-317 Jay street, 80-94 Johnson street, southeast corner, 60-88 Lawrence street and 77-89 Myrtle avenue (Block 142, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 13, 1944, on P.A. Applic. 669-44, reads:

"1. Exits inadequate for 331 persons as per Section 278 of the Labor Law."

and

WHEREAS, the applicant has filed a decision of the borough superintendent, dated April 23, 1945, which reads as follows:

"Your letter of April 10th states that the Board of Standards and Appeals requests a statement from this department as to the capacity of the present exits.

Your Mr. McKeown states that the cafeteria use will be confined to the third floor of Building E, as designated on your plan, and will not extend into Building F, as previously shown.

The exits can accommodate 153 persons in the lunchroom based on the following:

(a) The main stairway which is 5′ 6″ in width and fireproof enclosed is jointly used for egress from Building E, which is not a factory building, and Building F, which is a factory building. The capacity of this stairway, as computed on the basis of Section 278 of the Labor Law, allowing 100% increase for the sprinkler system and deducting 10 persons now occupying the 3rd floor of Building F, is 125 persons.

(b) The 3′ 8″ fire escape has a capacity of 28 persons on the basis of Sec. 278 of the Labor Law. No allowance is made for the sprinkler system, as same does not improve a fire escape exit.

(c) No credit as to capacity is given for the 10′ 0″ stairway which leads through Building C and Buildings B, as this stairway does not have a continuous enclosure to street."

and

WHEREAS, the applicant states that the premises are located in an unrestricted and business use, B area and class 2 height district; that Building A, which was erected in 1938 is 8 stories and basement (113 ft.) in height, 123 ft. by 142 ft. in area at 1st floor, 123 ft. by 142 ft. in area at typical floor, of class 1 construction; that Building B, which was erected in 1920 is 8 stories (117 ft.) in height, 140 ft. by 75 ft. in area, of class 1 construction; Building C, which was erected in 1938, is 2 stories (27 ft.) in height, 74 ft. by 42 ft. in area, of class 1 construction; Building E, erected in 1925 is 5 stories and basement (60 ft.) in height, 50 ft. by 96 ft. 6 in. in area, of class 3 construction; that Building F, erected before 1910 is 5 stories and basement (60 ft.) in height, 90 ft. by 60 ft. in area, of class 3 construction; that Building A is used and occupied as follows: basement—storage of raw materials—5 persons; 1st floor—blade manufacturing, storage of finished products—72 persons; 2nd floor—airplane engine manufacturing—142 persons; 3rd floor—munitions manufacturing (no explosives)—200 persons; 4th floor—manufacturing of razors—60 persons; 5th floor—manufacturing of razor blades—80 persons; 6th floor—manufacturing of surgical products and safety razor blades—50 persons; 7th floor—tool and machine shop and engineering and planning—60 persons; 8th floor—brush manufacturing—275 persons; Building B is used and occupied as follows: basement—storage—20 persons; 1st floor—blade packing—15 persons; 2nd floor—buffing and plating—48 persons; 3rd floor—pile wiring—20 persons; 4th floor—safety razor manufacturing—60 persons; 5th floor—manufacturing of safety razor blades—80 persons; 6th floor—manufacturing of surgical appliances and safety razors—50 persons; 7th floor—tool and machine shop—60 persons; 8th floor—brush manufacturing—60 persons; No change in use is proposed for Buildings A and B, but the occupancy will be 324 persons on each of the 1st to the 8th floors; Building "C" is used and occupied as follows: basement—storage—2 persons; 1st floor—passageway—5 persons; 2nd floor—passageway—4 persons; no change in use or occupancy is proposed; Building E is used and occupied as follows: 1st floor—shipping and receiving—35 persons; 2nd floor—locker room—5 persons; 3rd floor—cafeteria—331 persons; 4th floor—record room—8 persons; 5th floor—accounting—60 persons; proposed to be used without change with number of occupants as follows: 1st floor—123 persons; 2nd floor—123 persons; 3rd floor—331 persons; 4th and 5th floors—123 persons each; Building F is used and occupied as follows: basement—carpenter and pipe shop—25 persons; 1st floor—office, locker room—17 persons; 2nd floor—locker room—3 persons; 3rd floor—cafeteria, soap manufacturing and office—20 persons; 4th floor—office—32 persons; 5th floor—general office—43 persons; proposed to be used without change, number of occupants as follows: 25 persons in the basement and 123 persons on each of the 2nd to 5th floors; and

WHEREAS, the applicant states that the buildings are equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills are maintained; that there are four 5 ft. 6 in. wide fireproof stairs, equipped with kalamein, self-closing doors and leading from the roof bulkhead directly to the street; that one stairway is located in the rear of Building A, two are in Building B and one in Building E; that there are two fire escapes, one at the rear of Building E and one at the rear of Building F; that these fire escapes lead to the roof by stairs and to the street by stairs; that windows and door openings along the course of the fire escapes are fireproof, self-closing; and

WHEREAS, Violation 4973-44, issued October 27, 1944, was for violation of Section C26-1477.0 of the Administrative Code for occupying the third floor as a place of assembly as

a private restaurant with a seating capacity of 323 persons, without a permit; and

WHEREAS, Certificate of Occupancy 88071, issued to premises 77-89 Myrtle avenue, northwest corner of Lawrence street, on June 29, 1938, upon completion of work under Permit 10555-37 and resolution adopted by the Board under Cal. 224-37-BZ, permits the use of such building throughout as a factory with 288 persons on each floor (Building A); and

WHEREAS, Certificate of Occupancy 9246, issued September 12, 1921 to 62-76 Lawrence street, west side, 84 ft. south of Johnson street (Building B), permits its use as a factory; and

WHEREAS, Certificate of Occupancy 90616, issued December 28, 1938 for 80-94 Johnson street, southeast corner of Jay street (Building C) upon completion of Alteration 10553-37, permits the use of this building as follows: basement—storage—2 persons; 1st floor—receiving—5 persons; 2nd floor—office—4 persons; and

WHEREAS, Certificate of Occupancy 7272 issued June 10, 1926 to premises 305-319 Jay street, southeast corner of Johnson street (Buildings D, E and F), permits the use of these buildings as a factory; and

WHEREAS, Certificate of Occupancy 6887 issued February 8, 1926 to 31-33 Jay street, east side, 100 ft. south of Johnson street (Building E), permits the use of this building as follows: 1st floor—shipping; 2nd floor—office; 3rd floor—lunchroom; 4th floor—storage; 5th floor—office; and

WHEREAS, the applicant contends that P. A. Applic. 669-44 was made for a permit for a place of public assembly under Local Law 29 and involves the use of space on the third floor of 305-317 Jay street as indicated on drawing No. 4 filed with this appeal, as a cafeteria for the accommodation of 331 persons; that this space has been used since 1922 as a cafeteria for the owners' employees; that prior to 1937, the only exits provided for the cafeteria were those indicated as stairway #1 and Exit No. 3 on Drawing No. 4 filed with this appeal; that in 1937, it was decided to provide additional exit facilities for the cafeteria and Stairway No. 2 was erected under Alt. Applic. 15934-37; that the decision of the borough superintendent is based on the contention that Stairway No. 2 is not a proper exit for credit in calculating the number of persons who may occupy the cafeteria under section 278 of the Labor Law; that the stairways and exits for the cafeteria as calculated under the permissible occupancy pursuant to Section 278 of the Labor Law by the architect for the owner, is as follows:

Stair #1:
5'-6" wide (Building constructed prior to October 1st, 1913):
14 persons for each 18" or fraction—66/18—3.66 x 14 .....equals 51
100% increase for sprinklers .....equals 51
102

Landings—12 x 11'-10" .....equals 28
5
5'-6" x 5 .....equals 5
5 33
Total 33
135

Stair #2:
10'-8" wide direct through Building B to street:
14 persons for each 22"—128/22—5 x 14 ...equals 70
100% increase for sprinklers .....equals 70
Total 140

Exit #3:
To roof of Building C direct to street (3'-8" wide):
14 persons for each 22"—44/22—2 x 14 .....equals 28
100% increase for sprinklers .....equals 28
56

Stair #1 135
Stair #2 140
Exit #3 56
Total .....331 persons

and

WHEREAS, the applicant further contends that the lunch period is between 11:30 A.M. and 1 P.M. and the cafeteria is also used for the night shift, but the number of occupants is comparatively small; that Stair #2 would automatically be used by the employees in case of fire, since they have been using it daily going to and from the cafeteria for the past seven years; that this stairway leads from the second floor of Building E directly into Building C, which is of reinforced concrete, class 1 construction and sprinklered and from Building C by a steel stair to the first floor of Building B, which is of the same construction and thence into a wide exit 14 ft. clear leading directly to the street; that to comply with the Labor Law it would be necessary to enclose this stairway directly to the street; that a portion of this exit in Building B serves as an exit from Building B; that to enclose this stairway would impair the use of the portion of this exit for Building B proper and consequently impair the use and production of the plant, which is engaged in the manufacture of safety razors and allied products, manufacture of airplane engine and other parts and munitions under contract with government agencies; it is therefore requested that the Board approve the exits as they exist and the use of the cafeteria for 331 persons or in the alternative, grant a variation under the provisions of Section 30 of the Labor Law on the grounds of practical difficulty and unnecessary hardships; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent, acting on P.A. Applic. 669-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cafeteria shall be restricted to the space marked "E" on the third floor as indicated by cross-hatching on revised plan marked "Received June 15, 1945," on condition that all exits as indicated and on plans marked "Received November 30, 1944" shall be maintained, and in addition that the stair in building section "E" marked No. 2, shall be enclosed on the third floor within the cafeteria, with a partition from floor to ceiling, as approved for one hour construction with fireproof self-closing doors thereto; that there shall be at least two 3 ft. 6 in. doors; that such doors shall open in the direction of exit; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

104-45-A

APPLICANT—Warren E. Green, for William Pick, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—95-20 Northern boulevard, southeast corner of 96th street (2nd floor); (Block 1710, Lot 15), Corona, Borough of Queens.
APPEARANCES—
For Applicant: Warren E. Green and William Pick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative: Deputy Chief Gunn..... 1

THE RESOLUTION (104-45-A)

WHEREAS, Warren E. Green, for William Pick, owner, filed March 1, 1945, an appeal from a decision of the bor-

MINUTES

ough superintendent, affecting premises 95-20 Northern boulevard, southeast corner of 96th street (2nd floor), (Block 1710, Lot 15), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated February 28, 1945, on Alt. Applic. 1597-44, reads:

"1. Proposed conversion of frame dwelling to a factory use is contrary to Sec. 4.2.1.

2. Second floor construction is weak for 120 lbs. live load.

3. Exits from 2nd floor factory to comply with Sec. 271 and 273 of Labor Law."

and

WHEREAS, the applicant states the building is two stories (25 ft. 6 in.) in height, 25 ft. by 50 ft. in area; Class 4 construction; erected in 1900; located in a business use, C. area, Class 1½ height district; used and occupied since 1924 as follows: cellar, ordinary; 1st floor, auto sales, 4 persons; 2nd floor, manufacturing of shoulder pads for coats, 9 persons; that there is no change in use proposed; that the building is equipped with one interior wood stair, 3 ft. wide, with enclosure of wood, plaster and metal, equipped with wood doors, located at the front and leads directly to the street; that one fire escape is proposed on the east side, leading to the yard by stair; that windows and doors on course thereof will be fireproof, self-closing; and

WHEREAS, Violation 3412-44 was issued November 13, 1944, by the Dept. of Housing and Buildings, for using the second floor for factory purposes without providing a secondary means of egress; that a summons was served and the matter is pending in City Magistrate's Court; that Certificate of Occupancy 1914 was issued February 25, 1931, re Alt. No. 3480-30 for use of the building as follows: 1st floor, automobile sales room, garage; 2nd floor, dwellings; and

WHEREAS, the applicant contends that the building has been used as at present for at least twenty years and that plans have been filed with the Building Department, for a fire escape on the east side of the building, with stairs to 96th street; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, on inspection, the Committee found that the building had apparently at no time been occupied for residential purposes on the 2nd floor and were of the opinion that Certificate of Occupancy 1914, issued February 25, 1931, described incorrectly the second floor occupancy.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1597-44, Objections 1 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing building, two stories in height, shall not be increased in height or area; that the primary means of exit as indicated on plans filed with this appeal marked "Received March 1, 1945" shall be maintained, leading directly to Northern boulevard; that such stairs shall be enclosed in one hour fire retarded partitions with one hour fireproof, self-closing door; that a second means of exit shall be provided by means of a door from the 2nd floor to the adjoining 96th street garage; that a counter balanced iron ladder shall be maintained from such garage roof, to reach the sidewalk at 96th street; that the number of persons engaged in factory work on the 2nd floor shall at no time exceed 10 persons; and *withdrawn* as to Objection 2, to comply; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and that a new Certificate of Occupancy superseding 1914 shall be obtained.

129-45-A

APPLICANT—Davis, Polk, Wardwell, Sunderland and Kiendl, for Dry Dock Savings Institution, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2-4 East 44th street, south side, 105 ft. east of 5th avenue (Block 1278, Lot 67), Borough of Manhattan.

APPEARANCES—

For Applicant: Gerard A. Cartier.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (129-45-A)

WHEREAS, Davis, Polk, Wardwell, Sunderland and Kiendl, for Dry Dock Savings Institution, owner, filed on March 9, 1945, on appeal from a decision of the borough superintendent, affecting premises 2-4 East 44th street, south side, 105 ft. east of 5th avenue (Block 1278, Lot 67), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 5, 1945, reads:

"This will reply to your letter of February 2, 1945, regarding application for certificate of occupancy filed December 29, 1944, for the above premises.

The premises 519-521 Fifth avenue and 2-4 East 44th street, Block 1278, Lots 1 and 67, in accordance with the Building Zone Resolution, Cal. No. 741-27-BZ, should be maintained in conjunction and as part and parcel of this plot. On this condition, a variation of the Zoning Law was granted on November 15, 1927.

In view of the foregoing, your application for a separate certificate of occupancy is denied."

and

WHEREAS, the premises have been sold to the owner of the building at the northeast corner of Fifth avenue and East 43rd street, since the tower privileges of that building are in part dependent upon the lot area of 2-4 East 44th street, as originally approved by the Superintendent of Buildings.

Resolved, that the appeal be and it hereby is *withdrawn.*

156-45-A

APPLICANT—American Nickel Alloy Manufacturing Corp., lessee, for J. S. Gould Son's Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—318 3rd avenue, west side, 257 ft. south of Carroll street (Block 453, Lot 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. B. Lobbenberg.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (156-45-A)

WHEREAS, American Nickel Alloy Manufacturing Corp., lessee, for J. S. Gould Son's Company, Inc., owner filed March 16, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 318 Third avenue, west side, 257 ft. south of Carroll street (Block 453, Lot 52), Borough of Brooklyn; and

WHEREAS, Order 13115-LF of the fire commissioner, dated July 2, 1944, and referred to in his decision of March 6, 1945, reads:

"1. Arrange wire screens on all windows on 1st story so as to be readily movable or removable from both sides, in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Sec. 272 of Labor Law."

and

WHEREAS, the applicant states that the building is one story (25 ft. 6 in.) in height, 50 ft. by 300 ft. in area; Class 4 construction; located in an unrestricted use, A area, Class

1½ height district; erected in 1907 and used as a smelting plant since 1940 with an occupancy of twenty (20) persons, for which Certificate of Occupancy 102149 was issued, permitting the use of the first floor for storage, smelting, refining and fabricating of metal, including office and laboratory, such certificate to expire May 13, 1946; that this one story building has three tiers of windows, one at the regular height of a room window, a second about 13 ft. high and a third about 18 ft. high; that the 2nd and 3rd tiers consist of 163 windows, many of them stationary; that in an emergency, the first tier of windows could be used as an exit; that all windows of the second tier open to the Gowanus Canal and under each window of the upper tier, high tension wires are run; that if these screens were movable, it would constitute an extreme danger; that to be required to install locks on every window guard, to be opened in the morning and locked in the evening would not be possible, because most of the windows are inaccessible.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, acting on Order 13115-LF, Item 1, and that the appeal be and it hereby is *granted on condition* that no screens shall be maintained on the lowest tier of windows; that screens may be maintained only on the upper two tiers of windows as proposed, on condition that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable therto, other than as modified by the Board under Cal. Nos. 392-41-A and 322-44-A; and on the further condition that an additional exit door to the adjoining premises to the north shall be constructed and maintained.

166-45-A

APPLICANT—Louis Chesir, owner (Congregation Machzike Hadath of Bensonhurst, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—7015 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Louis Chesir.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (166-45-A)

WHEREAS, Louis Chesir, owner (Congregation Machzike Hadath of Bensonhurst, lessee), filed March 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 7015 20th avenue, east side, 80 ft. north of 71st street (1st floor); (Block 6174, Lot 5), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated March 12, 1945, re Alt. Applic. 1765-44, reads:

"3: Provide two means of egress from 1st floor to street as per Sect. 6.1.2.2.2 (C26-273.0,b-2) of Building Code."

and

WHEREAS, the applicant states that the building is 2 stories (23 ft.) in height, 20 ft. by 68 ft. in area, of class 3 construction, erected in 1929, located in a business use, D area, class 1 height district and used and occupied since 1930, as follows: cellar—ordinary—no persons; 1st floor—store (actually used as a synagogue); 2nd floor—two family apartments; that there is one interior stair, on north side of building, leading directly to the street; that the stairs are 3 ft. wide, of wood construction, enclosed in wood studs, wire lath and ¾ in. plaster; that the door is not self-closing; that there is a scuttle to the roof; and

WHEREAS, the applicant contends that Certificate of Occupancy 58926 issued December 11, 1929, was for two families on 2nd floor and store on 1st floor; that since erection of building fifteen years ago, the 1st floor had been occupied as a synagogue; that on April 11, 1944, Violation 1469 was placed on premises for the reason that the 1st floor was being occupied as a synagogue; that towards the removal of this violation, Alt. Applic. 1765-44 was filed with the Department of Housing and Buildings, to allow the use of the 1st floor as a synagogue, with a maximum occupancy of 123 persons; that this application was denied; that the area involved (1160 sq. ft.) is used only as a synagogue; that there are two means of egress—one is a door 3 ft. wide, leading directly to the street and the other is a door 2 ft. 8 in. wide, that leads to a yard which is 32 ft. in depth, from which one could reach the street; that the combined width of exit doors at the front and the rear will accommodate a total of 300 persons which is far above the 123 persons for which approval is asked; that the only question involved is the rear exit, which leads to a yard, which connects with the yards of the three abutting buildings to the south and are without any obstructions on lot lines, thus resulting in a common yard area of 32 ft. deep by 80 ft. long; that adjoining the east lot line there is a 5 ft. passageway to 71st street; that the fence on this lot line is 4 ft. high of 1 inch planks nailed to 4 inch uprights; that in an emergency, this fence could easily be eliminated as an obstruction to the passageway leading to 71st street and the owner of this latter plot will not grant any formal consent to use his alley to the street; that the maximum occupancy of 123 persons occurs only during three days a year, i.e., during the Jewish High Holidays, when the Synagogue is well supervised by floor committees; that on all other days of the year there are never more than 50 occupants; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1765-44, objection 3, be it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing rear yard between this building and the adjoining three buildings to the south, shall remain clear and unobstructed as proposed, and as shown on plan marked "Received March 22, 1945"; that the existing exits to 20th avenue and to the rear yard shall be maintained, with doors swinging in the direction of exit; and that there shall at all times be a means of reaching 20th avenue, through the rear yard, through the stores to the south, while the place of public assembly is in session; that the number of persons shall not exceed 123; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

176-45-A

APPLICANT—Timely Modes, Inc., lessee, for Loftgar Holding Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—64-70 West 36th street, south side, 125 ft. east of 6th avenue (5th floor); (Block 837, Lot 80), Borough of Manhattan.
APPEARANCES—
For Applicant: L. Benjamin.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (176-45-A)

WHEREAS, Timely Modes, Incorporated, lessee, for Loftgar Holding Corporation, owner, filed March 20, 1945, an appeal from an order of the fire commissioner, affecting premises 64-70 West 36th street, south side, 125 ft. east of 6th avenue (5th floor); (Block 837, Lot 80), Borough of Manhattan; and

WHEREAS, Order 33514-LF, issued by the fire commissioner March 2, 1945, reads:

"1. Arrange iron bars on windows on east side of loft on 5th story, so as to be readily movable or removable from both sides, in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress. Section 272 of the Labor Law."

and

WHEREAS, the applicant states the building is 16 stories (193 ft.) in height; 100 ft. by 98 ft. in area at 1st floor; 100 ft. by 89 ft. in area at typical floor; of Class 1 construction; erected 1923; located in a retail use B area, Class 2 height district, and used and occupied since 1941: subcellar, boiler room; cellar, restaurant, refrigerator, shipping room for millinery, 4 persons; 1st floor, millinery store, 12 persons, restaurant 318 persons; 2nd floor, stock room for artificial flowers and offices, 21 persons; and stock room for neckwear and offices, 9 persons; third floor, manufacturing hats, 12 persons, stock room and offices, neckwear and blouses, 11 persons; 4th floor, manufacturing dresses, 22 persons; 5th floor, manufacturing blouses and underwear, 69 persons; 6th floor, manufacturing blouses and bath robes, stock room for rhinestones, thread and yarn and offices, 32 persons; 7th floor, manufacturing dresses, 125 persons; 8th floor, manufacturing dresses, hat blocks and blouses, neckwear, stock room and offices, 36 persons; 9th floor, manufacturing, underwear, 65 persons; 10th floor, stock room for blouses and hosiery and offices, 7 persons; manufacturing hat blocks, artificial flowers and dresses, 60 persons; 11th floor, manufacturing underwear, 40 persons; 12th floor, manufacturing veilings and children's wear and stock room and offices, 41 persons; 13th floor, manufacturing blouses and feathers, 55 persons; 14th floor, manufacturing dresses, blouses and pleater, 74 persons; 15th floor, manufacturing neckwear, stockroom for neckwear and offices, 23 persons; 16th floor, manufacturing sportwear and blouses, 47 persons; that no change in use or occupancy is proposed; that Certificate of Occupancy 8803, issued November 13, 1924, on N.B. Applic. 594-23, permits the use of the 1st and mezzanine stories for stores, 80 persons and the 2nd to 16th floors, show rooms and factory, 160 persons each, 120 lb. live load each and limits the area to be used for manufacturing purposes to not more than 25% of the area of the building; and

WHEREAS, the building is equipped with a two source sprinkler system, and an approved standpipe system and two interior stairs 44 in. wide of fireproof construction, from the roof to the street; and

WHEREAS, it is proposed to make two windows comply with the requirements of the Labor Law, as indicated on plans filed with this appeal and to have same distinctly marked "emergency exits" and

WHEREAS, the applicant states that the order involves 11 fireproof double hung windows in the east wall; that it is not necessary to have the bars on all 11 windows adjusted, as the rear door from the space in question (5th floor east) is located in the center of the lofts, 7 ft. from the fireproof stair tower, and adjacent to this door, there are two freight elevators; that the corridor outside this door is 28 ft. long and enters directly into the other half of the loft; that there are also three passenger elevators in front and a staircase alongside, leading directly to the street; that there are also 9 large windows at the front and 9 in the rear of the half of the loft in question, which windows are unobstructed; that at all times, exits are kept free and clear; that the building is sprinklered and it is therefore requested the Board permit the adjustment of bars on two of the windows in question as ample protection.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, acting on Order 33514-LF Item 1, and that the appeal be and it hereby is *granted on condition* that at least two side wall windows on the easterly side shall be so arranged as to be readily available for exit to the adjoining roof in the event of fire; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified for under Cal. No. 1033-24-S and 306-23-S.

198-45-A

APPLICANT—Allen A. Blaustein, for Rose Millman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein and Rose Millman.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (198-45-A)

WHEREAS, Allen A. Blaustein, for Rose Millman, owner, filed April 4, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 243 Rogers avenue, east side, 27 ft. 9 in. south of President street (1st floor, store); (Block 1282, Lot 11), Borough of Brooklyn; and

WHEREAS, order 13584-LF, issued by the fire commissioner October 5, 1944 and referred to in a decision of the fire commissioner dated April 4, 1945 reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Sec. C19-161.0, Adm. Code."

and

WHEREAS, the applicant states that the building is 3 stories (34 ft.) in height, 20 ft. by 53 ft. 6 in. in area, of class 3 construction, erected in 1923, located in a business use, B area, class 1¼ height district and used and occupied since 1935 as follows: cellar—boiler room, mattress picking, sterilizing room, storage bin and ordinary use—no persons; 1st floor—manufacturing and repair of mattresses—3 persons; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; that no change in use or occupancy is proposed; that the building is equipped with one interior wood stairs, 2 ft. 10 in. wide and enclosed in partitions of wood studs, lath and plaster, equipped with wood doors and leading directly to the street; that a ladder and scuttle is provided to the roof; that the cellar doors are self-closing; that the building is also equipped with a fire escape at the rear, leading to the yard by a ladder with egress through the building in question, to the street; and

WHEREAS, Certificate of Occupancy 87665 issued January 7, 1938, permits the use of the cellar for repairing of mattresses and ordinary use; 1st floor—store for sale of mattresses; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; and

WHEREAS, the applicant contends that a new Certificate of Occupancy will be applied for; that the building has an outside street cellar stairs and outside yard stairs, leading to the cellar; that in the cellar there are two inside wooden stairs, enclosed with 4 in. fireproof blocks, equipped with self-closing fire doors at the bottom, one leading to the store with trap cover at 1st tier beams and the other to the public stairhall on 1st story, with egress directly to the street; that egress to the street and yard from the present store at the 1st floor, is by means of doors with an extra door from the store to the public hall; that besides the main interior stairs to upper stories, there is a fire escape at the rear, with a ladder to the yard; that in the rear of the cellar and also in the rear of the first story, there are independent water outlets connected with garden hose for use, should an emergency arise; that portable fire and water pails in the cellar and first story store are in place for instant use; that metal containers with metal covers for loose scrap will

be provided; that there are only three employees in the building and since this business has occupied these premises for ten years and since all precautions are taken to prevent fire, it is requested that the appeal be granted and the present garden hose water supply system be accepted; that only a small amount of mattress felt and materials are kept on the premises; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, acting on Order 13584-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that an automatic CO_2 extinguishing system, satisfactory to the fire commissioner, shall be installed within the rear half of the basement; that within the 1st floor, sprinkler heads shall be installed and maintained over the portion where the mattresses are repaired or made; that such sprinkler heads may be connected to the house water supply, provided the house water supply is not less than 1½ in. in diameter; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct.

226-45-A

APPLICANT—Stohldrier and Zetsche, for My-R Construction Corp., owner. (872 Gerard Avenue Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert S. Zetsche, H. E. Stohldrier, S. R. Buxbaum and Walter Meyer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (226-45-A)

WHEREAS, Stohldrier and Zetsche, for My-R Construction Corporation, owner (872 Gerard Avenue Corporation, lessee), filed April 17, 1945, an appeal from a decision of the borough superintendent, affecting premises: 872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 13, 1945, re amendment to Alt. Applic. 594-44, reads:

"1. The extension of business in a frame structure is not permitted. Sec. C26-254.0."

2. Show floor framing of first and second floors. Dress Shop must be good for 120 lbs. per sq. ft. and Doctor's Office for 50 lbs. per sq. ft. live load.

3. Stairs must be properly enclosed as per Sec. C26-292. If more than five (5) persons are employed in the Dress Shop, exits must comply with Sec. 271 Labor Law."

and

WHEREAS, the applicant states that the building is three stories (35 ft.) in height, 124.95 (plan shows 128.9 ft.) ft. by 23.41 ft. and 17.39 ft., irregular, in area; of Class 4 construction; located in a business use, B area; Class 1½ height district; erected in 1924 and occupied since 1930 as follows: Cellar, boiler room; 1st floor, stores, 2 persons each store; 2nd floor, vacant and dress shop (2 persons); 3d floor, apartments, 4 persons each; proposed to be occupied: Cellar, same; 1st floor, same; 2nd floor, doctor's office and dress shop, 2 persons each; 3rd floor, apartments, 4 persons each; that there are two interior stairs, located against the rear wall and not extending to the roof, width of same varies from 2 ft. 7 in. to 2 ft. 9 in., of wood construction, enclosed with plaster on stud and equipped with wood doors; that the stairs have a scuttle to the roof and lead directly to the street; and

WHEREAS, the applicant contends that this building is situated in a business zone and is 3-story brick and frame structure (brick walls first floor) with a series of stores on the first floor; that as of August 1944, the second floor was occupied by a dress shop in the Gerard avenue section and a beauty shop in the 161st street section; that the dress shop has removed to the 161st street section and the Gerard avenue section is now vacant; that it is proposed to occupy this section as a dentist's office; that this general type of occupancy has been continuous for fifteen years; that the third floor is occupied by apartments, except the Gerard avenue section; that two rooms of this apartment are now occupied by the Bronx Division of the American Jewish Congress as offices; that they have been notified by the lessee to vacate; that there are two separate entrances to 2nd and 3rd floors, one on Gerard avenue and one on 161st street; that the records of the Dept. of Housing and Buildings indicate that there were originally two 3-story frame buildings, which subsequently were joined by moving one alongside the other; thereafter plans were filed and approved for an alteration; that the plans included the construction of stores on the first floor; that the building was completed in accordance with these plans and Certificate of Occupancy 152, issued August 29, 1924; that a violation (3287-44) was issued by the Dept. of Housing and Building November 14, 1944, for changing the occupancy of building from stores and dwelling to stores and offices, without obtaining a certificate of occupancy for the latter use; that plans were then filed, showing alterations to the second floor, which were subsequently disapproved; that the objections of the borough superintendent would deny them the use of the second floor for the doctor's offices and the continuance of occupancy of remainder of 2nd floor as a dress shop, and require the reconstruction of the floor beams on 2nd floor and the fire-retarding of stairways; that the property in immediate neighborhood is used exclusively for business and there could be no objection by neighbors to the use of the 2nd floor for business; that the floor in question would be of little value as apartments, since light and noise of a busy thoroughfare (161st street) render it undesirable as such; that it should be noted that the first story of the building is enclosed with 12 in. brick walls and a concrete slab on first floor (Class 3 construction) and the structure above is stuccoed; that the rear wall above 2nd floor, the dividing wall between the two sections and the store partitions are all brick-filled, which is superior to the average frame structure; that the floor framing of the 2nd floor is ample for the liveload to which it will be subjected; that there will be but two occupants in both sections; that the certificate of occupancy calls for a liveload of 40 lbs. and for all actual conditions, this should be ample; that the fire-retarding rules were adopted in 1917 and the building approved in 1924 as is; that it is a hardship on the owner to require this fire-retarding now, as there are no additional hazards; that the work contemplated by the owner consists of the installation of stud partitions and three basins in the proposed doctor's office; that in addition, it will be necessary to do such work as required to satisfy objections if they are not removed by the Board's rulings; that the 2nd floor is good for not less than 46 lbs.; that a fire escape for 2nd floor would be installed if deemed advisable; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent, acting on amendment to Alt. Applic. 594-44, Objections 1, 2 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

276-45-A

APPLICANT—Henry George Greene, for 454 Eighteenth Street Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—454-468 18th street, south side, 200 ft. east of 8th avenue and 445-455 19th street (Block 882. Lot 17), Borough of Brooklyn.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (276-45-A)

WHEREAS, Henry George Greene, for 454 Eighteenth Street Corporation, owner, filed May 8, 1945, an appeal from a decision of the fire commissioner, affecting premises 454-468 18th street, south side, 200 ft. east of 8th avenue and 445-455 19th street (Block 882, Lot 17), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated April 9, 1945, reads:

"This will acknowledge receipt of your letter of April 5th, wherein you request a permit for employees to smoke in the factory building situated at the above mentioned premises.

You are advised that your request must be denied, for the reason that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals.

You may appeal this decision within 30 days to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 50 ft. by 200 ft. in area, of class 1 construction, erected in 1904, located in an unrestricted use B area, class 1½ height district and used and occupied since 1945 as follows: cellar—storage—locker room and toilets; 1st floor—manufacturing of drugs; 2nd floor—manufacturing of drugs; proposed to be used and occupied: cellar—stock room and machine shop—50 persons; 1st floor—offices, machine shop and assembling—100 persons; 2nd floor—offices and machine shop—100 persons; that the building is equipped with a one source sprinkler system, three 3 ft. 8 in. wide interior iron stairs, enclosed in terra cotta block partitions, equipped with fireproof, self-closing doors, leading directly to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the work carried on throughout the factory portion is for the construction of various hydraulic equipment and is not of too hazardous a nature; that the office partitions are constructed of 4 in. cinder concrete blocks and are entirely separated from the factory area on both floors; that no smoking will be permitted in any other area throughout the plant, except within the confines of the walls of the various offices and the men's toilet and locker room on the cellar floor, as indicated on plans filed with this appeal.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the fire commissioner, dated April 9, 1945 and that the appeal be and it hereby is *granted on condition* that no smoking shall be permitted throughout the building, except in the private offices, which are enclosed in terra cotta partitions on the second floor and the men's toilets and locker room in the cellar, separated from the machine shop by fireproof partitions, and in the ladies' dressing room and offices on the 18th street front of the 1st floor, all as indicated on plans filed with this appeal marked "Received June 13, 1945" (3 sheets), on condition that such signs shall be posted as the fire commissioner shall direct, stating within the spaces where the smoking is hereby permitted; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that the sprinkler system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 710-26-A, except that the building may be subdivided as now proposed as shown on plans marked "Received June 13, 1945" (3 sheets).

319-45-A

APPLICANT—Voges Manufacturing Co., for E. W. Voges, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—103-12 to 103-20 99th street, west side and 103-11 to 103-15 98th street, east side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15, 16, 74, and 75), Ozone Park, Borough of Queens.
APPEARANCES—
For Applicant: J. K. Weickel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (319-45-A)

WHEREAS, Voges Manufacturing Co., for F. W. Voges, owner, filed February 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 103-12 to 103-20 99th street, west side and 103-11 to 103-15 98th street, east side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15, 16, 74 and 75), Ozone Park, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on Misc. App. 1693-45, dated May 8, 1945, reads:

"1. Screens as shown on plans extending beyond building line 6 ft. 4 in. above grade, is contrary to 2.4.1.4.2. Building Code. This section makes no provision for this type of projection.

2. Metal screens as shown are contrary to 272 of the Labor Law."

and

WHEREAS, Order 12817-LF, issued by the Fire Commissioner May 19, 1944, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, within 30 days from the date of this order, to:

1. Arrange iron screens on all windows on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, Violation 142-45 issued by the Borough Superintendent, January 15, 1945, reads:

"Will you please take notice that there exists a violation of Sec. 2.4.1.1 of the Bldg. Code and C26-216.0 Admin. Code on the premises above described, in that Wire Enclosure of windows project beyond building line."

and

WHEREAS, the applicant states that the building is one story (11 ft.) in height, 147 ft. by 50 ft. in area; Class 3 construction; located in an unrestricted use, A area, Class 1 height district; erected in 1943; used and occupied: Cellar, storage of non-combustible material, 3 persons; 1st floor, manufacturing of small airplane engine parts and non-combustible lastic articles, 40 persons; that the building is equipped with one 4 ft. wide steel and concrete stairs, brick enclosed, equipped with kalamein, self-closing doors; and

WHEREAS, the applicant contends that the screens cover windows in shops that are used exclusively for defense; and

WHEREAS, Certificate of Occupancy 31622, permits the

use of the building for non-combustible storage and light manufacturing; and

WHEREAS, the applicant states there are twenty (20) windows affected on the street level and that the area affected has two regular exit doors and two 12 ft. rolling doors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1693-45, and that the appeal be and it hereby is *granted,* as to Objection 2, *on condition* that exits shown to 99th street and 98th street shall be maintained, as well as additional exits to the side yard, as indicated on plan filed with this appeal marked "Received May 11, 1945"; that this action may be deemed by the fire commissioner as basis for rescindment of Order 12817-LF; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 581-44-A, and *denied* as to Obj. 1, on the ground that the Board has no jurisdiction to permit the extension of screens beyond the building line.

342-45-A

APPLICANT—Lama and Proskauer, for Frank J. Quigan, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—58-01 Grand avenue, northwest corner of 58th place (2nd floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and W. Williman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (342-45-A)

WHEREAS, Lama and Proskauer for Frank J. Quigan, Inc., owner, filed June 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 58-01 Grand avenue, northwest corner of 58th place (2nd floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1003-43, dated May 24, 1945, reads:

"1. The omission of a fireproof brick enclosed stairs from new second floor and the installation of a new iron balcony with sliding counterbalanced drop ladder, is contrary to Sec. 266 of the Labor Law."

and

WHEREAS, the applicant states that the building is two stories (21 ft. 4 in.) in height, 220 ft. by 108 ft. in area at 1st floor, 60 ft. by 78 ft. in area at 2nd floor, of class 3 construction, erected in 1922, located in an unrestricted use, C area, class 1½ height district and used and occupied since 1922: cellar-boiler; 1st floor manufacturing of gun clips—150 persons; proposed to be used and occupied: cellar—same; 1st floor—same; 2nd floor—office—30 persons, that the building is equipped with a two source sprinkler system, an interior fire alarm system and that fire drills are maintained; that there are two interior fireproof stairs from the 2nd floor to the street and a ladder and scuttle is provided to the roof; that stairs are 4 ft. 4 in. and 5 ft. 6 in. in width; that no certificate of occupancy has been issued for the building; and

WHEREAS, the applicant contends that the building as existing, is a one story building, occupying the entire area with the exception of a court facing 58th road; that an application has been filed for the construction of an office on the 2nd floor, 60 ft. by 78 ft. in area, at the corner of Rust street and Grand avenue; that this application was approved, but as two means of exit were required, a fireproof stair was shown, leading from the 2nd floor to Rust street on a strip of land, the title of which is clouded; that the owners have tried to clear up this title without success and therefore request is made to omit the fireproof stair and substitute a 4 ft. iron balcony and counterbalanced sliding drop ladder; that in addition, there is one 4 ft. 4 in. fireproof enclosed iron ladder, which leads directly to Grand avenue and also a 5 ft. 6 in. wide fireproof enclosed iron stairs, leading to the 1st floor of the building; that due to the fact that there are two fireproof enclosed stairs leading to the street and into separate fire areas, it is requested that this appeal be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 1003-43, and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that the two enclosed stairways, one leading directly to Grand avenue and one leading to the rear portion of the building which is separated by a fire wall and from which there is access to the street, shall be maintained as exits from the second story, in addition to the proposed balcony and counterbalanced drop ladder to Rust street, all as indicated on plans filed with this appeal marked "Received June 5, 1945"; that fire doors, separating the two areas, shall be maintained as shown thereon; that the building shall not be increased in height or area; that the sprinkler system shall be maintained in accordance with the requirements therefor, other than as modified under Cal. 353-45-A; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

353-45-A

APPLICANT—Lama and Proskauer, for Frank J. Quigan, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—58-01 Grand avenue, northwest corner of 58th place (1st floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and W. Williman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (353-45-A)

WHEREAS, Lama and Proskauer, for Frank J. Quigan, Inc., owner, filed June 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 58-01 Grand avenue, northwest corner of 58th place (1st floor); (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. 1587-45, dated May 23, 1945, reads:

"2. Provide two 8 in. sources of supply for sprinkler. Art. 15-21.

3. Show full compliance with Art. 15.21 as to all pipe sizes throughout system, many of which are shown overloaded."

and

WHEREAS, the applicant states that the building is two stories (21 ft. 4 in.) in height, 220 ft. by 108 ft. in area, at 1st floor, 60 ft. by 78 ft. in area at 2nd floor, of Class 3 construction, erected in 1922, located in an unrestricted use, C area, Class 1½ height district and used and occupied since 1922: cellar-boiler, 1st floor, manufacturing of gun clips, 150 persons; proposed to be used and occupied: cellar, same, 1st floor, same; 2nd floor, office, 30 persons; that the building is equipped with a two source sprinkler system, an interior fire alarm system and that fire drills are main-

tained; that there are two interior fireproof stairs from the 2nd floor to the street and a ladder and scuttle is provided to the roof; that stairs are 4 ft. 4 in. and 5 ft. 6 in. in width and that no certificate of occupancy has been issued for the building; and

WHEREAS, the applicant contends that this appeal is for permission to use two 6 in. sources of supply for sprinklers and to approve the layout filed with this appeal and as filed with the Department of Housing and Buildings, showing the pipe sizes throughout the system; that the blind space above the ceiling should be considered an entirely separate area, because of its construction; that the main joists of the blind space are laid level and floored over with 1 in. planking with tight joints and no openings; that this construction is identical with other buildings of several stores having only single thickness flooring and open joists and such are accepted as separate areas; that the roof of this building is of built-up construction above this planking, creating an inaccessible air space varying from about 18 in. to 30 in. over the entire ceiling; that this space is too small for a workman to work in; the the sprinklers in this space are fed from the piping below; that consideration has been given to sizing this piping to adequately handle both areas; that one set of sprinkler lines and mains is used to feed both the ceiling and blind spaces above, which arrangements are acceptable to the New York Fire Insurance Exchange and also to the borough superintendent under C26-1355.0, a.g.; that the piping sizes are more than large enough to supply all the sprinklers in either area separately; that permission is also requested to extend the existing two source sprinkler system in the new building, which is a separate fire area for the following reasons: that the existing system is supplied by two 6 in. connections to the water mains in two separate streets; that the water mains in these streets are fed two ways, assuring an adequate volume of water; that the pressure of approximately 45 lbs. will provide an ample supply of water in case of fire; that the existing building is one story in height and the pressure exerted over the entire system and the volume of water available to the system are much greater than that usually found in most sprinklered areas; that the new building area requires an 8 in. supply to feed approximately 400 sprinklers in each area; that by cross-connection of the two 6 in. mains into an 8 in. supply, this new area will be supplied with more than adequate volume and pressure for the operation of the sprinkler system; that by dividing the new system of 400 sprinklers into two separate systems, each supplied by a 6 in. feed main with separate alarm and control valves, a positive, automatic sprinkler system is assured; that the installation as planned, is a practical and logical method for conditions such as are met in this building, and such system as supplied is also acceptable to New York Fire Insurance Exchange; it is therefore requested that the extension of the sprinkler system be accepted as a two source system.

Resolved, that the decision of the borough superintendent on Misc. Application 1587-45, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two 6 inch sources of supply shall be maintained as proposed and that the sprinkler system shall be classified as a one source system; as to Objection 3, that the appeal be and it hereby is *denied.*

330-20-A

APPLICANT—Irving Cyruli, for Bessie De Veer, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the superintendent of buildings (previously granted on condition).

PREMISES AFFECTED—103-15 96th street (formerly Van Wicklin place) east side, 100 ft. south of 103rd avenue (Block 399, Lot 62), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Irving Cyruli and Bessie De Veer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (330-20-A)

WHEREAS, this appeal from a decision of superintendent of buildings, affecting premises 103-15 96th street (formerly Van Wicklen place), east side, 100 ft. south of 103rd avenue (Block 399, Lot 62), Ozone Park, Borough of Queens, was granted by the Board on June 1, 1920, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, acting on Alt. Applic. 649-45, dated May 17, 1945, which reads:

"1. The extension of the sanitorium use into the first floor, is contrary to the decision of the Board of Standards and Appeals under Cal. 330-20-A.

2. The increase in the number of patients from 12 to 17, is also contrary to the decision abovementioned."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 1, 1920 by adding thereto:

"that in the event the owner desires to occupy the first floor also as a nursing home, such use may be permitted, provided the building is not increased in height or area; that the number of beds and the 2nd floor shall not exceed ten (10) and the number of beds on the 1st floor shall not exceed eleven (11); that the nursing home shall comply with the requirements of the Department of Hospitals therefor; that such additional toilet facilities on the first floor shall be installed as that department shall require; that the cellar ceiling throughout shall be fire retarded; that the door leading to the cellar shall be made self-closing and tight-fitting; that a sprinkler system shall be installed and maintained within the stair hall and corridors leading thereto on the 1st and 2nd stories and including the kitchen on the first story; that the building shall not be extended in height or area."

710-26-A

APPLICANT—Henry George Greene, for 454 Eighteenth Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—appeal from an order of the fire commissioner.

PREMISES AFFECTED—445-455 19th street, north side, 200 ft. east of 8th avenue (Block 882, Lot 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Thomas A. Larkin Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (710-26-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 445-455 19th street, north side, 200 ft. east of 8th avenue (Block 882, Lot 17), Borough of Brooklyn, was granted by the Board on November 30, 1926, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 30, 1926, by adding thereto:

. ."* * * that in the event the portion of the building as was submitted is not constructed, the building is constructed as indicated on plans filed with this appeal, No. 276-45-A, that the terms of this resolution adopted November 30, 1926, may still permit the omission of the standpipe, provided such conditions as are set forth under Cal. 276-45-A as shown on plans filed therewith marked "Received June 13, 1945" (3 sheets), are substantially maintained and the building is not increased in height or area and the sprinkler system is maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner."

337-44-A

APPLICANT—Herbert L. Carpenter, Executor, Estate of Alena F. Carpenter, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—1239-1243 Fulton street, north side, 340 ft. east of Bedford avenue (Block 1842, Lot 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herbert L. Carpenter and Eric A. Holmgren.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative: Commissioner Savage..... 1

THE RESOLUTION (337-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1239-1243 Fulton street, north side, 340 ft. east of Bedford avenue (Block 1842, Lot 50), Borough of Brooklyn, was granted by the Board on June 27, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent on Alt. Applic. 665-44, dated May 16, 1945, which reads:

"16. The second floor and mezzanine construction should be of sufficient strength to sustain a liveload of 120 lbs. per sq. ft., as required by Sec. 7.3.2.3 of the Building Code and the resolution of the Board of Standards and Appeals, requiring full compliance with the law in all respects, except exits. The construction is weak.

17. The occupancy of "light storage" (furniture material) "no persons" specified in the resolution of the Board of Standards and Appeals, cannot be changed to office, without the consent of the Board.

18. A second means of exit with direct egress to a street should be provided for the large store of first floor."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 27, 1944, by adding thereto:

"that the further objections of the borough superintendent are hereby *modified* as follows: as to objection 16, that the floor load of the second floor shall be maintained to a capacity of not less than 80 lbs. per superficial foot; that the manufacturing work carried on therein shall be solely for the upholstering and repairing of furniture with no heavy machinery or heavy storage; as to objection 17, that the space on the mezzanine, where formerly proposed to be occupied for light storage with no human occupancy, may be used for office occupancy with not more than three (3) persons; as to objection 18, that the rear exit from the first floor store as indicated on plans filed with this appeal marked "Received June 7, 1944" may be accepted as a second means of exit from such first floor store."

712-44-A

APPLICANT—F. W. Voges, for The Voges Manufacturing Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—103-12 to 103-22 99th street, west side, 100 ft. south of 103rd avenue (Block 9121, Lots 11, 15 and 16), (Buildings No. 2 and 3); Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: J. K. Weickel.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn in view of action under Cal. 319-45-A.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

147-45-A

APPLICANT—Henry George Greene, for 454 18th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—454-468 18th street, south side, 200 ft. east of 8th avenue and 443-455 19th street (Block 882, Lot 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn in view of amendment to resolution adopted under Cal. 710-26-A.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

180-45-A

APPLICANT—Tobias Goldstone, for Sherwill Holding Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1283-1285 Coney Island avenue, east side, 260 ft. south of Avenue I (Block 6704, Lot 74), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and Joseph Sherman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

181-45-A

APPLICANT—Robert Teichman, for City Bank Farmers Trust Co., trustees of Henry Bergh, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

MINUTES

PREMISES AFFECTED—429 5th avenue, east side, 60 ft. 11 in. north of East 38th street (cellar); (Block 868, Lot 4), Borough of Manhattan.
APPEARANCES—
For Applicant: Robert Teichman, S. P. Loughnan and Manuel Radies.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn for re-submission to the Fire Commissioner in view of proposed changes.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

194-45-A
APPLICANT—Edmund T. See, for Brooklyn Trust Co., as certified trustee.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—92-32 Union Hall street and 160-37 Archer avenue, northwest corner (1st floor); (Block 10101, Lot 27), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Edmund T. See.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

279-45-A
APPLICANT—Rudolph Ludwig, for Samuel Rice, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn.
APPEARANCES—
For Applicant: Rudolph Ludwig.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

308-45-A
APPLICANT—Henrietta Scarpato, for Henrietta Scarpato and Natale Scarpato, owners of proposed building and lessee of land; Rockaway Point Operating Co., owner of land.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—34 Clinton Walk, east side, 360 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens, (Under section 36, General City Law re frontage on mapped street—Clinton Walk).
APPEARANCES—
For Applicant: Henrietta Scarpato and Natale Scarpato.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn after discussion.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

298-39-A
APPLICANT—C. H. Simmons, Jr., for The Corporation of the Brick Presbyterian Church in the City of New York, owner.
SUBJECT—Application reopened April 17, 1945—re Appeal from an order and a decision of fire commissioner and a decision of the borough superintendent.
PREMISES AFFECTED—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan.
APPEARANCES—
For Applicant: C. H. Simmons, Jr. and Curtis Grove.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to July 3, 1945 at 2 P. M., for further consideration.

90-45-A
APPLICANT—Lama and Proskauer, for William Stake, owner (John Plump, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P. M., for an inspection by a committee of the Board and for decision without further discussion.

140-45-A
APPLICANT—Charles A. Duncker, for Ethel Selznick, owner (Max Selznick, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.
APPEARANCES—
For Applicant: Charles A. Duncker.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P. M., for an inspection by a committee of the Board.

163-45-A
APPLICANT—Kalvid Realty Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.
APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 3, 1945 at 2 P. M. on request of applicant's representative.

172-45-A
APPLICANT—Samuel Rosenblum, for Shelton Holding Corp., owner.
SUBJECT—Appeal from a decision re orders of the fire commissioner.

MINUTES

PREMISES AFFECTED—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to June 26, 1945 at 2 P. M., for further consideration.

196-45-A

APPLICANT—Richard Shutkind, for Albert J. Akin and Mildred A. Lynes, owners (Isidore Fine, lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.
APPEARANCES—
For Applicant: Richard Shutkind.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P. M., for an inspection by a committee of the Board and for decision without further discussion.

321-45-A

APPLICANT—A. H. Salkowitz, for Hygrade Iron Works, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—95 Lombardy street, northeast corner of Vandervoort avenue (Block 2819, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. H. Salkowitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to June 26, 1945 at 2 P. M., for applicant to file revised plans.

337-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—Block bounded East Houston street, to East 6th street, between Avenue D and East River drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: John P. Riley, G. L. Freeman, William A. Hopfberg, W. Buergen, G. G. Gruelich, J. J. Fennelly and B. L. Wood.
For Administration: Edward P. Leonard, Supt., and Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the Board. Applicant to be notified of date to be set.

338-45-A

APPLICANT—New Your City Housing Authority, owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—Block bounded by: East 132nd street to East 135th street, between Park and 5th avenues (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.
APPEARANCES—
For Applicant: W. W. Vladeck, T. S. Lowenfeld, Dean G. Edwards, F. Rizack, R. J. McIntosh, C. P. Gulschweiler, B. S. Wood and R. S. Parker.
For Administration: Edward P. Leonard, Supt., and Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the Board. Applicant to be notified of date to be set.

ZONING APPLICATIONS

858-19-BZ

APPLICANT—Lama and Proskauer, for Ruth B. Klee, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the alteration and conversion of part of a garage for more than five motor vehicles (previously granted by the Board), so as to include a gasoline service station, lubritorium and auto laundry.
PREMISES AFFECTED—1520-1528A Fulton street, south side, 320 ft. west of Albany avenue (Block 1864, Lot 14), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (858-19-BZ)

WHEREAS, this application under section 7g of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1520-1528A Fulton street, south side, 320 ft. west of Albany avenue (Block 1864, Lot 14), Borough of Brooklyn, was granted by the Board on March 2, 1920, on certain conditions; and

WHEREAS, on May 27, 1941, the resolution was amended, permitting the inclusion of a gasoline service station, lubritorium and auto laundry; and

WHEREAS, on April 17, 1942, June 8, 1943 and June 6, 1944, was extended to obtain permits and complete the work; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 2, 1920, as amended through June 6, 1944, only in so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained, all work shall be completed within one (1) year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolutions of March 2, 1920 and May 27, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

309-28-BZ

APPLICANT—Richard Shutkind, for Shell Oil Company, Inc., owner.
SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

MINUTES

PREMISES AFFECTED—2323-2331 Flatbush avenue and 2370-2384 Utica avenue, northeast corner (Block 8310, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Richard Shutkind.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (309-28-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 2323-2331 Flatbush avenue and 2370-2384 Utica avenue, northeast corner (Block 8510, Lot 1), Borough of Brooklyn, was granted by the Board on October 23, 1928, on certain conditions; and

WHEREAS, the resolution was amended on December 4, 1928, time extended June 25, 1929, resolution further amended on October 1, 1929, September 29, 1936 and June 15, 1943 and time further extended on June 20, 1944; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 23, 1928, as amended through June 20, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolutions of October 23, 1928, December 4, 1928, October 1, 1929, September 29, 1936 and June 15, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

315-41-BZ

APPLICANT—Anna Rabe, owner (Rabe Bros., lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, the maintenance of a garage for three (3) commercial motor vehicles.

PREMISES AFFECTED—164-44 75th road, south side, 96 ft. 7 in. west of 166th street (Block 6967, Lot 43), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Walter Rabe.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (315-41-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a residence use district, the maintenance of a garage for three commercial motor vehicles, affecting premises 164-44 75th road, south side, 96 ft. 7 in. west of 166th street (Block 6967. Lot 43), Flushing, Borough of Queens, was granted by the Board on July 1, 1941, on certain conditions; and

WHEREAS, the permit was extended on July 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 1, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"Granted under section 7e for a term of two (2) years from the date of this *amended* resolution, to permit the building as proposed to be extended and occupied as proposed, *on condition* that the building shall not be increased in height or area and that during the term of the permit, the lot shall be occupied for no other use other than as herein stated, for the storage of not over three (3) commercial moving vans and light trucks; that no gasoline shall be stored on the premises other than in the tanks of the cars; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto (Alt. Applic. 497-41)."

271-43-BZ

APPLICANT—Lama and Proskauer, for Schrier Trading Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7f, permitting in a business use district, for a temporary term of two years, the reconstruction and alteration of existing garages (five individual garages).

PREMISES AFFECTED—11-17 (7-17 displayed) Schenectady avenue and 617-627 Herkimer street, northeast corner (Block 1701, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (271-43-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, to permit in a business use district, the maintenance of more than five individual garages, affecting premises 11-17 (1-17 displayed) Schenectady avenue and 617-627 Herkimer street, northeast corner (Block 1701, Lot 1), Borough of Brooklyn, was placed on the reserve calendar on April 4, 1944 and action on zoning deferred on May 23, 1944, but a resolution was adopted, revoking plans, permits and certificate of occupancy; and

WHEREAS, on March 13, 1945, the application was reopened by vote of the Board and granted on certain conditions, under section 7f of the zoning resolution, for a term of ten (10) years; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of May 23, 1944, as amended March 13, 1945, so that the resolution shall read:

"Granted under section 7f, to permit the reconstruction and alteration of existing garages as indicated on revised plans marked "Received March 5, 1945" *on condition* that all open space not covered by the single car garages shall be paved with concrete or with rolled asphalt over a bed of cinders; that existing curb cuts from Herkimer street and Schenectady avenue shall not be increased; that no signs advertising the garage use shall be displayed; that no parking of cars shall be permitted, other than the parking and storage within the garages themselves; that this variance is for a term of ten (10) years from March 13, 1945; that all permits shall be obtained and all work completed within six (6) months from the date of this *amended* resolution."

MINUTES

323-45-BZ

APPLICANT—Rudolph Ludwig, for Samuel Rice, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district the erection of a multiple dwelling, the area of which will exceed 60% permitted by the Zoning Resolution.
PREMISES AFFECTED—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn.
APPEARANCES—
For Applicant: Rudolph Ludwig.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

665-42-SA

APPLICANT—Siph-O-Products Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment—re Approval of Siph-O-Universal Faucet Adapter. (previously approved on condition).
APPEARANCES—
For Applicant: Pelton G. Preuss.
ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee of Tests, for test and report.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 5:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY MORNING, JUNE 20, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, June 12, 1945, and Tuesday afternoon, June 12, 1945, were approved as printed in Bulletin No. 25, Volume 30.

ZONING APPLICATIONS

297-39-BZ

APPLICANT—Ervin Palmer, for Wilson & Company, owner (H. Chazen, Inc., lessee).
SUBJECT—Application reopened February 15, 1944 (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises.
PREMISES AFFECTED—838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.
APPEARANCES—
For Applicant: Ervin Palmer.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M., to permit required notices to be sent affected property owners.

546-44-BZ

APPLICANT—Lama and Proskauer, for Ida Siegal, owner.
SUBJECT—Application (decision of the borough superintendent), under section 7c of the zoning resolution, to permit in a business use district the erection of an extension to an office building, of an existing gasoline service station, extension to be used as a car laundry and to house grease lift.
PREMISES AFFECTED—822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 10, 1945, at 10 A.M., at request of applicant and for further consideration by the Board.

575-44-BZ

APPLICANT—Martyn N. Weinstein, for Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, leasee, d/b/a Cardinal Engineering Co.).
SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years.
PREMISES AFFECTED—729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: Martyn N. Weinstein.
For Opposition: Frank Beltiam.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.
ACTION OF BOARD—Laid over to June 26, 1945 at 10 A.M., at request of objector's representative.

43-45-BZ

APPLICANT—Bay Ridge Savings Bank, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use, C area district, the extension in area of a bank building to cover entire lot and omitting rear yard.
PREMISES AFFECTED—4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Robert L. Callahan.
For Opposition: I. Hartman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 3, 1945 at 10 A.M., at request of applicant's representative.

91-45-BZ

APPLICANT—Lama and Proskauer, for Frank Broz, owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building.

MINUTES

PREMISES AFFECTED—61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 26, Lots 42 and 45), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Alfred Lama and Frank Broz.
For Opposition: S. Baxter.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M., for applicant to submit revised plans.

132-45-BZ

APPLICANT—Kitzler & Nurick, for Beatrice Finkelstein, owner (Max Finkelstein, lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the enclosure of an existing gasoline service station as part of a new building to be occupied for a conforming use.

PREMISES AFFECTED—30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 to 26), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Henry J. Nurick.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to June 26, 1945 at 10 A.M., for further consideration.

210-45-BZ

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area.

PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

APPEARANCES—
For Applicant: Joel Marder, John Downey, and Harold Webb.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M., for decision by Board without further hearing.

459-44-BZ

APPLICANT—Arnold W. Lederer, for Mary L. Richardson, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use C area district, the manufacturing in excess of the permitted area.

PREMISES AFFECTED—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

APPEARANCES—
For Applicant: Arnold Lederer and Mary L. Richardson.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (459-44-BZ)

WHEREAS, Arnold W. Lederer, for Mary L. Richardson, owner, filed July 21, 1944, an application under section 7c of the zoning resolution, to permit in a business use, D area district, manufacturing in excess of the permitted area, affecting premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Bath avenue is in a business use, D area and class 1 height district; 18th avenue is in a business and residence use, D area and class 1 height district and Bay 17th street is in a residence and business use, D area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated July 12, 1944, on Alt. Applic. 1835-44, reads:

"2. Area proposed to be used for manufacturing exceeds the allowable limits in a business use district as per Art. II, Sec. 4c, of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 39-2/3 ft. frontage by 80 ft. in depth, on which is located a three story class 3 constructed building, 39 ft. 8 in. by 80 ft. in area, occupied: cellar—boiler room and storage; 1st floor—mattress factory; 2nd floor—dress factory; 3rd floor—two families; it is proposed to occupy the 1st and 2nd floors for 100% factory occupancy; and

WHEREAS, the applicant contends that the building was erected in 1919 as a furniture store on cellar, 1st and 2nd floors and with two families above; that the owner of the building conducted his business therein and the applicant eventually took the property over and due to the character of the layout, rented it for factory purposes, not realizing the seriousness of the change of occupancy; that the manufacturing uses are distributed between the 1st and 2nd floors only; that the first floor is occupied by a mattress factory and the second floor by a dress shop; that inasmuch as both floors are used for manufacturing, it would be difficult to limit one of the floors to 25% manufacturing; it is therefore respectfully requested that manufacturing be permitted on both floors; that 2000 sq. ft. are occupied for manufacturing on the 1st floor at the present time and 2400 sq. ft. on the 2nd floor for manufacturing; that the total area permitted is 3200 sq. ft. for manufacturing on this lot and that this application is predicated under section 7c of the zoning resolution; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the manufacturing use to be extended to include the second floor of the building, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 460-44-A; that the sprinkler system, required by the order of the fire commissioner, shall be promptly installed; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

576-44-BZ

APPLICANT—Anthony M. De Rose, for Amrul Corporation, owner.

MINUTES

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting room, confirmation and wedding parties).

PREMISES AFFECTED—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony De Rose, Joseph Gemanhi and Max Freyer.

For Opposition: Isidore Zeff.

For Administration: Fred. Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (576-44-BZ)

WHEREAS, Anthony M. DeRose, for Amrul Corporation, owner, filed October 11, 1944, an application under section 21 of the zoning resolution, to permit in a residence use district, the change of occupancy of a club house to a place of public assembly (meeting rooms, confirmations and wedding parties), affecting premises 2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals; at its regular meeting, June 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Grand Concourse and Bush street is in a residence use, B area and Class 1½ height district and East Burnside avenue is partly in a residence use and partly in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated September 11, 1944, re Alt. Applic. 439-44, reads:

"1. No building in a residence district may be used for business. Section 3, subdivision 2 zoning law."

and

WHEREAS, the applicant states the premises consist of a plot, 36.77 ft. frontage by 98.2 ft. in depth, on which is located a 3 story, 40 ft. high, Class 3 constructed building, 25 ft. by 50 ft. in area; that Certificate of Occupancy 270, issued October 25, 1937, permits the occupancy as follows: basement, private laundry for adjoining hospital; upper floors, club rooms and that it is proposed to occupy the building for meeting rooms, confirmations and weddings; and

WHEREAS, the applicant contends that the building is three stories in height of brick non-fireproof construction and is located in a residence use district; that in 1925, the building was converted into a club house and this occupancy existed for about nine years; that in 1934, the property was purchased by the present owners, and used as a club house for members of the medical profession, without changing its design or arrangement from the previous occupancy; that this occupancy continued until sometime in 1936, when it had to be discontinued, because of adverse economic reasons; that it was then leased by the owners to the present occupant for the use of meetings, parties, weddings, confirmations, etc.; that this use has continued uninterrupted to present date, and for the said use, it was not necessary to change the design or arrangement of the building from that existing when used as a club house by the James F. Brown Association or by members of the medical profession; that the exterior design of the building has never been altered or changed from its original use as a single family residence, during the aforesaid changes in occupancy; that as a single family house, its marketability is affected by traffic conditions, density of area and the numerous multiple family buildings in the neighborhood; that there is no market for this building as a club house within the meaning of Section 3(2) of the zoning resolution; that actually there is not any difference in use from when it was used as a club house, except that presently, the use is conducted as a business and as a club it is assumed to be operated for the benefit of its members; that this non-residential use is not a hazard or a nuisance, and therefore does not adversely effect the desirability of the surrounding property for residential use; that this is in reality, a community building, which by present day planners, is essential in a residential area, and also regarded as a harmonious use; that it is obvious that the present use is regarded as the highest and best use for this property, as the same is assessed for tax purposes for $43,000; that the present use is essential in this community, as it suits the social habits of the people who live in the area; that within the affected area, non-conforming uses now prevail, that were granted by the Board, viz; northwest and the southwest corners of the Grand Concourse and East Burnside avenue; that the presence of the hospital would prevent the use of these premises for residence use; that the occupancy stated in this application is the occupancy now in the building and for which this application is made requesting a variation and that the legal occupancy is that given in Certificate of Occupancy 270; and

WHEREAS, the applicant amended the basis of his application to section 7 subdivision e; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the Committee recommended that the application be denied; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 439-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

95-45-BZ

APPLICANT—Lama and Proskauer, for Marie Atherton, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use C area district, the alteration and extension of an existing garage for more than five motor vehicles and gasoline service station, the buildings, as extended, being in excess of the area permitted by the zoning resolution.

PREMISES AFFECTED—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: None.

For Administration: Fred. Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (95-45-BZ)

WHEREAS, Lama and Proskauer, for Marie Atherton, owner, filed February 23, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a business use, C area district, the alteration and extension of an existing garage for more than five motor vehicles and a gasoline service station, the building, as extended, occupying in excess of the area permitted by the zoning resolution, affecting premises 87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing June 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Lefferts boulevard and 118th street are in a business use, C area and Class 1½ height district; Jamaica avenue and Myrtle avenue are in a business use, C area, Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated February 20, 1945, re Alt. Applic. 74-45, reads:

"1. The alteration and extension of a public garage, gasoline service station, lubritorium and repair shop in a business district, is contrary to Art. II, Sec. 4 of the zoning resolution.

2. The area of occupancy in a C area district in excess of 60% of the plot, is contrary to Article IV, Sec. 13 of zoning resolution."

and

WHEREAS, a further decision of the borough superintendent, dated May 31, 1945, superseding the decision of the borough superintendent, dated February 20, 1945, reads:

"1. The alteration and extension of a public garage which includes the five car garage now on premises, gasoline service station, lubritorium, auto laundry and repair shop in a business district, is contrary to Art. II, sec. 4 of the Zoning Resolution and the ruling of the Board of Standards and Appeals per Cal. 482-37-BZ.

2. The area of occupancy in a C area district in excess of 60% of the plot, is contrary to Art. 4, sec. 13 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 160 ft. frontage by 93 ft. in depth, on which is located two garages for more than five motor vehicles, each with a frontage of 40 ft. and a depth of 93 ft., a one story five car metal garage, 40 ft. by 40 ft. and a one story concrete block building occupied as a repair shop, and a grease lift, tanks and pumps of a gasoline service station; that it is proposed to demolish the buildings and erect a one and two story building, occupying the entire plot, with the exception of the gasoline station at the front, 30 ft. deep by 108 ft. long and that the office portion of building two stories in height, and the second floor are to be used as store room and office; and

WHEREAS, the applicant contends that on December 2, 1944, the regulations relating to height and area were amended by the City Planning Commission; that inasmuch as the use is existing and the reconstruction of this building would improve the general character of this neighborhood, it is respectfully requested that this application be granted; and

WHEREAS, the plot has an area of 14,896 sq. ft.; the building as proposed has an area of 11,656 sq. ft. or 78.3% of area of lot instead of 60%, but with the allowance for starting of rear yard above the first story, would be 9,151 sq. ft.; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under sections 7c and 7i of the zoning resolution, and that the applicant had substantiated a basis of appeal under section 21 thereof and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, inasmuch as the proposed building is not only a preferable condition, but will cover substantially the same total area as existing buildings of similar use.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution and that the application be and it hereby is *granted* under sections 7c, 7i and 21 thereof, as to objections 1 and 2 of Alt. Applic. 74-45, to permit the building as proposed to cover the area shown on plans filed with this application marked "Received February 23, 1945", replacing existing buildings of substantially similar area, *on condition* that the building shall not exceed one story in height, as proposed, except for a small second story located in the central section for offices, as indicated; that the building shall be of Class 3 construction throughout, with face brick on the portions facing Lefferts boulevard and returning on the side lines for a distance of at least thirty (30) feet; that no windows shall be erected on the side lot lines; that any openings on the rear lot line, shall be filled with glass block approved for exterior walls without openings therein; that any skylights erected shall not be nearer than fifteen (15) feet from the rear lot line; that the space to be left unbuilt upon, shall be cement paved; that a new cement sidewalk and curbing shall be constructed; that all existing curb cuts shall be removed and no new curb cuts constructed, except two as shown, each 40 ft. in width and not nearer than 20 feet to either side lot line; that the gasoline dispensing pumps shall be erected not nearer than 10 feet to the street building line; that the number of gasoline storage tanks shall not exceed six, not over 550 gallons each; that the motor vehicle repairing proposed shall be confined to the alcove at the front, toward the north for brake testing, wheel lining and minor repairs and to a space at the southwest corner, of a size not exceeding 400 sq. ft., sufficient to accommodate two cars under repair; that all such repairs within the building shall be by means of hand tools; that no anvil or forge shall be maintained or any heavy body or collision work done on the premises; that any signs on the building shall be restricted to permanent signs flat against the building at the points indicated on plans; that no roof sign shall be erected, and not over one bracket sign, advertising the brand of gasoline sold, in addition to the illuminated globes of the gasoline pumps; that such bracket sign shall not extend more than five feet beyond the building line; that such sign may be illuminated; that the windows, opening in the front wall of the lubritorium into the brake testing alcoves, shall be filled with glass block approved for exterior walls; that the boilerroom shall be of fireproof construction, enterable only from the exterior and used only as a boilerroom and no storage maintained therein; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

236-45-BZ

APPLICANT—Goldwater & Flynn, for B. P. Hotel Company, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit occupancy of a concert hall in a hotel located partly in a business, partly in a retail and partly in a residence use district, for commercial broadcasting and theatrical purposes, the concert hall being located in the residence use portion of the building.

PREMISES AFFECTED—1421-1429 6th avenue and 101-107 West 58th street, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan.

APPEARANCES—

For Applicant: M. Goldwater, S. Rosenblum, L. Luier, A. Salkin and E. Turnheim.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (236-45-BZ)

WHEREAS, Goldwater and Flynn, for B. P. Hotel Company, Inc. owner, filed April 21, 1945, an application under section 7c of the zoning resolution, to permit occupancy of

a concert hall in an hotel located partly in a business, partly in a retail and partly in a residence use district, for commercial broadcasting and theatrical purposes the concert hall being located in the residence use portion of the building; affecting premises: 1421-1429 6th avenue, 101-107 West 58th strect, northwest corner and 106 Central Park South (Block 1011, Lot 29), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Central Park South is in a residence use, B area and Class 2 height district; West 58th street is in a business and retail use, B area and Class 2 height district; Fifth avenue is in a retail, restricted retail and residence use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated March 28, 1945, re Alt. Applic. 423-45 reads:

"3. Proposed use of concert hall for business purposes is contrary to Article II, Section 3, Zoning Resolution, as concert hall is in a residence district."

and

WHEREAS, the applicant states the premises consist of a plot 125 ft. frontage by 200.10 feet in depth, on which is located a 39 story (410 ft.) in height, Class 1 constructed, hotel 125 ft. by 200 ft. 10 in., irregular in area with a concert hall on the 2nd floor mezzanine and that it is proposed to use this concert hall for commercial broadcasting and theatrical purposes; and

WHEREAS, the applicant contends that the entire building was erected under N.B. Applic. 631-28 for a hotel and is known as the Barbizon Plaza; that at time of erection, it was intended to use this building as an art center and to cater to such a clientele; that for the past decade or so, it served as a center for many groups of artists and clubrooms were provided for that purpose; that as part of accessory use of the hotel, a concert hall was provided for recitals, musicals and a type of inconspicuous entertainment suitable for this type of occupancy; that while the concert hall, which connects directly with the lobby, is situated on the 2nd floor in the rear, there are no advertisements or displays from the Central Park South elevation to indicate this; that the concert hall is not reached from the 59th street portion; that an emergency egress to comply with the Building Code, is located at this point; that the entrance to the concert hall is through the West 58th street lobby, which is located in a business and retail district; that subsequent to the development of radio, this concert hall has been used for broadcasting, admission by ticket only to invited guests; that no price is charged; that this concert hall is not in constant use; that the nature of the entertainment is such as given by private schools or clubs, a graduation ceremony or the like; that the nature of the occupancy is not detrimental to the surrounding property; that the building itself is fireproof and Certificate of Occupancy 18131-32, for the use of the various floors, states that the 2nd floor mezzanine may be used for clubrooms and a concert hall; that no structural changes are proposed; that because of the fact that for some of these entertainments tickets are sold, the use comes under the classification of a business use; however, in view of the general nature and type of such use, it should not be considered other than as accessory to the hotel; that the owner does not intend nor wish to compete with the usual theatrical performances, but desires to conduct these musicals and recitals and occasional broadcasts under such conditions as will safeguard the residential district in the rear; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the business use into the residential area as proposed, *on condition* that such business use shall be restricted to the business use as herein proposed and shall be maintained at all times, as proposed; that no evidence of business use shall appear on the facade of the building on West 59th street; that the exit to West 59th street shall be maintained as stated, for exit purposes only; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPEALS FROM ADMINISTRATIVE DECISIONS

450-44-A

APPLICANT—Arnold W. Lederer, for Mary L. Richardson, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer and Mary L. Richardson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (460-44-A)

WHEREAS, Arnold W. Lederer, for Mary L. Richardson, owner, filed on July 21, 1944, an appeal from a decision of the borough superintendent, affecting premises 1749-1751 (1751-1753 displayed) Bath avenue and 169 Bay 17th street, northeast corner (Block 6402, Lot 9), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 12, 1944, on Alt. Applic. 1835-44, reads:

"1. Provide two means of egress from each floor complying with Sec. 270 of the Labor Law. Note: Building was erected under permit N.B. 4873-19."

and

WHEREAS, the applicant states the building is 3 stories (36 ft.) in height; 39 ft. 8 in. by 80 ft. in area at 1st floor; 39 ft. 8 in. by 72 ft. in area at typical floor; of Class 3 construction; erected 1919; located in a business use, C area and Class 1 height district, and used and occupied since 1934 as follows: cellar, boiler room and blower room, 2 persons; 1st floor, mattress factory, 8 persons; 2nd floor, dress factory, 50 persons; 3rd floor, dwelling, 2 families; that the building is equipped with an approved interior fire alarm system; that there are two interior wood stairs, enclosed in partitions of plaster board and metal, equipped with kalamein self-closing doors and extending directly to the street: One stairway is 3 ft. 8 in. in width and the other 4 ft. in width; that a ladder and scuttle is provided to the roof; that the building is also equipped with one fire escape on the west side, extending to the roof by a ladder and to the street by a sliding drop ladder; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, Order 9564-LF, issued by the fire commissioner September 16, 1942, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire, satisfactory to the fire commissioner. C19-161.0 Administrative Code."

and

WHEREAS, the applicant states that when the building was erected, it was arranged for occupancy as follows: cellar, storage; 1st and 2nd floors, furniture store; 3rd floor, two families; that egress consists of wood stairs, enclosed in metal covered partitions; that one of these stairways leads to the third floor from whence a ladder and scuttle will be

provided to the roof; that there is also a multiple dwelling fire escape for the 2nd and 3rd floors; that all screens and bars on the windows will be removed; that fire alarm system is provided on the 1st and 2nd floors; that a sprinkler system will be installed in compliance with the order of the fire commissioner; that it is proposed to provide a counterbalanced stairway, 22 in. wide from the existing fire escape and a two ft. wide fireproof door to the same, to comply with the Labor Law; that it is proposed to provide a double rung ladder to a scuttle in the roof from the northerly stairway, provide exit signs and lights and install adequate guards against large show windows to prevent breakage, at least 3 ft. high and enclose the interior cellar stairs with fireproof construction; that new building records on file indicate 120 lb. live load for both floors; that in view of the limited occupancy it is requested this appeal be granted; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1835-44 and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the means of exit shall be maintained as proposed and shown on plans filed under Cal. 459-44-BZ, marked "Received October 31, 1944"; that the stairway enclosures shall comply with the requirements therefor, with partitions as approved for one-hour test; that an additional means of exit from the cellar shall be provided as may be approved by the borough superintendent; that the third floor, unless continued for residential occupancy for two families, shall be left vacant; that a ladder and scuttle to the roof shall be provided as proposed; that the sprinkler system, required by order 9564-LF of the fire commissioner, shall be properly installed; that there shall be no burning of refuse within the building or on adjacent premises; that refuse shall be promptly removed from the premises and not stored in the cellar; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 459-44-BZ.

475-44-A

APPLICANT—Leo H. Schoen, for Reliable Remover and Lacquer Corporation, owner.

SUBJECT—Application reopened and restored to calendar March 20, 1945—re appeal from an order of the fire commissioner re Packaging of Inflammable mixture known as "Reliable Paint, Varnish and Lacquer Remover" in 8 oz., 16 oz., 32 oz. and 128 oz. glass containers (previously withdrawn).

PREMISES AFFECTED—42-56 Crescent street, west side, 84 ft. north of 43rd avenue (1st floor, rear building); (Block 429, Lot 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Leo H. Schoen.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

Negative: Commissioner Savage 1

THE RESOLUTION (475-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 42-56 Crescent street, west side, 84 ft. north of 43rd avenue (1st floor, rear building); (Block 429, Lot 31), Long Island City, Borough of Queens, was withdrawn on February 14, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, Order 97410-C, issued by the fire commissioner July 12, 1944, reads:

1. "You are hereby notified that Fire Department Permit #B-213069, expiring July 25, 1945, and authorizing the manufacture of inflammable mixtures is revoked until the following is done.

2. Discontinue packaging of inflammable mixtures in glass containers greater than 4 ounce capacity. C19-59.0-c, Admin. Code."

and

WHEREAS, the applicant states that the rear building in question is one story (20 ft.) in height, 25 ft. by 50 ft. in area; Class 4 construction; erected in 1927; located in an unrestricted use district; that the premises are used throughout for the manufacture of paint and varnish remover and lacquer thinnners, for which Certificate of Occupancy 28441 was issued March 11, 1927; and

WHEREAS, the applicant contends that the Reliable Paint, Varnish and Lacquer Remover Co. has received Permit #B96757 issued by the Fire Commissioner, which was superseded by Permit #B213069, expiring July 25, 1945; that the War Production Board has assigned a quota of 150 000 cans of all sizes for use by the applicant; that the applicant was able to obtain only about 10,000 cans in 1944; that to make up the deficiency in packaging, it is proposed to use bottles in gallon, quart, pint and half-pint sizes for the duration of the war, as manufactured by the Gaynor Glass Works, as filed with the Board for approval under Cal. 178-44-SM; that the flashpoint of the material in question is 80 deg. F.; and

WHEREAS, the applicant further states that the new type bottles to be used, known as Boston Round manufactured by Gaynor Glass Works, are definitely stronger than those used at the time of the Board's original action; that although the applicant is entitled to approximately 150 000 cans annually it received only about 10 000 during the last 2 years; that only about 3% of the owner's output is distributed within the City of New York in bottles.

Resolved, that the order of the fire commissioner, acting on Order 97410-C, Item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the use of glass bottles as proposed for the use of packaging paint and varnish remover and lacquer thinners as proposed, provided the flash point of such material is not less than 80 deg. F., and *on condition* that the bottles used shall be of a make as passed on by the Board under Cal. 178-44-SM; that this variance shall continue for a term of six (6) months from the date of this resolution; that in all other respects, the requirements of the Administrative Code shall be complied with as to packaging and labeling; that such products shall not be distributed in glass bottles for household use in sizes greater than the Administrative Code permits.

633-44-A

APPLICANT—Anthony M. De Rose, for Amrul Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2017 Grand Concourse, northwest corner of Bush street (Block 2808, Lot 90), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony De Rose, Joseph Gemanhi and Max Freyer.

For Opposition: Isidore Zeff.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (633-44-A)

WHEREAS, Anthony M. De Rose, for Amrul Corporation, owner, filed November 8, 1944, an appeal from a decision of

the borough superintendent, affecting premises 2017 Grand Concourse, northwest corner Bush street (Block 2808, Lot 90), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated September 11, 1944, on Alt. Applic. 439-44, reads:

"2. The means of egress are inadequate. Provide two interior fireproof enclosed stairs from the roof to the street. (Sec. 6.4.1.1.).

3. If use is approved, floors should be good for at least 100 lbs. live load."

and

WHEREAS, the applicant states the building is 3 stories (40 ft.) in height; 25 ft. by 50 ft. in area; of Class 3 construction; erected 1907; located in a residence use, B area, Class 1½ height district and used and occupied since 1936 as follows: subcellar, private laundry for hospital, 8 persons; cellar, 1st and 2nd floor, club rooms, 20 persons in the cellar, 75 persons on the 1st floor and 30 persons on the second floor, and proposed to be used and occupied as follows: subcellar, storage and boiler room; cellar kitchen, meeting rooms, dining rooms, confirmation, meeting rooms, wedding confirmation, dining room, 125 persons; 2nd floor, meeting rooms, 50 persons; and

WHEREAS, Certificate of Occupancy issued October 25, 1937, permitted use and occupancy of the building as follows: cellar, private laundry for hospital, 8 persons; 1st floor, 20 persons; club rooms, 60 pound live load; 2nd floor, club room, 75 persons, 80 lb. live load; 3rd floor, club rooms, 30 persons, 60 lb. live load; and

WHEREAS, the applicant contends the building was erected in 1907 as a single family residence and converted in 1925 to a club house; and

WHEREAS, the applicant further contends as to Objection 2, that it would be a hardship to provide two interior fireproof stairs, as there are now two stairways existing, one an interior stair of wood construction and the other a 3 ft. 4 in. wide iron exterior stairs; that the building is only 1250 sq. ft. in area; and contends as to Objection 3, that a variance is requested because the present live load is adequate for the occupancy and that the occupancy permitted by the present certificate of occupancy is no different than the occupancy as requested on the alteration application in question; and

WHEREAS, the premises were inspected by a committee of the Board and the Committee recommended that the appeal be denied.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 439-44, objections 2 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

173-45-A

APPLICANT—Saul Goldsmith, for Welbilt Stove Co., Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (173-45-A)

WHEREAS, Saul Goldsmith, for Welbilt Stove Company, Inc., owner, filed March 19, 1945, an appeal from an order of the fire commissioner, affecting premises 57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens; and

WHEREAS, Order 98181-LC, issued by the fire commissioner November 14, 1944 and repeated in a decision of the fire commissioner, dated February 17, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use paints, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH:

1. Provide all dip tanks with hinged metal covers held open by fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the fire commissioner shall direct. Rule 4.1. Spray Rules."

and

WHEREAS, the applicant states that the building is 2 and 5 stories (60 ft.) in height, 231 ft. by 227 ft. in area at 1st floor, 231 ft. by 40 ft. in area at typical floor, of class 3 construction, erected in 1937, located in an unrestricted use, C area, class 1½ height district and used and occupied since 1937 as follows: cellar—restaurant and boiler room—50 persons; 1st floor—factory—100 persons; 2nd floor—factory, offices and showroom—50 persons; 3rd, 4th and 5th floors—factory—25 persons each floor; that the entire building is used for the manufacture of gas ranges; that no change in use or occupancy is proposed; that the building is equipped with a partial one source sprinkler system and with a standpipe system in the two story portion only, and two 3 ft. 8 in. steel stairs, enclosed in fireproof block partitions, equipped with kalamein, self-closing doors and leading directly to the street; that the easterly stair leads to the roof bulkhead and the westerly stair is equipped with a ladder and a scuttle to the roof; and

WHEREAS, the applicant contends that the tanks are located at the second floor rear, fireproof portion of the building and form part of a continuous conveyor method of handling, cleaning, paint dipping and drying metal products manufactured for the war effort; that the equipment is designed also for post-war use; that the dip tank is divided in half with 1500 gallons of paint in each half, or a total capacity of 3,000 gallons; that it is impractical to provide metal covers over the dip tanks; that the dip tanks are provided with many safeguards as recommended by the Underwriters'; that a Phomare Chemical Fire Extinguishing system has been installed around the entire dip tank and drip pan; that a quick opening valve has been provided for quick emptying of the paint into a 3,000 gallon storage tank buried below the lowest floor of the building; that portable pressure chemical fire extinguishers are located throughout the floor; it is therefore requested that the Board grant a modification, to permit the tank to be used without covers, but with safeguards as provided herein; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, acting on Order 98181-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chemical fire extinguishing system which has been installed, shall be maintained to the satisfaction of the fire commissioner; that a quick opening valve to provide emptying into the paint tanks, shall be fitted with a fusible link to open automatically as proposed and shown on plans filed with this appeal marked "Received June 15, 1945"; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. Nos. 78-44-A and 174-45-A; that a sprinkler system complying with the requirements therefor, shall be extended throughout the building, within one year from the date of this action.

174-45-A

APPLICANT—Saul Goldsmith, for Welbilt Stove Co., Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (174-45-A)

WHEREAS, Saul Goldsmith, for Welbilt Stove Company, Inc., owner, filed March 19, 1945 an appeal from an order and decision of the fire commissioner, affecting premises 57-18 Flushing avenue, south side, 51.96 ft. west of 59th drive (Block 2649, Lot 86), Maspeth, Borough of Queens; and

WHEREAS, order 97681-LC, issued by the fire commissioner August 22, 1944 and repeated in a decision of the fire commissioner, dated February 17, 1945, reads:

"Pursuant to the requirements of the rules governing the use of equipment for spraying of paints, varnishes, lacquers and other flammable surface coatings, adopted by the Board of Standards and Appeals, the following must be done:

5. Discontinue the use of unapproved pressure containers which are not approved by the Board of Standards and Appeals. Rule 6.1.7, Spray Rules."

and

WHEREAS, the applicant states that the building is 2 and 5 stories (60 ft.) in height, 231 ft. by 227 ft. in area at 1st floor, 231 ft. by 40 ft. in area at typical floor, of class 3 construction, erected in 1937, located in an unrestricted use, C, area, class 1½ height district and used and occupied since 1937 as follows: cellar—restaurant and boiler room—50 persons; 1st floor—factory—100 persons; 2nd floor—factory, offices and showroom—50 persons; 3rd, 4th and 5th floors—factory—25 persons each floor; that the entire building is used for the manufacture of gas ranges; that no change in use or occupancy is proposed; that the building is equipped with a partial one source sprinkler system and with a standpipe system in the two story portion only, and two 3 ft. 8 in. steel stairs, enclosed in fireproof block partitions, equipped with kalamein, self-closing doors and leading directly to the street; that the easterly stair leads to the roof bulkhead and the westerly stair is equipped with a ladder and a scuttle to the roof; and

WHEREAS, the applicant contends that the pressure containers are located in the rear fireproof building, used for the purpose of transferring paints from a lower to a higher level, from the mixing tank to the dipping tank; that these pressure containers were originally in use in connection with porcelain enamel work operating at a pressure of 35 lbs. per sq. in.; that the pressure containers are now operating at a maximum pressure of 10 lbs, per sq. in.; that the capacity of the containers is 50 gallons; that these containers are constructed of 10 gauge steel, designed for a working pressure of 100 lbs. per sq. in. and it is requested that the Board grant a modification, to permit the continued use of the pressure containers; and

WHEREAS, under Cal. 572-43-A, an appeal was filed from Item 6 of Order 95772-LC, issued by the Fire Commissioner October 5, 1943, reading as follows:

"6. Discontinue the use of pressure feed tanks which are not approved by the Board of Standards and Appeals, Rule 6.1.7, Spray Rules;"

and

WHEREAS, this appeal was withdrawn to comply on March 14, 1944; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, acting on Order 97681-LC, Item 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the number of containers shall not exceed two, as indicated on plans filed with this appeal marked "Received June 15, 1945." the capacity not exceeding 50 gallons; that the tanks shall be maintained to the satisfaction of the fire commissioner, with a working pressure not exceeding 100 lbs. per sq. in., and that a test shall be made to the satisfaction of the fire commissioner and that the tanks are capable of such pressure; that a pressure valve on each tank shall be installed, if required by the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 78-44-A and 173-45-A; that the sprinkler system within this paint storage room shall be maintained and within a year from the date of this action, the sprinkler system shall be continued through the entire building; that all other items of Order 97681-LC shall be complied with.

182-45-A

APPLICANT—Leona A. Serota, for 1100 Grand Corporation, owner (Filtered Fuel Oil Corporation, lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—1100-1108 Grand street, south side, 561 ft. 1½ in. west of Morgan avenue (Block 2942, Lot 49), Borough of Brooklyn.
APPEARANCES—
For Applicant: M. Laskey.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

133-45-A

APPLICANT—Amperex Electronic Corp., lessee, for Gair Realty Corp., owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: M. Anton.
ACTION OF BOARD—Laid over to June 26, 1945 at 10 A. M. at request of applicant's representative.

134-45-A

APPLICANT—Amperex Electronic Corp., lessee, for Gair Realty Corp., owner.
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—79 Washington street, east side, 127 ft. south of Front street (2nd, 3rd and 4th floors); (Block 51, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: M. Anton.
ACTION OF BOARD—Laid over to June 26. 1945 at 10 A. M. at request of applicant's representative.

211-45-A

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.
APPEARANCES—
For Applicant: Joel Marder, John Downey and Harold Webb.
For Administration: Fred. Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 10, 1945 at 10 A. M. for decision by Board without further hearing.

Adjourned: 12:35 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939 AND AMENDED ON JUNE 8, 1945, EFFECTIVE JULY 2, 1945.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, *paragraph* 2, *Charter of the City of New York and C*26-189.0 *Administrative Building Code and C*26-610.0 *Administrative Building Code and C*26-660.0, 661.0 *and* 662.0 *Administrative Building Code.*

Note: New matter in italics.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labeling Requirements.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency. When opening protective assemblies are manufactured for stock, the inspection agency shall furnish a report to the manufacturer of his inspection of each assembly including all data as is herein required.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly. When opening protective assemblies are installed in a building as building maintenance, the manufacturer shall furnish similar data on forms obtained from the Borough Superintendent.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

3.5 Where opening protective assemblies are manufactured up to 25% in excess of the sample as tested and as permissively allowed under C26-610.0a, the permitted increase in area shall not exceed width and height dimensions greater than 15 percent of the sample as tested. In all cases the permissively allowed increase in area of 25% shall apply only to the sample when constructed identically in all respects with the tested sample.

3.6 When opening protective assemblies are manufactured for stock, such assemblies shall be inspected as provided herein. As the doors are shipped, the Borough Superintendent shall be furnished with the data as specified in Rules 3.1 and 3.2. When such opening protective assemblies are shipped to jobbers for stock, the manufacturer shall obtain the data from the jobbers, as required under rules 3.1 and 3.2 and immediately submit such data to the Borough Superintendent.

3.7 Openings for vision purposes and signal bells may be installed in an opening protective assembly when they are of approved type and when installed in accordance with the conditions of approval.

S-2.05
EW

BULLETIN

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OF THE

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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JOSEPH J. DOYLE, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Minutes of Regular Meeting June 26, 1945, at 2 P.M., Affecting Calendar Numbers 233-45-A, 314-45-A, 321-45-A, 336-45-A, 349-45-A, 363-45-A, 367-45-A, 370-45-A, 187-35-A, 102-42-S, 80-43-A, 430-43-A, 621-44-A, 701-44-A, 172-45-A, 329-45-A, 327-27-BZ, 165-30-BZ, 609-37-BZ, 70-39-BZ, 452-41-BZ, 587-41-BZ, 790-41-BZ, 987-41-BZ, 1029-41-BZ, 1101-41-BZ, 408-44-BZ, 1004-25-BZ, 1236-27-BZ, 280-31-BZ, 241-33-BZ and 217-45-BZ.

Corrections Affecting Calendar Numbers 324-45-A and 280-45-A.

PUBLIC HEARINGS

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Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 26, 1945.

Cal. No. Dept. Premises Affected

379-45-A—F.D.—Re:Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), 40935-LC and Decision.

380-45-A—F.D.—Re:Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), 41218-LC and Decision.

381-45-A—F.D.—Re:Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), 40934-LC and Decision.

382-45-BZ—H.B.Q.—108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens, Misc. 938-45.

383-45-BZ—H.B.Q.—F.D.—396-400 Johnson avenue, south side, 50 ft. west of Morgan avenue (Block 3075, Lot 17), Borough of Brooklyn, Decision re 97630-LC.

384-45-BZ—H.B.M.—54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan, Amendment to Alt. 771-45.

385-45-SA—DeVilbiss Water Wash Spray Booth, Appliance.

386-45-A—H.B.B.—9001-9011 Avenue L, northeast corner of Remsen avenue (Block 8236, Lot 6), Borough of Brooklyn, B.N. 670-45.

387-45-A—H.B.B.—422-438 Fulton street, south side, 93 ft. west of Hoyt street, 14-30 Hoyt street, 177 Livingston street and 15 Gallatin place (2nd. 3rd, 4th, 5th, 7th and 8th floors); (Block 156, Lot 1), Borough of Brooklyn, Amendment to Alt. 3483-44.

388-45-A—H.B.B.—827-837 56th street, north side, 220 ft. east of 8th avenue (Block 5679, Lots 65 and 67), Borough of Brooklyn, B.N. 606-45.

389-45-A—H.B.M.—Block bounded by Park avenue, east side, to 3rd avenue, between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None); (James Weldon Johnson Houses), Borough of Manhattan, Amendment to N.B. 73-45 to N.B. 82-45, inclusive.

390-45-A—H.B.M.—Block bounded by Park avenue, east side, to 3rd avenue, between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None); (James Weldon Johnson Houses), Borough of Manhattan, Amendment to N.B. 73-45 to N.B. 82-45, inclusive.

391-45-SM—Giant Air-Entraining Cement, manufactured by Giant Portland Cement Co., Material.

392-45-A—H.B.Q.—50-24 Queens boulevard, south side, 193.20 ft. east of 50th street (1st floor); (Block 2283, Lot 43), Woodside, Borough of Queens, (Under section 35, General City Law re bed of mapped street—proposed 51st street), Alt. 321-45.

393-45-SM—Taguline (flameproofing compound), manufactured by Tagul Laboratories, Inc., Material.

394-45-A—H.B.M.—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (Block 18, Lots 10, 12-24, inclusive, 41-45 inclusive and 47-54, inclusive), Borough of Manhattan, Amendment to N.B. 1-45.

395-45-A—F.D.—53-55 5th avenue and 1 East 12th street, northeast corner (basement); (Block 570, Lot 1), Borough of Manhattan, 41214-LC and Decision.

396-45-A—H.B.B.—924-926 65th street, south side, 73 ft. 6 in. west of Fort Hamilton parkway and 6512-6518 Fort Hamilton parkway (1st and 2nd floors); (Block 5750, Lots 18-23-25), Borough of Brooklyn, Alt. 1696-45.

397-45-A—H.B.M.—1580-1590 Broadway, 200 West 48th street, southeast corner and 710-720 7th avenue (roof); (Block 1019, Lot 36), Borough of Manhattan, B.N. 351-45 and Amendment.

Restored to Calendar.

1236-27-BZ—H.B.Q.—Southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens, Plan No. 117-34.

280-31-BZ—H.B.Q.—162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens, N.B. 2817-31.

621-44-A—H.B.M.—107-109 West 13th street, north side, 105 ft. west of 6th avenue (Block 609, Lot 49), Borough of Manhattan, Amendment to Alt. 783-44.

241-33-BZ—H.B.B.—875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn, N.B. 250-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form .....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of.....Dec.	28, 1943—Vol. 28, No. 52A

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	Last Publication in Bulletin
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Refrigerating Systems, Extract A.C.	May 29, 1945—Vol. 30, No. 22
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

JULY 3, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 3, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

504-27-BZ—Application of Crisona & Murphy, applicants, on behalf of Broadway-230th Street Corporation, owner (Wallace I. Wolpert, lessee), reopened June 5, 1945, for consideration as to extension of time to complete work—Application previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles; premises 200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

120-33-BZ—Application of Thomas Nunley, applicant, on behalf of Harry Hugger, owner, reopened June 12, 1945 for consideration as to extension of variance—re Application, previously granted on condition, under section 7f of the zoning resolution, for a period of two years, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop, and, also a gasoline service station; premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond.

227-45-BZ—Application, April 16, 1945, under section 21 of the zoning resolution, of Charles S. Ward, applicant, on behalf of Francis J. Meyer, owner, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot; premises 146-06 to 146-10 Hillside avenue, south side. 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

420-43-BZ—Application, August 30, 1943, under sections 7c and 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of National Fabricating Co., owner, to permit in a residence use F area district, a one story extension to an existing factory building and not complying with F area district requirements; premises 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

274-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Dora F. Kraut, owner, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable; premises 6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

730-44-BZ—Application, December 15, 1944, under section 7f of the zoning resolution, of Kobie Klinghoffer, applicant, on behalf of Lotli, Inc., owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

317-45-BZ—Application, May 17, 1945, under section 7e of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Estate of F. D. Underwood (E. W. Underwood, Executor), owner, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles and dwelling to a chemical laboratory, factory, office and dwelling for a temporary period; premises 330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

Appeals from Administrative Decisions.

318-45-A—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

292-45-A—Packaging of inflammable mixture known as "Plasti-Cleaner" in one pint or 16 oz. glass containers (capacity of glass containers not in conformity with Administrative Code specifications).

HARRIS H. MURDOCK, *Chairman.*

JULY 3, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon,* July 3, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

298-39-A—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan, reopened April 17, 1945.

CALENDAR

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood. Borough of Queens.

332-45-A—31-01 to 31-05 Steinway street and 40-02 to 40-10 31st (Jamaica) avenue, southeast corner (cellar); (Block 678, Lots 30, 40 and 42), Long Island City, Borough of Queens.

169-44-A—309-311 West 92nd street, north side, 100 ft. west of West End avenue (Block 1252, Lot 12), Borough of Manhattan.

676-44-A—6724 (6720 displayed) 19th avenue, northwest corner of 68th street (1st floor); (Block 5569, Lot 45). Borough of Brooklyn.

345-45-A—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan.

397-45-A—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan.

214-45-A—215-219 East 91st street, north side, 225 ft. east of 3rd avenue (Block 1537, Lot 10), Borough of Manhattan.

240-45-A—621-629 Kent avenue. northeast corner of Rodney street (Block 2185, Lot 1), Borough of Brooklyn.

358-45-A—142-30 Barclay avenue, southeast corner of Union street (cellar, P.S. 20); (Block 5047, Lots 1, 20 and 52), Flushing, Borough of Queens.

359-45-A—63-55 to 63-73 102nd street, east side, between 63rd drive and 64th avenue (basement, P.S. 157); (Block 2126, Lot 14). Forest Hills, Borough of Queens.

360-45-A—83-02 to 83-38 168th street, west side, between 84th avenue and Grand Central parkway (basement, Thomas A. Edison Vocational High School); (Blocks 9867, 9868, 9869, 9870, Lots 1), Jamaica, Borough of Queens.

361-45-A—960 Columbus avenue, west side, between West 107th and West 108th streets, 131-169 West 107th street and 100-154 West 108th street (basement. West Side Vocational High School); (Block 1862, Lots 7, 9, 10 and 11), Borough of Manhattan.

362-45-A—1180 Morris avenue, southeast corner of East 167th street (basement, P.S. 22); (Block 2438, Lots 33, 45 and 50), Borough of The Bronx.

282-45-A—1141 East 156th street, northeast corner of Barry street (1st floor); (Block 2736, Lots 123 and 189), Borough of The Bronx.

237-45-A—1407 Rockaway parkway, east side, 144 ft. 3 in. north of Glenwood road (2nd floor); Block 8166, Lot 16), Borough of Brooklyn.

241-45-A—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn.

312-45-A—1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floor); (Block 6774, Lots 55-61), Borough of Brooklyn.

386-45-A—9001-9011 Avenue L, northeast corner of Remsen avenue (Block 8236, Lot 6), Borough of Brooklyn.

339-45-A—92-15 159th street, east side, 125.19 ft. south of Jamaica avenue (2nd floor); (Block 10100, Lots 35-46), Jamaica, Borough of Queens.

368-45-A—30-98 to 30-102 Crescent street, northwest corner of 31st avenue (1st floor); (Block 570, Lots 58 and 59), Long Island City, Borough of Queens.

375-45-A—500-528 West 17th street, 97-111 10th avenue, southwest corner and 501-521 West 16th street (curb); (Block 688, Lot 21), Borough of Manhattan.

389-45-A—Block bounded by Park avenue, east side, to 3rd avenue between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None), Borough of Manhattan (James Weldon Johnson Houses).

390-45-A—Block bounded by Park avenue, east side, to 3rd avenue between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None), Borough of Manhattan (James Weldon Johnson Houses).

394-45-A—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (2nd to 7th floors, inclusive); (Block 18, Lots 10, 12 to 24, inclusive, 41 to 45 inclusive and 47 to 54 inclusive), Borough of Manhattan.

404-45-A—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 10, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7i of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office,

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lubritorium, auto laundry, brake testing and realigning (minor repairs) building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901 (2678). Lots 42 and 45), Flushing, Borough of Queens.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

159-45-BZ—Application, March 19, 1945, under section 7h of the zoning resolution, of Lama & Proskauer, applicants, on behalf of George C. Tilyou and George C. McCullough, owners, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years; premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

624-44-BZ—Application, October 30, 1944, under sections 7c and 21 of the zoning resolution, of Henry Nordheim; applicant; on behalf of Catherine Lama, owner, to permit on a lot in a business use district, on which there exists a garage for three motor vehicles, an additional garage for two motor vehicles; premises 1632 Glover street, east side, 40.9 ft. south of Castle Hill avenue (Block 3990, Lot 33), Borough of The Bronx.

285-45-BZ—Application, May 10, 1945, under section 7e of the zoning resolution, of Glenn Phelps, applicant, on behalf of 341 Corporation, owner (J. A. Patterson Trucking Corp., lessee), to permit in a residence use district, the change of occupancy of a garage for more than five motor vehicles to storage of naval and military materials for a temporary period; premises 329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

244-45-BZ—Application, April 18, 1945, under section 21 of the zoning resolution, of Abraham Davis, applicant, on behalf of 133-135 Roosevelt Avenue Corp., Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co., lessee), to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space; premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

Appeals from Administrative Decisions.

245-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

637-44-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

286-45-A—329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

192-45-A—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

372-45-A—1215 Nostrand avenue, east side, 60 ft. south of Hawthorne street (1st floor); (Block 4819, Lot 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

172-45-A—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.

586-44-A—2973-3011 Cropsey avenue, northeast corner of Coney Island creek (ground floor); (Block 6951, Lot 16, Block 6952, Lot 22, Block 6997, Lots 300, 252 and 325), Borough of Brooklyn.

329-45-A—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn.

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law re bed of mapped street—150th street) reopened and restored to calendar May 8, 1945 (previously withdrawn).

128-45-A—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan.

388-45-A—827-837 56th street, north side, 220 ft. east of 8th avenue (Block 5679, Lots 65 and 67), Borough of Brooklyn.

281-45-A—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.

374-45-A—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan.

401-45-A—256-258 West 36th street, south side, 197 ft. 7¼ in. east of 8th avenue (Block 785, Lot 73), Borough of Manhattan.

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338-44-A—1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx. (reopened July 3, 1945).

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

280-31-BZ—Application of Harry H. Goebel, applicant, on behalf of Grace Locicero, owner, reopened June 26, 1945 for consideration as to extension of permit—expired by limitation—Application, previously granted on condition. under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the maintenance of a gasoline service station; premises 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens.

254-45-BZ—Application, May 1, 1945, under sections 7a and 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Joseph Ledogar and James Pond, owners, to permit in a business use district, the erection of a building to be occupied as a showroom and conducting minor motor vehicle repairs with a business entrance more than 25 ft. from the intersection of the business and residential streets; premises 186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

191-34-BZ—Application of Herman Kron, applicant, on behalf of 180th Street and Boston Road, Inc., owner, reopened March 27, 1945, under section 7h of the zoning resolution, to permit in the business portion of a plot located in a business and residence use district, the erection and maintenance of a gasoline service station and the parking and storage of more than five motor vehicles; premises 2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx.

101-45-BZ—Application, February 28, 1945, under section 7c of the zoning resolution, of John H. Knubel, applicant, on behalf of 795 Eighth Avenue Corp., owner (Ida Ballocci, d/b/a Du Midi Restaurant, lessee), to permit in a residence use district, the extension of a basement restaurant by the erection of a one story addition at the rear; premises 311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan.

262-45-BZ—Application, May 4, 1945, under sections 7c and 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Albert Zoller, owner, to permit in a residence use district, the alteration and change of occupancy of a garage for more than five motor vehicles to a factory (knitting mill); premises 16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens.

384-45-BZ—Application, June 21, 1945, under section 21 of the zoning resolution, of A. Joseph Geist, applicant, on behalf of Rockaway Park Series Corp., owner, to permit in a retail use B area district, the extension of a building in the 1st and 2nd story to the street line, the building as extended, exceeding in the 2nd story the lot area permitted in a B area district; premises 54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan.

872-39-BZ—Application of Herman Kron, applicant, on behalf of Paramount Filling Stations, Inc., owner, reopened March 20, 1945, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the erection of a lubritorium and office building over present lifts on an existing gasoline service station; premises 7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O (Block 6574, Lot 6), Borough of Brooklyn.

796-23-BZ—Application of Lama & Proskauer, applicants, on behalf of 1507-1535 Coney Island Corporation, owner, reopened June 12, 1945, under section 21 of the zoning resolution, to permit in a business use district, the inclusion of an additional use, minor motor vehicle repairs in a showroom, in a garage and gasoline service station, previously granted by the Board; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 17, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

196-45-A—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.

90-45-A—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 24, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

402-45-A—17 Clinton Walk, west side 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without frontage on mapped street—Clinton Walk).

701-44-A—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway,

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Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 20th street); (reopened July 3, 1945).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 26, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday afternoon, June 19, 1945 and on Wednesday morning, June 20, 1945, were approved as printed in Bulletin No. 26, Volume 30.

ZONING APPLICATIONS

504-27-BZ

APPLICANT—Crisona & Murphy, for Broadway-230th Street Corp., owner (Wallace I. Wolpert, lessee).

SUBJECT—Application reopened June 5, 1945, for consideration as to extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles.

PREMISES AFFECTED—200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

APPEARANCES—
For Applicant: Joseph List.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 3, 1945 at 10 A.M., at request of applicant's representative.

575-44-BZ

APPLICANT—Martyn M. Weinstein, for Cardinal Mfg. Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years.

PREMISES AFFECTED—729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: Martyn M. Weinstein.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M., for further consideration. Applicant to submit revised plan.

159-45-BZ

APPLICANT—Lama & Proskauer, for George C. Tilyou and George C. McCullough, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years.

PREMISES AFFECTED—1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

APPEARANCES—
For Applicant: A. Lama and M. McCullough.
For Opposition: W. J. Sparago and F. Fleminger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M., for further consideration.

59[illegible]-42-BZ

APPLICANT—Koch & Wagner, for The Roberts Numbering Machine Co., owner.

SUBJECT—Application reopened May 1, 1945 (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for five cars of the pleasure car type (granted by the Board) to an office and drafting room, accessory to factory on same plot.

PREMISES AFFECTED—30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Harry L. Yakel.
For Opposition: H. Anwarter, G. Sherder, Mrs. Anwarter, H. Bauer, A. Dahl and E. Nichol.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

MINUTES

THE RESOLUTION (596-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the erection and maintenance of a garage for five motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owner of the factory buildings on the same plot, affecting premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block 4102, Lots 19 and 35), Borough of Brooklyn, was granted by the Board on October 20, 1942, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the change of occupancy of the five car garage, granted by the Board, to a factory for a temporary term; and

WHEREAS, this application was denied by the Board on November 8, 1944; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit the change of occupancy of the five car garage, granted by the Board, to an office and drafting room, accessory to the factory on the same plot; and

WHEREAS, this case was reopened by vote of the Board on May 1, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, June 26, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Jamaica avenue is in a business use C area and Class 1 height district and Richmond street is in a residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 10, 1945, re Amendment to N.B. App. 313-42, reads:

"1. Proposed change of occupancy to office use (Drafting Room) in a Residential use district is contrary to Art. II Sec. 3 of the Zoning Resolution.

Note: These premises were the subject of conditional variation of the Board of Stds and Appeals 596-42-BZ Bull. 43 Vol. 27."

and

WHEREAS, the applicant states the premises consist of a plot irregular in area with a frontage of 187 ft. 9¼ in. on Jamaica avenue and a depth of 126 ft. at its westerly lot line, on which are located 1 and 2-story factory buildings, a 1½ story frame dwelling and the building affected, which is a one-story, 27 ft. by 48 ft. 5-car garage building and it is proposed to occupy the latter building for a drafting room and office; and

WHEREAS, the applicant contends that under Cal. 596-42-BZ, a 5-car garage was erected on the premises and on June 13, 1944, the Board granted the reopening of same to change garage use to a factory use, which was denied at hearing held on November 8, 1944; that the owner now requests the change of the garage use to office and drafting room, for the reason that the same will be more isolated and less disturbing than in its present location in the main factory, also that the office and drafting room use will be less offensive as a non-conforming use than the five-car garage; that no certificate of occupancy has been obtained for the garage use; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision c for the change of use proposed.

Resolved, that the decision of the borough superintendent acting on amendment to N.B. Applic. 313-42, Objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

122-45-BZ

APPLICANT—Lama & Proskauer, for East New York Savings Bank, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c and 21 of the zoning resolution, to permit the extension from a business use district, into a residence use district of a bank and storage building, the building occupying in a C area district in excess of 60% of lot area.

PREMISES AFFECTED—176-180 (178 displayed) New Jersey avenue, east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama and Guy Terhune.

For Opposition: Emanuel Laprezioso.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (122-45-BZ)

WHEREAS, Lama & Proskauer, for East New York Savings Bank, owner, filed March 5, 1945, an application under sections 7c and 21 of the zoning resolution, to permit the extension from a business use district into a residence use district of a bank, storage building, the building occupying in a C area district in excess of 60% of lot area, affecting premises 176-180 (178 displayed) New Jersey avenue, east side, 82 ft. 8 in. south of Atlantic avenue, 2644-2654 Atlantic avenue and 91-107 Pennsylvania avenue, southeast corner (Block 3687, Lots 5, 10, 12, 17, 24 and 25), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue and Pennsylvania avenue are in a business use, C area and Class 1 height district; New Jersey avenue is in a business and residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 15, 1945, on Alt. Applic. 3811-44, reads:

"1. Proposed extension of premises to be occupied for business use on lot located partly in a business zone and partly in a residential zone is contrary to Article II Section 3 of the zoning resolution.

2. Proposed extension of premises located in a "C" area resulting in the area of construction exceeding 60% of the lot area is contrary to Article IV, Sec. 13 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage on New Jersey avenue running through to Pennsylvania avenue with a frontage of 175.1 ft. on Pennsylvania avenue and 105 ft. 4¾ in. on Atlantic avenue, on which are located several brick and frame buildings occupied by a bank and for bank storage and fur storage; and

WHEREAS, the applicant contends that the premises in question is part of a site, housing the East New York Savings Bank; that there are on the site, three buildings, one a 4-story building, housing the main banking room and offices, another a 2½-story frame residence building, and a 2-story brick building, 44 ft. 1½ in. by 95 ft., which is used for storage and for storage vault; that it is proposed to erect at the rear of this building, a one story extension 21 ft. by 31 ft. to be used as a receiving room and to construct a steel bridge from the 2nd floor of the existing bank

building, connecting to the 2nd floor of the building in question; that this floor is to be used for the storage of bank records, etc.; that the building in question was erected under N.B. 5340-1910, for storage and factory use; that the bank purchased this building on July 22, 1943; that the property is presently zoned as a partly business district and partly as a residential district; that the entire plot in question was zoned unrestricted until May 15, 1941; that in view of the fact the property alteration will not affect the general surroundings, and as it is an accessory to the existing bank, it is respectfully requested that the application be granted; and

WHEREAS, a computation has been made of the requirements of the zoning resolution, as affecting this plot, as follows:

Total area of plot—23,277.5 sq. ft.

Actual area covered including new extension—
14,836 sq. ft. or 63.3%

Area of extension—651 sq. ft.—2.8%

Area permitted 75% of 5,000 sq. ft. equals..	3,750 sq. ft.
60% of 18,275 sq. ft. equals..	10,965 sq. ft.
Total.....	14,715 sq. ft.

Total permitted	14,715 sq. ft.
Total covered	14,836 sq. ft.
Excess coverage	121 sq. ft.

and

WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, and that the applicant had substantiated a basis to grant under section 21 of the zoning resolution as to extension of area of the building and was therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted,* to permit the conversion of the existing building as proposed to be altered and the one story extension and steel bridge across the yard as indicated on plans filed with this application marked "Received March 5, 1945," *on condition* that the building shall not be increased in height or area, and that in all other respects, the building and occupancies shall comply with all laws, rules and regulations applicable thereto; that the use of the building shall be solely in connection with the bank for the use as set forth; that the building shall be made to comply with the requirements for a Class 1 building, and that such fire fighting equipment shall be installed as the fire commissioner shall require; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

132-45-BZ

APPLICANT—Kitzler & Nurick, for Beatrice Finkelstein, owner. (Max Finkelstein, lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the enclosure of an existing gasoline service station as part of a new building to be occupied for a conforming use.

PREMISES AFFECTED—30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 to 26 inc.), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: H. J. Nurick.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (132-45-BZ)

WHEREAS, Kitzler and Nurick, for Beatrice Finkelstein, owner (Max Finkelstein, lessee), filed March 9, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district, the enclosure of an existing gasoline station as part of a new building to be occupied for conforming use, affecting premises: 30-02 to 30-20 Newtown avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 to 26, inc.), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Newtown avenue, 30th street and 30th avenue are in a business use, B area and Class 1¼ height district and 31st street is partly in business and partly in residence use, B area and Class 1/14 height districts; and

WHEREAS, the decision of the borough superintendent, dated February 19, 1945, re N.B. Applic. 272-44, reads:

> "1. Existing gasoline service station being part of proposed new building for the storage of wholesale tires, batteries and auto accessories, the alteration of which is more than 50% of the value of the building and located in a business district is in violation of sections 4 and 6 of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 190 ft. frontage by 92 ft. in depth, on which is located a gasoline service station, 25 ft. by 100 ft., a 2-story building, 25 ft. by 85 ft. 3 in., occupied for auto parts, a 2-story brick building, 22 ft. by 56 ft., the remainder of plot being vacant; that it is proposed to remove the 2-story brick building and erect a new building with a frontage of 165 ft. 2 in. on Newtown avenue and 92 ft. on 30th street, for sale of auto parts and tires, the gasoline service station being enclosed in this building; and

WHEREAS, the applicant contends that the premises involved consist of a gasoline service station on a vacant irregular lot 25 ft. by 100 ft., having two gasoline pumps and two gasoline storage tanks; that these pumps and tanks were installed under approved Fire Dept. plans 1414-22 and 364-27; that the first permit No. 73372 for storage and sale of gasoline was issued October 9, 1922 and permits were issued annually to date; that this gasoline station was bounded on the south by a two-story nonfireproof building, used for the sale and storage of tires and auto accessories and to the north by a 2-story nonfireproof building, 22 ft. wide, also used for storage of auto accessories and tires; that the present owners have owned all this property since 1924; that a one-story fireproof building has been erected under Permit N.B. 272-44, issued by the Dept. of Housing and Building under a priority order from the War Production Board; this new building is to be used for wholesale storage of tires, batteries and auto accessories; that the relief sought is to be permitted to continue the use of the existing gasoline station, to be enclosed by brick walls on three sides, as shown on plans filed with this application and closed by rolling iron shutter at the front, making the entire development appear as one unit; that this will give it a more presentable appearance than the former open-air gasoline service station; that the gasoline station will be closed evenings, Sundays and holidays and hidden

from view by the metal rolling doors; that the operation of this station has been an important part of the present business since 1924 and unnecessary hardships would be created if the owner were not permitted to continue the operation of this station as submitted in this application; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the area as indicated on plans filed with this application, as revised June 21, 1945, to be occupied for the sale of gasoline, *on condition* that the number of pumps shall not exceed two as shown and the number of gasoline tanks shall not exceed two, each 550 gallons; that the door shown at "A" shall be a fireproof self-closing door; that any curb cut constructed opposite this gasoline space shall not exceed 15 ft.; that no portable gasoline tank shall be used on or from the premises; that no signs shall be erected on the premises advertising the gasoline storage, except there may be a bracket sign attached to the facade of the building, advertising only the brand of gasoline on sale and permitting such sign to be illuminated and to extend beyond the building line for a distance of not more than 4 ft.; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that no cars shall be serviced, except in the gasoline servicing space and not on the sidewalk or at the curb; that all permits shall be obtained and all work completed within 3 months from the date of this resolution.

290-45-BZ

APPLICANT—Simon Cohen, for Isidor Faber, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, the parking and storage of motor vehicles for a term of two years.

PREMISES AFFECTED—155 Beach 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Solomon Goldberg, Simon Cohen and Isidore Faber.

For Opposition: A. E. Markowitz, H. Klorfein, Part Dept., M. Weinstock, M. Cohen and G. Cohen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Deputy Chief Gunn 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION (290-45-BZ)

WHEREAS, Simon Cohen, for Isidor Faber, owner, filed May 5, 1945, an application under section 7h of the zoning resolution, to permit in a residence use district, the parking and storage of motor vehicles for a term of two years, affecting premises 155 Beach 82nd street, west side, 360.04 ft. south of Rockaway Beach boulevard (Block 618, Lots 49, 54 and 154), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 26, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Rockaway Beach parkway, 82nd and 83rd streets are in a residence use, C area, class 1 height district and Rockaway Beach boulevard is in a business use, C area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 3, 1945, on Misc. Applic. 490-45, reads:

> "1. The use of a lot in a residence district for the parking and storage of motor vehicles is contrary to Art. 2, Sec. 3, Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 179 ft. frontage by 77.58 ft. and 90.64 ft. in depth, irregular; that the property is now vacant and it is proposed to use this plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that the premises are located within a residence district, fronting on Beach 82nd street and located on the block between Rockaway Beach boulevard and Rockaway Beach parkway; that the summer population of this area increases so greatly over the normal population, that a serious shortage of available parking and garage space has been encountered in this area; that there are no parking spaces within a half dozen streets; that the nearest lot used for a parking space is located on the northwest corner of Beach 79th street and Rockaway Beach boulevard; that permission for the proposed use would aid in lifting the burden of taxes until such time when it would be possible to erect a suitable building on the plot; that in view of these facts, it is requested that the application be granted for a term of two years under such conditions as the Board may require; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision h of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 490-45, Objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

APPEALS FROM ADMINISTRATIVE DECISIONS

133-45-A

APPLICANT—Amperex Electronic Corp., lessee, for Gair Realty Corp., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nicholas Anton.

For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative: Commissioner Savage 1

THE RESOLUTION (133-45-A)

WHEREAS, Amperex Electronic Corporation, lessee, for Gair Realty Corporation, owner, filed March 7, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 21-29 Washington street, 104-122 Plymouth street, southeast corner and 18-26 Adams street (1st and 2nd floors); (Block 28, Lot 5), Borough of Brooklyn; and

WHEREAS, Order 98542-LC, issued by the fire commissioner, December 30, 1944 and repeated in a decision of the fire commissioner dated February 19, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use hydrogen, etc. shows that the following must be done before the permit requested by you can be issued:

Forthwith:

1. Discontinue the further storage and use of hydrogen on the above premises. C19-11.0, Administrative Code."

and

WHEREAS, the applicant states the building is six stories (82 ft.) in height, 100 ft. by 115 ft. 6 in. and 161 ft. 3 in. in area at 1st floor, 100 ft. by 115 ft. 6 in. in area at typical floor; of Class 3 construction; erected 1902; located in an unrestricted use, A area and Class 2 height district, and used and occupied since 1944 as follows: cellar, manufacturing radio and radar tubes and storage, 10 persons; 1st floor, manufacturing radio and radar tubes and offices, 69 persons; 2nd floor, manufacturing radio and radar tubes and offices, 60 persons; 3rd floor, manufacturing soda straws, 15 persons; 4th floor, knitting factory and machine shop, 35 persons; 5th floor, manufacturing soda straws, 40 persons; 6th floor, manufacturing smoking pipes, 70 persons; that no change in use is proposed; that the maximum number of occupants stated as proposed is 150 persons per floor; that the building is equipped with a one source sprinkler system and a standpipe system; that there are two interior wood stairs, 4 ft. 7 in. wide, enclosed in brick, equipped with kalamein, self-closing doors and extending from the roof bulkhead directly to the street and two fire escapes, one on the north side and one on the west side, extending to the roof by stair and to the street by stair; that window and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that it manufactures radio and radar tubes for the Armed Forces; that production will be impossible without the use of hydrogen gas; that a 12 cylinder (6 on and 6 off) hydrogen manifold is installed on the first floor in the 2-story fireproof extension at the rear of the main building; that this manifold is of approved type and has individual ball checks; that the main line is protected by dry flash back arrestor with open air discharge; that the piping throughout is one inch non-ferrous tubing; that all joints are silver soldered; that valves are of a non-ferrous body diaphragm type; that each location, where the gas is used is provided with a dry flash back arrestor and a line regulator; that the main line pressure is 20 lbs.; that hydrogen mixed with oxygen in flames for heating or welding high silica glasses is used as a reducing atmosphere and is used as a source of atomic hydrogen for arc-welding; that where hydrogen is used as combustible gas, the line is protected with a wet flash back arrestor; that when hydrogen is used as a reducing atmosphere, the open end bell jars are placed under a metal hood, ventilated to the outside of the building, equipped with a fan so connected that it would be impossible to operate the equipment unless the fan is in motion; that the hoods are so designed that any escaping hydrogen is forced by gravity alone to the outside air; that where hydrogen is used as a reducing atmosphere in high temperature ovens, pilot lights are provided near all openings; that when hydrogen is used as a reducing atmosphere in conjunction with spot welding, it is discharged in minute quantities from ⅛ inch copper tubing and small needle valves directly on the weld; that 40 welding positions consume approximately 60 cu. ft. of hydrogen in an 8 hour shift; that the installation of the spring needle valves will further reduce this 60 cu. ft. to approximately 20 cu. ft.; that the discharge of 20 cu. ft. of hydrogen during an 8 hour shift in a room approximately 264,000 cu. ft. with windows on three sides, is not a hazard; that where ever possible, the applicant is diluting hydrogen with nitrogen and the mixture is normally 92% nitrogen and 8% hydrogen and other mixtures up to 50% hydrogen and 50% of nitrogen; that Order 98542-LC was issued upon the Fire Department's checking up the installation in connection with the application filed for a renewal of the permit.

Resolved, that Order 98542-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that the storage and use of hydrogen shall be substantially as set forth and shall be maintained to the satisfaction of the fire commissioner; that a vent shall be carried from the ceiling of the space in which the cylinders of hydrogen are stored, through the second story to the roof; that such shaft shall be not less than 4 sq. ft. and shall be extended to a point approximately 10 ft. above the second story roof and shall be constructed of heavy sheet steel, adequately protected by masonry as requested by the code; that there shall be a wind ventilator placed at the top thereof; that the sprinkler system and standpipe system shall be maintained in accordance with the requirements therefor; that such further portable fire-fighting appliances shall be maintained as the fire commissioner shall direct.

134-45-A

APPLICANT—Amperex Electronic Corp., lessee, for Gair Realty Corp., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—79 Washington street, east side, 127 ft. south of Front street (2nd, 3rd, 4th and 5th floors); (Block 51, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nicholas Anton.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (134-45-A)

WHEREAS, Amperex Electronic Corporation, lessee, for Gair Realty Corporation, owner, filed March 7, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 79 Washington street, east side, 127 ft. south of Front street (2nd, 3rd, 4th and 5th floors); (Block 51, Lot 1), Borough of Brooklyn; and

WHEREAS, order 98525-LC, issued by the fire commissioner, January 9, 1945 and repeated in a decision of the fire commissioner dated February 19, 1945, reads:

"1. Surrender to Bearer Permit No. B202411 expiring March 22, 1945, permitting storage and use of gases, lacquer, etc., same being revoked pending compliance with the following orders:

4. Discontinue the further storage and use of hydrogen gas as such use creates a great fire hazard and is against the interest of public safety. C19-11.0, Administrative Code."

and

WHEREAS, the applicant states that the building is 5 stories and basement (59 ft. 6 in.) in height, 53 ft. by 107 ft. 6 in. in area at 1st floor, 40 ft. by 107 ft. 6 in. in area at typical floor, of class 3 construction, erected in 1889, located in an unrestricted use, A area and class 2 height district and used and occupied since 1933 as follows: cellar, manufacturing radio and radar tubes and storage, 10 persons; 1st floor, manufacturing radio and radar tubes, machine shop and office, 20 persons; 2nd floor, manufacturing radio and radar tubes and office, 46 persons; 3rd floor, same, 85 persons; 4th floor, same, 70 persons; 5th floor, manufacturing radio and radar tubes, 75 persons; that no change in use is proposed, but the proposed occupancy is stated as 102 persons per floor; that the building is equipped with a one source sprinkler system and a standpipe system; that there is one 3 ft. 7 in. wide wood interior stairs, enclosed in gypsum blocks, equipped with kalamein, self-closing doors and leading directly to the street and provided with a ladder and scuttle to the roof and one fire escape, leading

to the roof by a ladder and to the street by stairs, through Fleet alley; and

WHEREAS, the applicant contends that it manufactures radio transmitting and radar tubes for the Armed Forces; that production would be impossible without the use of hydrogen gas; that to eliminate the hazard of the storage of hydrogen at 79 Washington street, the applicant has purchased a lot at 68 Adams street and built a fireproof structure to house a 24-cylinder hydrogen manifold; that this manifold building has no windows, is constructed with heavy walls and a light metal roof, thoroughly ventilated; that the electrical installation is explosion-proof and the light switch is operated from the exterior; that plans for this building were filed and approved by the borough superintendent; that hydrogen at 20 lbs. pressure is forced through open-air non-ferrous, 1 inch tubing and supplied to the 3rd, 4th and 5th floors at 79 Washington street, as shown on plans filed with this appeal; that the hydrogen manifold room in 79 Washington street has been removed and the use of individual tanks has been discontinued throughout the factory; that the installation will use all non-ferrous piping, silver soldered to permanently avoid leaks with non-ferrous body diaphragm valves and regulators; that hydrogen mixed with oxygen in flames for heating or welding high silica glasses, is used as a reducing atmosphere and is used as a source of atomic hydrogen for arc-welding; that where hydrogen is used as combustible gas, the line is protected with a wet flash back arrestor; that when hydrogen is used as a reducing atmosphere, the open end bell jars are placed under a metal hood, ventilated to the outside of the building, equipped with a fan so connected that it would be impossible to operate the equipment unless the fan is in motion; that the hoods are so designed that any escaping hydrogen is forced by gravity alone to the outside air; that where hydrogen is used as a reducing atmosphere in high temperature ovens, pilot lights are provided near all openings; that when hydrogen is used as a reducing atmosphere in conjunction with spot welding, it is discharged in minute quantities from ⅛ in. copper tubing and small needle valves directly on the weld; that where ever possible, the applicant is diluting hydrogen with nitrogen and the mixture is normally 92% nitrogen and 8% hydrogen and other mixtures up to 50% hydrogen and 50% of nitrogen.

Resolved, that Order 98525-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 4, *on condition* that the storage and use of hydrogen shall be maintained substantially as set forth and to the satisfaction of the fire commissioner; that the proposed ventilation by means of a fixed louvre in the door to the fireproof storage room and the ventilator skylights, as shown on plans filed with this appeal marked "Received June 4, 1945" shall be maintained; that the sprinkler system and standpipe system shall be maintained to the satisfaction of the fire commissioner and such portable fire-fighting appliances shall be maintained as he shall direct; that permission shall be obtained for carrying proposed pipes across Fleet alley, which according to the Borough President's records, is a public street.

287-45-A

APPLICANT—Joseph Lau, for Master Printers Building Operating Co., owner (Hammarlund Manufacturing Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—460 West 34th street, 406-416 10th avenue, southeast corner and 457 West 33rd street, northeast corner of 10th avenue (8th floor); (Block 731, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (287-45-A)

WHEREAS, Joseph Lau, for Master Printers Building Operating Company, owner (Hammarlund Manufacturing Company, lessee), filed May 11, 1945, an appeal from an order and decision of the fire commissioner affecting premises 460 West 34th street, 406-416 10th avenue, southeast corner, and 457 West 33rd street, northeast corner of 10th avenue (8th floor), (Block 731, Lot 1), Borough of Manhattan; and

WHEREAS, order 40742-LC, issued by the fire commissioner, March 5, 1945 and repeated in a decision of the fire commissioner, dated April 27, 1945, reads:

> "Before a permit may be issued for you to operate or maintain a refrigerating system, the following must be done:
>
> 1. Discontinue the use of the refrigerating machine containing 50 pounds of F22, for the reason this chemical has not been approved for refrigerating purposes in the City of New York."

and

WHEREAS, the applicant states that the building is 18 stories (252 ft.) in height, 175 ft. by 197 ft. in area, of class 1 construction, erected in 1926, located in an unrestricted use, B area and class 1½ height district and used and occupied since 1929 as follows: cellar, boiler room and building storage; basement, storage of electrical apparatus and store, 45 persons; 1st floor, restaurant and manufacture of machines, 150 persons; mezzanine, offices for printers, 50 persons; 2nd floor, printers, 150 persons; 3rd floor lithographers, 140 persons; 4th floor, printers and lithographers, 150 persons; 5th floor, manufacture of artists' materials, 115 persons; 6th floor, manufacture of labels, machinery and musical instruments, 110 persons; 7th and 8th floors, manufacturing of electrical apparatus, 165 persons each floor; 9th and 10th floors, manufacturing of electrical apparatus, 175 persons each floor; 11th floor, manufacturing of machines and printing, 160 persons; 12th, 14th and 15th floors, manufacturing of machines, 160 persons each floor; 16th floor, engravers, 64 persons; 17th floor, repair, sale and distribution of radios, 60 persons; 18th floor, manufacture of blood pressure machines and photoengravers, 140 persons; penthouse, offices and chemical laboratory and manufacturing of dental supplies, 150 persons; penthouse studio, gold and silver plating, 25 persons; and

WHEREAS, the building is equipped with a two source sprinkler system, an approved standpipe system, an interior fire alarm system, two enclosed interior stairs and one fire tower, all 44 in. wide of fireproof construction, leading from the roof bulkhead directly to the street, equipped throughout with fireproof self-closing doors; and

WHEREAS, Certificate of Occupancy 15466, issued under Alt. Applic. 76-29, permits the following use and occupancy: cellar, boiler room and storage; basement, stores and storage, 45 persons; 1st floor, stores, 150 persons; mezzanine, offices 60 persons; 2nd to 18th floors, factory, 150 persons each floor, 250 lb. liveload; penthouse, club, 150 persons, 120 lb. liveload; studio, 25 persons, 100 lb. liveload (music recording studio); and

WHEREAS, the applicant contends that Order 40742-LC was issued after an application was made for a permit to operate a low temperature refrigerated test chamber on the 8th floor; that this test chamber is utilized for testing electrical apparatus to be used in radar, radio and electrical instruments for aircraft for the Army and Navy; that tests must be conducted occasionally as low as minus 85 deg. F. and to obtain these low temperatures, 50 lbs. of F22 refrigerant must be used; it is therefore requested that the Board permit the use of 50 lbs. of F22, to create sub-zero temperatures in the test chamber, absolutely essential for the proper design and manufacture of special apparatus to be

used for electrical devices for aircraft for the Army and Navy and which are vitally connected with the war effort.

Resolved, that Order 40742-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that the requirements of the Refrigerating Code are complied with in all other respects; that the natural ventilation provided to West 33rd street as shown on plans filed with this appeal marked "Received May 11, 1945, shall be maintained to the satisfaction of the fire commissioner, under the provisions of C19-99.0; that the sprinkler system, standpipe system, and interior fire alarm system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 315-27-S and 675-42-S; that an amended certificate of occupancy superseding Certificate No. 15466 shall be obtained, stating the permitted occupancy.

371-45-A

APPLICANT—McCrory Stores Corporation, lessee, for Wilmack Realty Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thos. C. O'Brien and W. M. Simpson.

For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (371-45-A)

WHEREAS, McCrory Stores Corporation, lessee, for Wilmack Realty Co., Inc., owner, filed June 13, 1945, an appeal from an order of the fire commissioner, affecting premises 502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lot 7), Borough of Brooklyn; and

WHEREAS, Order 99854-LC, issued by the fire commissioner, May 29, 1945, reads:

"An inspection of your refrigerating system located at the above premises shows that the following change is necessary to have the system conform with Fire Department regulations:

1. Provide an ammonia mixer in accordance with requirements of C19-103.0-c, Administrative Code."

and

WHEREAS, the applicant states that the building is 7 stories (80 ft.) in height, 60 ft. by 60 ft. by 125 ft. and 192 ft. in area, of class 1 construction, erected in 1914 located in a business use district and used and occupied since 1922 as follows: cellar, sales room, 640 persons; 1st floor, salesroom and restaurant, 752 persons; 2nd floor, salesroom, 720 persons; 3rd floor, salesroom, 620 persons; 4th floor, stock room, 400 persons; 5th floor, office and girls' room, 400 persons; 6th floor, office and stockroom, 400 persons; 7th floor, storage and display room, 400 persons; roof, machinery, 10 persons; that the building is equipped with a one source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills are maintained; that there are two 44 in. wide metal stairs, enclosed in 6 in. tile and brick, equipped with metal self-closing doors and extending from the roof bulkhead directly to the street; and

WHEREAS, the applicant contends that it is willing to install an ammonia mixer, if this installation could be made without violating other sections of the Administrative Code; that the refrigerating plant is located in the penthouse; that the installation was made under approved plans in 1937; that this is a class A plant containing 1600 pounds of ammonia, used in connection with the air-conditioning of the first and basement floors and operates as an indirect system, in compliance with the requirements of the Administrative Code; that a permit for the operation of the plant was issued by the Fire Department for the year 1938 and each year thereafter up to and including 1943; that to install an ammonia mixing valve at street level would necessitate bringing two 2 in. ammonia lines from the high and low sides of the system, from the penthouse on the roof, down through seven floors of the building, to a point at street level, accessible for Fire Department use and locating the mixing valve and discharge to sewer in the basement area; that the extension of these ammonia lines through the building would constitute a violation of the Administrative Code and even though these lines might be fully enclosed, the enclosures would in no way be a guarantee that in the event of a leak, that seepage of ammonia fumes would not take place through the enclosure to the floor or floors of the building; that the installation of these lines would change the system to a direct system in violation of the Code; it is therefore requested that the Board permit the installation of a diffuser, similar to that now approved in a class B plant so that the ammonia may be dissipated to the atmosphere above the roof line, the arrangement of this diffuser to be as indicated on plans filed with this appeal, subject to any modifications required by the fire commissioner; that the penthouse refrigerating machinery room is located at a higher level than all surrounding buildings.

Resolved, that Order 99854-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that in all other respects, the system shall be maintained to the satisfaction of the fire commissioner and in accordance with the requirements therefor; that the diffuser above the roof shall be installed and maintained to his satisfaction; that such shut-off valves as indicated on plans filed with this appeal marked "Received June 13, 1945" shall be installed and shall be of a type as the fire commissioner shall approve.

MATERIALS SUBMITTED FOR APPROVAL

28-38-SM

APPLICANT—Concrete Plank Co., Inc., owner.

SUBJECT—Application reopened June 12, 1945 re amendment of resolution—Cantilite Concrete Plank for Roof and Floor Construction, previously approved.

APPEARANCES—

For Applicant: B. J. Harrison.

ACTION OF BOARD—Resolution amended in accordance with the report of the Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (28-38-SM)

WHEREAS, the Concrete Plank Co., Inc., owner, filed on January 18, 1938, an application for approval of the material known as Cantilite Concrete Plank simple spans, tongue and grooved construction for roof and floor construction; and

WHEREAS, this material was approved by the Board on March 15, 1938, on certain conditions; and

WHEREAS, the resolution was amended February 7, 1939 and June 21, 1938 and the applicant requested a further amendment of the resolution; and

WHEREAS, the application was reopened by vote of the Board, restored to the calendar and referred to the Committee on Tests of the Board, to consider a recommendation of the proposed amendment, and

WHEREAS, the report of the Committee on Tests, reads:

REPORT OF COMMITTEE ON TESTS

June 22, 1945.

Re: 28-38-SM

Subject: Cantilite Concrete Plank for Roof and Floor Construction.

The Concrete Plank Company on May 29, 1945, requested reopening of the approval granted under the aforementioned calendar number insofar as it has to do with the identifying of their product, and that the stamp as presently used by them is unsatisfactory because the planks when delivered to the job have the markings defaced or otherwise made illegible. They now request that they be permitted to stamp each shipping ticket using a rubber stamp reading as follows: "Cantilite" approved for use in New York City by the Board of Standards and Appeals under Calendar Number 28-38-SM. The Committee on Tests has reviewed this request and recommends the Board's favorable consideration.

(Sgd). BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of approval dated March 15, 1938 as amended through June 21, 1938 as recommended by the Committee on Tests in their report dated June 22, 1945.

315-43-SM

APPLICANT—Gallagher Brothers Sand and Gravel Corporation, owner.

SUBJECT—Gravel (Coarse Aggregate), manufactured by Gallagher Brothers Sand and Gravel Corporation.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (315-43-SM)

WHEREAS, Gallagher Brothers Sand and Gravel Corporation, owner, filed on June 26, 1943, an application with the Board of Standards and Appeals for approval of the material known as Gallagher Brothers' Gravel (Coarse Aggregate); and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 14, 1945.

Re: Cal. 315-43-SM.

Subject: Gravel (Coarse Aggregate), Approval of.

Gallagher Brothers Sand and Gravel Corporation filed an application with the Board of Standards and Appeals, under the requirements of C26-178.0b, for the approval of Gallagher Brothers Gravel for use under C26-312.0.g and C26-315.0 as a coarse aggregate.

DESCRIPTION AND PROCESSING

The gravel is produced by a dredge owned and operated by the United States Dredging Corporation. The material is excavated, processed and loaded aboard deck-scows, from the leased land under water in the West Harbor of Oyster Bay, Nassau County, N. Y.

The dredge is of the ladder type, diesel electric, powered by a 550 H.P. Worthington Engine. The hull is anchored by means of spuds on the stern and is moved while operating by anchor lines from the bow.

The dredging apparatus consists of a continuous line of 60 7½ cu. ft. manganese steel buckets, capable of excavating at the rate of 500 cu. yds. of material per hour. This material is passed through a single roll primary crusher which reduces all material to 4 in. in size. It is then elevated to the top of the dredge by means of inboard buckets and dumped into a revolving screen. The screen is 26 ft. long and 10 ft. in diameter, where the wash water is added in sufficient quantities to insure complete scrubbing and washing.

The material is screened into six different sizes. Sizes "A" and "B" and for fine aggregate (sand); Sizes C, D, E and F for coarse aggregate (gravel). Size C ranges from plus ¼ in. to 7/16 in., which is used to control the fine side of gravel. All of this size or any part of it can be combined with the larger sizes of gravel for specification and gradation purposes. Size D is plus 7/16 in. to ⅜ in., which meets City of New York, Department of Purchase Specifications 24A-20: 45T size number 7. Size E ranges from plus 1⅜ in. to 2 in., which is combined with the smaller sizes which meet City of New York, Dept. of Purchase Specifications 24A-20:45T, size number six. If size E is not needed for recombining, it is sent to the crusher to be reduced to smaller gravel. Size F is plus 2 in. to 4 in., which is sent directly to the crusher for reduction. The material after being crushed is recirculated through the plant for rewashing and regrading as to size.

The finished gravel is loaded on a scow on the port side of the dredge, with a shuttle conveyor belt. This shuttle belt is so arranged that the gravel can be deposited in many places across the scow and at no time does the gravel have a drop of over three feet to prevent any segregation of the sizes. The scow is pulled fore and aft by deck winches for complete loading. The gravel, after leaving the shuttle belt is passed over a screen on which high pressure jets are directed to give it a final washing before depositing on the scow for use. All marine organic matter is removed from shuttle belt just before it is deposited on scow.

TESTS

Representative of the Committee on Tests selected samples of the gravel which were submitted to the Haller Engineering Associates, Inc. for test, report of which (N.Y.12132) is filed with the application.

Aggregate for Concrete ASTM C33-42

	Found	ASTM C33-42 Requirements Max. permissible limits, % by wgt.
Soft fragments	None	5
Coal & lignite	"	1
Clay lumps	"	0.25
Material finer than #200 sieve	"	1
Other deleterious substances	"	as specified

Fineness Modulus 6.96
Sodium Sulfate Soundness Test—A.S.T.M. C88-41T

Sieve P	Size R	Original Grading	Wt. of Test Faction before test	% Passing finer sieve after test (actual % loss)	Weighted Average—corrected % loss	Started with 66 pieces ended with 67
No. 4	Pan	5.5				
3/8"	No. 4	22.7	300 gms	2.9	.66	
3/4"	3/8"	42.8	1000 gms	3.0	1.29	
1½"	3/4"	29.0	1500 gms	1.7	.49	
		100.0%	2800 gms		2.44	

Gradation

Screen size	% Passing	Specifications Designated size 1" to No. 4
1½ in.	100.0	100%
1 in.	87.4	90-100%
3/4 in.	71.0	—
½ in.	44.6	25-60%
3/8 in.	28.2	—
No. 4	5.5	0-10%

Specific Gravity and Absorption
A.S.T.M C127-42

Bulk specific gravity	2.64
Bulk specific gravity (Saturated surface dry basis)	2.65
Apparent Specific Gravity	2.67
Absorption	.54%

Unit Weight of Aggregate
A.S.T.M. C29-42

Weight per cu. ft. dry loose	101.0 lbs.
Weight per cu. ft. dry rodded	107.0 lbs.

Voids in Aggregate for Concrete
A.S.T.M. C30-37

Per centage of voids 34.7

Fineness Modulus
A.S.T.M. C125-39

Sieve Size	% Retained
1½ in.	0.0
3/4 in.	29.0
3/8 in.	72.0
No. 4	95.0

Recommendations

Based on the foregoing data, the Committee on Tests recommends that the gravel as produced by the applicant from the West Harbor of Oyster Bay, Nassau County, New York, be approved under C26-191.0,a in New York City as coarse silicious aggregate pursuant to Section C26-315.0 of the Administrative Building Code as follows:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating in addition to the source of the material, the gradation, and it shall bear the following stamp or label thereon, "Approved for Use in New York City by the Board of Standards and Appeals under Cal. 315-43 SM" and that each truck delivery slip shall be similarly stamped by the dealer.

2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for quality and gradation.

3. That at least once each month a composite report of tests made pursuant to the above requirement shall be forwarded to the Board and certified by the applicant's representative.

4. That when used, these aggregates shall comply with the requirements of Paragraph C of Section C26-314.0 of the Administrative Code.

(Sgd). BERNARD A. SAVAGE, *Commissioner*
CHARLES M. BLUM, *Commissioner*
LESLIE V. HUBER, *Chief Engineer*
COMMITTEE ON TESTS

and

WHEREAS, this report recommended the approval of this material

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Gallagher Brothers' Gravel (Coarse Aggregate), *on condition* that the material be manufactured, used and labelled in accordance with the above report.

Adjourned: 12:50 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 26, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

233-45-A

APPLICANT—Henry George Greene, for Mutual Life Insurance Co. of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—120-134 Park avenue, 76-82 East 42nd street, southwest corner and 57-63 East 41st street (1st floor); (Block 1276, Lot 33), Borough of Manhattan.

APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (233-45-A)

WHEREAS, Henry George Greene, for Mutual Life Insurance Company, of New York, owner, filed April 19, 1945, owner, an appeal from a decision of the borough superintendent, affecting premises 120-134 Park avenue, 76-82 East 42nd street, southwest corner and 57-63 East 41st street (1st floor); (Block 1276, Lot 33), Borough of Manhattan: and

WHEREAS, the decision of the borough superintendent acting on P.A. Applic. 973-43, dated March 26, 1945, reads:

"1. Proposal to maintain existing revolving doors without adjacent swing exit doors not permitted, being contrary to Sec. C26-1446.0 Adm. Code. Reconsideration denied."

and

WHEREAS, the applicant states that the building is 3 stories and pent house, (62 ft.) in height; 105 ft. by 197 ft. 6 in. in area; of Class 1 construction; located in a restricted retail use, B area and Class 2 height district, and used and occupied: cellar, utilities, 10 persons; basement C, parking and storage for airlines, and storage of buses 5 persons; basement B, buses, 5 persons; basement A, buses, kitchen and restaurant, 5 persons; 1st floor, stores and restaurant, 170 persons; theatre, 528 persons; 2nd floor, waiting room and bus station, 300 persons; mezzanine, offices and storage, 60 persons; 3rd floor, offices, 100 persons; penthouse, offices, 155 persons; proposed to be used and occupied without change, except the 1st floor in the store and restaurant section, the occupancy will be increased to 228 persons; that the building is equipped with a two source sprinkler system and an approved standpipe system, two 3 ft. 8 in. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant contends that the restaurant is equipped with two type A revolving doors; that to comply with the requirements, would necessitate structural changes; that the restaurant complies in all other respects with the provisions of Local Law 29; that these revolving doors have served as exits from the restaurant ever since the erection of the building; it is therefore requested the Board permit the maintenance of these revolving doors as a means of egress for the duration of the war, so that the structural changes to make the premises comply, may be done at that time.

Resolved, that the decision of the borough superintendent, acting on P.A. Applic. 973-43, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

314-45-A

APPLICANT—Howard H. Snyder, for Hotel Taft Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—761-779 7th avenue, east side, from West 50th street to West 51st street (penthouse and roof); (Block 1003, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Howard H. Snyder.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (314-45-A)

WHEREAS, Howard H. Snyder for Hotel Taft Corporation, owner, filed May 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 761-779 7th avenue, east side, from West 50th to West 51st streets (penthouse and roof); (Block 1003, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1925, on amendments A-1 and 2 filed April 4, 1945, to Alt. Applic. 11-45, reads:

"Reconsideration denied. See G.O. No. 71-45 issued 4/12/45 re section 9 i of Article 3 and 19 f of Art. 4 of the Zoning Resolution. Further outer courts for additional heights must conform to the Zoning Resolution as amended Dec. 2, 1944. Not further considered."

and

WHEREAS, the applicant states the building is 19 stories (200 ft.) in height, 200 ft. 10 in. by 100 ft. in area; Class 1 construction; erected in 1925; located in retail 1 use, B area, Class 2 height district; used and occupied throughout as a hotel with three interior fireproof stairs from the street to the roof and that the building is equipped with a standpipe system and a fire alarm system; and

WHEREAS, the applicant contends that the borough superintendent should be instructed to permit the proposed addition to the penthouse, in accordance with subdivision i of section 9 and subdiv. f of section 19; that the Department's interpretation as embodied in its general order 71-45 is in error; that section 9-i and section 19-f both refer to buildings existing at the time of the passage of the resolution; that section 26 states "when effective, the zoning resolution of July 25, 1916 and all amendments thereto are hereby declared superseded by this resolution, which shall take effect immediately"; that the general order of the Department is not in accordance with the wording of the resolution, which specifically states "that the resolution supersedes the zoning resolution of July 25, 1916 and all amendments"; that since the building was built in 1925 in accordance with the zoning law existing at that time, it should be considered an existing building and heights and courts figured, as provided for in the resolution and not in accordance with General Order 71, which required that a building to be termed an "existing building" must have been erected prior to 1916; and

WHEREAS, the Board deemed that the interpretations of the Zoning Resolution, as cited in the General Orders of the Commissioner of the Department of Housing and Buildings, are correct.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 11-45, amendments A-1 and 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

321-45-A

APPLICANT—A. H. Salkowitz, for Hygrade Iron Works, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—95 Lombardy street, northeast corner of Vandervoort avenue; (Block 2819, Lot 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham H. Salkowitz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (321-45-A)

WHEREAS, A. H. Salkowitz, for Hygrade Iron Works, Inc., filed May 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 95 Lombardy street, northeast corner Vandervoort avenue (Block 2819, Lot 8), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 14, 1945, on Alt. Applic. 660-45, reads:

"3. Provide two means of exit from the 2nd floor and mezzanine, as required by Section 270 of the Labor Law."

and

WHEREAS, the applicant states the building is one story, 70 ft. by 130 ft. in area; of Class 3 construction; erected 1922; located in an unrestricted use, C area and Class 1½ height district, and used and occupied as a steel fabricating shop, 40 persons on the 1st floor and offices on the mezzanine story with an occupancy of 4 persons; that it is proposed to provide a 2nd story and to occupy the building as follows: 1st floor, steel fabricating shop, 40 persons; mezzanine, offices, 4 persons; 2nd floor, drafting and estimating room, 5 persons; and

WHEREAS, the applicant contends that the proposed second story will be occupied by a maximum of five persons and a second means of egress will be provided through a door leading to the existing roof and a ladder provided, leading directly to the street level, as shown on plans filed with this appeal; that a new stairway, leading to the proposed second story will be constructed of steel enclosed in fireproof partitions; that the present mezzanine floor is of steel beams and concrete arch construction and is used for offices only; that it is impossible to enlarge the existing mezzanine, due to arrangements of machinery, power lines and equipment throughout the shop, thus necessitating the additional office space to be erected on the 2nd floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 660-45, objection 3, and that the appeal be and it hereby is *granted on condition* that a second means of exit from the mezzanine floor and a second means of exit from the second floor shall be installed and maintained, as indicated on revised plans marked "Received June 23, 1945, (5 sheets)", *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

336-45-A

APPLICANT—Bureau of Real Estate, Board of Estimate, City of New York, for Almerindo Portfolio, City Treasurer, Receiver.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—704 Liberty avenue (700 displayed), south side, 32 ft. east of Elton street (2nd floor); (Block 3986, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Oliveri and John J. Hearn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (336-45-A)

WHEREAS, the Bureau of Real Estate of the Board of Estimate, City of New York, for Almerindo Portfolio, Receiver, filed May 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 704 Liberty avenue (700 displayed) south side, 32 ft. east of Elton street (2nd floor); (Block 3986, Lot 11), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1945, on Alt. Applic. 1171-45, reads:

"1. Exits to comply with Sec. 270 of Labor Law.

"2. Floors to be adequate for 120 lbs. per sq. ft. live-load as per Sec. 7.3.2.3 of Bldg. Code."

and

WHEREAS, the decision of the borough superintendent, dated January 31, 1945, relating to Violation 7307-43, reads:

"With further reference to our conversation a day or two ago, I have had the plans filed with New Building 11861/22 carefully re-examined, in the light of the present occupancy, and find that the exits are not in conformity with the requirements of Section 270 of the Labor Law, as would be required for the present factory occupancy on which the violation was placed. In order to make the building comply with these requirements, it would be necessary to provide an additional fireproof stair enclosed with fireproof partition from the first to the second floors. This, of course, would entail considerable expense. The alternative would be to file an application with the Board of Standards and Appeals. Such an application, in my mind, has a very good chance of being approved by the Board, as there is an exterior stair now existing on the building, in addition to the interior stair and the occupancy of the building is considerably reduced from that permitted under its existing legal occupancy as a dance hall.

The second floor of this building is designed for a liveload of 100 lbs. While under the law, a liveload of 120 lbs. is required for manufacturing, I feel that, if the manufacturing is of the kind that will not exceed the liveload now permitted, it could be accepted."

and

WHEREAS, Violation 7307-43 reads:

"Premises at stated location are being occupied as follows:

Cellar—vacant.

1st floor—luncheonette and stock room for factory.

2nd floor—manufacturing

with a certificate of occupancy from this department. Certificate of Occupancy 3781-43 is for store, meeting room and dance hall."

and

WHEREAS, the applicant states that the building is 2 stories (34 ft.) in height, 34 ft. by 90 ft. in area, of class 3 construction, erected in 1923, located in a business use, C area and class 1 height district and used and occupied as follows: cellar—vacant; 1st floor—luncheonette and storage—27 persons; 2nd floor—manufacturing children's dresses—17 persons; that no change in use or occupancy is proposed; that the building is equipped with one 3 ft. 8 in. iron stairs, enclosed in 8 in. brick construction, equipped with kalamein, self-closing doors and leading directly to the street; that a ladder and scuttle to the roof is provided; that there is also one fire escape at the rear, extending to the court by stairs, with egress through the side court to the street; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that there is a 4 in. wide iron stairs on the exterior of the building, in addition to a legally constructed interior stairs; that the present occupancy has been considerably reduced from that permitted under the original legal occupancy as a dance hall; that windows and doors on the exterior stair are or will be self-closing, fireproof with wire glass and there are no windows in lot line walls of adjoining buildings flanking the exterior stair; it is also requested that the Board allow a reduction in the liveload from 120 to 100 lbs., which is the stated carrying capacity of the floors, as the second floor carries only sewing machines and small incidental equipment; that cases stored on the 1st floor contain cloth, boxed 24 in. x 26 in. x 38 in. high, weighing 260 lbs. each; and

WHEREAS, Certificate of Occupancy 3781, issued under Applic. 3691-23, permits the use of the building as store, meeting room and dance hall and that the number of persons and floor load not stated.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1171-45, and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the primary means of exit, leading directly to Liberty avenue, as described and shown on plans filed with this appeal marked "Received May 28, 1945", shall be maintained; that in addition, the exterior steel stair serving as a second means of exit, leading to the yard and thence by court to Liberty avenue shall be maintained; that any gate, at or near the building line of Liberty avenue from such court, shall be made to swing outwardly; that a fixed iron ladder shall be maintained at the rear as an exit from the roof to the rear steel stairs; and *granted* as to objection 2, *on condition* that the approved floor load of 100 lbs. per superficial foot, may be continued, provided the type of manufacturing is such that the floor shall not be loaded beyond that capacity; that floor load signs shall be posted; that the building shall not be increased in height or area; that a certificate of

occupancy superseding Certificate No. 3781 shall be obtained; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

349-45-A

APPLICANT—Henry George Greene, for Gelstemp Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—569-573 Prospect avenue, west side, 25 ft. south of East 150th street (Block 2674, Lot 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (349-45-A)

WHEREAS, Henry George Greene, for Gelstemp Realty Corporation, owner, filed June 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 569-573 Prospect avenue, west side, 25 ft. of East 150th street (Block 2674, Lot 9), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 279-44, dated May 7, 1945, reads:

"2. State correct live load and number of males and females on each floor. Certificate of Occupancy of No. 1915-22 was approved for 120 lb. liveload first floor and 100 lb. liveload on 2nd floor. Show framing for 2nd floor good for 120 lbs. liveload. Reconsideration denied.

"4. Show full compliance with Labor Law, Industrial Code and Rules of the Board for factory buildings, erected after 1913. The means of egress are inadequate. Provide two lawful exits from each floor area. Stairs from cellar should be enclosed to street. Stairways should be constructed and enclosed as per Sec. 270 Labor Law. Bakery exits are not acceptable."

and

WHEREAS, the building is one and two stories (25 ft.) in height; 75 ft. by 100 ft. in area at the 1st floor; 75 ft. by 60 ft. in area at the second floor; of Class 3 construction; erected 1922; located in a business use, B area and Class 1½ height district and used and occupied since 1938 as follows: cellar, storage; 1st floor, stores and bakery, 25 persons; 2nd floor, manufacturing coats, 18 persons; that no change in use or occupancy is proposed; that the building is equipped with two 3 ft. 8 in. wide wood stairs, enclosed in fire retarded partitions, equipped with fireproof self-closing doors, and leading directly to the street; that a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that the use of the 2nd floor is light manufacturing, both stairways are steel enclosed in fire retarded partitions, fire retarded on one side; that these stairs comply generally with the requirements of the Labor Law as to stairway construction; that the occupancy of the 2nd floor is limited to 18 persons and has a one hundred lb. per sq. ft. liveload; that the present use of the 2nd floor does not approach the allowable live load; that the conditions are existing and any changes necessary to bring the present exits and live load up to requirements, would involve a great deal of expense without adding to the effectiveness of the exit and loading conditions; it is therefore requested the Board permit the present occupancy to be accepted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 279-44, and that the appeal be and it hereby is *granted*, as to objection 2, only as to the liveload on the second floor, *on condition* that such liveload shall be not less than 100 lbs. per superficial foot and shall be so posted; that the type of manufacturing permitted shall at no time exceed such loading; as to objection 4, that the means of exit from the second floor shall be maintained substantially as indicated on plans filed with this appeal marked "Received June 6, 1945," *on condition* that the closure partition shall be of a construction as approved for one hour test; that the doors leading thereto shall be fireproof, self-closing; that the scuttle to roof in the southerly stairs shall be maintained and a similar ladder and scuttle maintained on the northerly stair; that the exits as proposed from the bakery in the rear may be accepted, provided the passage as shown on plans, leading to Prospect avenue is maintained, as well as the passage from bakery leading through the store to Prospect avenue and the store door made to swing outwardly; that no manufacturing shall be carried on in the other three stores; that the exits from such three other stores are not being passed upon under this appeal; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

363-45-A

APPLICANT—Edgar Moeller, for Beremed Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1029-1039 6th avenue, west side, from West 38th to West 39th streets, 103-105 West 38th street and 104-106 West 39th street (Block 814, Lots 32. 33, 38, 39, 40, 41, 42, 43, 45 and 45½). Borough of Manhattan.

APPEARANCES—

For applicant: Edgar Moeller

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Not Voting: Commissioner Savage 1

THE RESOLUTION (363-45-A)

WHEREAS, Edgar Moeller, for Beremed Realty Co., Inc., owner, filed June 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 1029-1039 Sixth avenue and 103-105 West 38th street, southwest corner, and 104-106 West 39th street, north side, 60 ft. west of 6th avenue (Block 814, Lots 32, 33, 38, 39, 40, 41, 42, 43, 44, 45 and 45½), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 6, 1945, on N. B. Applic. 52-44, reads:

"26. Height of bldg. should comply with Section 8 (g) of Zone Resolution.

27. Area of bldg. should comply with Section 12 (b) of Zone Resolution."

and

WHEREAS, the applicant states that the proposed building will be 40 stories (510 ft.) in height, 117 ft. by 40 ft. and 100 ft. in area, of class 1 construction, located in a retail use, B area and class 2 height district and to used and occupied: sub-cellar—loading space, boiler room, machinery and equipment—6 persons; cellar—5% manufacturing, stores and showrooms—503 persons; 1st to 40th floors—5% manufacturing, stores and showrooms; that the building will be equipped with a two source sprinkler system, a standpipe system, an interior fire alarm system and that fire drills will be maintained; that there will be three 3 ft. 8 in. wide fireproof stairs from the roof to the street; and

WHEREAS, the applicant addressed the following communication on January 6, 1945 to the borough superintendent, Department of Housing and Buildings:

"With reference to our Application No. N. B. 52-44 which was filed with your Department on July 31, 1944, for a new building to be erected on the above captioned property, we respectfully submitt the following:

Complete construction plans and specifications including the structrual steel, have been submitted, examined by your engineer, amended as required, and finally approved as fulfilling the requirements of the existing law, subject only to the submission of adequate boring data which substantiated the assumption (of fast rock) made in the design for the foundations.

The making of the required six borings, distributed over the 15,000 sq. ft. of the property, was practically impossible under the existing conditions, as the buildings covering the property, are all occupied, and the rental is of assistance in carrying the property until the end of the present emergency, permits the owner to proceed with construction of the new building; the making of these borings would not only seriously affect the tenants, but also the Insurance Policies of the contractor making such borings in occupied buildings.

A statement has been made on the Amendment to the Application that "Records of the borings or test pits, and the character of soil and bearing capacity, will be filed before work is started on the premises".

We also submitted the result of borings made when the Subways were built, taken from the records on file at the Board of Transportation, one of which is on the East Building Line of our property on 6th avenue between 38th and 39th streets, showing rock 29 ft. below the curb, and another on the Broadway Building line between 38th and 39th streets, showing rock 14 ft. below the curb, indicating a trend upward of the rock, from East to West under our proposed building, the sub-cellar of which will be 23 ft. 6 in. and 26 ft. below the curb.

The plans of the building have also been submitted to the Board of Transportation and approved by them, and a copy of this approval transmitted to your Department.

On or about Dec. 12th, 1944, the owner received a letter from you dated Dec. 11, 1944, (copy of which was sent to me), stating in effect, that due to an amendment to the Zoning Law effective Dec. 2, 1944, the plans and Application N. B. 52-44 could not now be approved, thus automatically cancelling the previous approval.

Mr. Emil Friedlander, one of the owners of this property, is President and owner of "Dazien's," which is one of the largest, oldest and best known of the Importers & Manufacturers of theatrical and other costumes, draperies, etc. with branches in various of the larger cities, from coast to coast, their principal office being at 142 West 44th street, N. Y. C.

Mr. Friedlander and his associates bought this property and propose to erect this building as an investment, and primarily to consolidate in one building, the Office and the New York Showrooms, Salesrooms, etc. of Dazien's, and various of their other interests, as well as those of affiliated concerns.

As this type of construction is not essential to the war effort and therefore actual work on the building must be postponed for an indefinite time, the owners have retained the existing buildings and their tenants on short term, cancellable leases, so that the income can be applied to the cost of carrying the property.

They will, however, start construction as soon as the present National Emergency is over, and materials and labor are released by the Federal Authorities for this purpose.

In view of the above stated conditions, we respectfully request the re-issuance of the Approval of the Application, and further, that the heretofore mentioned data and explanation as to the borings be acccpted, and the Approval be completed without the requirement of submitting further boring data at this time."

and

WHEREAS, the decision of the borough superintendent dated January 23, 1945, reads:

> "Your letter of January 6, 1945, requesting that the previous status of the subject application be reinstated has been carefully considered.
> You are advised that this Department may not approve the application unless it conforms to the amendment of the Zoning Resolution which became effective December 2, 1944.
> Of course, you are aware that an appeal from this decision may be taken to the Board of Standards and Appeals for review."

and

WHEREAS, the applicant has filed a copy of a communication dated December 11, 1944, sent by the borough superintendent, which reads as follows:

> "On November 30th this Department wrote you that as of said date, an approval would have been given on the subject application had satisfactory boring data been submitted.
> You are now advised that the application may not be approved, as it does not comply with the requirements of the amendment to the Zoning Resolution which became effective December 2, 1944."

and

WHEREAS, the applicant has filed a copy of a communication dated November 30, 1944, addressed to the architect by the borough superintendent, reading as follows:

> "You are advised that the examination of the application submitted on the above premises under the subject application number, shows that the plans would be approved under the existing law if adequate boring data were submitted, which substantiated the assumption made in the design for the foundations."

and

WHEREAS, the applicant contends that construction plans and application were filed under N. B. Applic. 52-44 on July 31, 1944; that the first objections were received August 12, 1944 and amendment filed August 17, 1944; that additional objections were received September 12, 1944, amendment and revised plans filed September 18, 1944; that these amendments and revised plans after examination were declared satisfactory and the steel framing plans were prepared as rapidly as possible and the complete structural steel plans and column schedule were filed October 17, 1944; that complete construction and structural steel plans were finally declared satisfactory and could be approved, subject to satisfactory boring data being submitted, and this endorsement by the examiner was made on the application on November 30, 1944; that as a result of this, the applicant received a Letter of Approval from the Department dated November 30, 1944; that subsequently a letter was received from the Department dated December 11, 1944, revoking this approval; that the applicant then wrote to the Department under date of January 6, 1945, asking reconsideration of the action of December 11, 1944 and in answer to this request, a communication dated January 23, 1945 was received denying such request; that the application was filed more than four months before the zoning amendments became operative and the time elapsing between the date of filing and the date of approval was not due to delay on the applicant's part, but to conditions in the Department, probably due to the lack of sufficient examiners to examine the many new building plans filed to forestall the proposed amendments to the Zoning Resolution; that as a result of information that the Department had reinstated approval of plans and applications where permits had been obtained although no work had been done, and having been informed by the Chief Engineer and Acting Borough Superintendent that the lack of more definite boring data at this time would not of itself hold up the approval, an amendment was filed May 29, 1945 and disapproved June 6, 1945 by objections 26 and 27 herein appealed; that the owners purchased this property in good faith, for their own use and with the intention of proceeding with the building as soon as permitted by the Federal authorities; that it was impossible to enter into a

legitimate contract for construction and therefore a permit could not be obtained; that the issuance of a permit is a routine action and such a permit must be issued to the construction contractor when he files his Certificate of Insurance; that in view of the policy of the Department in reinstating approvals where permits have been obtained even though no work has been done and at the same time refusing such reinstatements where permits could not be obtained due to conditions beyond the control of the owners, seems to be arbitrary and untenable; it is therefore requested that the Board modify the decision of the borough superintendent and grant an approval of the application and plans; and

WHEREAS, the Board deemed that there was no basis presented to justify restoring the alleged approval of plans in view of the amendmeents to the Zoning Resolution effective December 2, 1944, with which the plans are not in compliance and in view of there having been no permit issued and no substantial work done at the site prior to December 2, 1944.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 52-44, objections 26 and 27, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

367-45-A

APPLICANT—Joseph P. Newman, for Murray Manufacturing Corporation, lessee (Estate of Francis Hutchinson, owner, Charles A. Hutchinson, Executor).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—7-9 Herkimer place, north side, 560 ft. west of Nostrand avenue (1st floor); (Block 1865, Lot 87), Borough of Brooklyn.

APPPEARANCES—
For Applicant: Joseph P. Newman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (367-45-A)

WHEREAS, Joseph P. Newman, for Murray Manufacturing Corporation, lessee (Estate of Francis Hutchinson, owner, Charles A. Hutchinson, Executor), filed June 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 7-9 Herkimer place, north side, 560 ft. west of Nostrand avenue (1st floor); (Block 1865, Lot 87), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1250-45, dated May 18, 1945, reads:

"1. Temporary occupancy cannot be considered—as zone may be changed, that would prohibit its use.

2. Area over 2500 sq. ft.—two legal exits required as per 6.1.2.2.2 Building Code.

3. Provide toilets for each sex."

and

WHEREAS, the applicant states the building is one story (13 ft.) in height; 40 ft. by 90 ft. in area; of Class 3 construction; erected 1916; located in an unrestricted use, C area and Class 1¼ height district and used and occupied: cellar, boiler, room, 1 person; 1st floor, storage, 7 persons; proposed to be used and occupied: cellar, same; 1st floor, manufacturing ordnance materials, 7 persons; that Certificate of Occupancy 1084, issued November 14, 1916, permits the use of the building as garage; and

WHEREAS, the applicant states it is proposed to use the premises for maintenance and repairs in connection with plant engaged in ordnance production; that at 1171-1185 Atlantic avenue, employees check in and have their lockers; that the maintenancee employees do not work all of their time in the building in question; that the one toilet is reserved for females and it is therefore requested that the Board permit the present use under the existing certificate of occupancy.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1250-45, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the means of exit, as indicated on plan filed with this appeal marked "Received June 15, 1945," shall be maintained; that the door to the rear yard shall swing outwardly; that a passage from such yard through the yard and building at #5 Herkimer place, as indicated on plan, shall be maintained at all times while the building at 7-9 Herkimer place is being occupied for factory purposes; and *denied* as to objection 3; as to objection 1, that this occupancy may be considered a temporary occupancy under existing certificate of occupancy #1084, for the term of the present emergency and for not more than six months thereafter; and that the building may be restored thereafter to the former garage use, as permitted by the certificate; that any gasoline storage tanks within the building shall be sealed during the occupancy herein permitted, to the satisfaction of the fire commissioner; that the boiler room shall be separated from the balance of the building and enterable only from the exterior, as indicated; that the building shall not be increased in height or area; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

370-45-A

APPLICANT—Schnall and Blaufeux, for Tenrepad Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—100 Prospect place, south side, 247 ft. 7 in. east of 6th avenue, (basement and 1st floor); (Block 939, Lot 21), Borough of Brooklyn.

APPEARANCES—
For Applicant: Judson E. Schnall.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (370-45-A)

WHEREAS, Schnall and Blaufeux, for Tenrepad Realty Corporation, owner, filed on June 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 100 Prospect place, south side, 247 ft. 7 in. east of 6th avenue (basement and 1st floor); (Block 939, Lot 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 21, 1945, on Alt. Applic. 1340-45, reads:

"1. Proposed public occupancy in a Class 3 building over two stories and 30 ft. in height, is contrary to Section 4.2.1 Bldg. Code."

and

WHEREAS, the applicant states the building is 3 stories, and basement (40 ft.) in height; 18.9 ft. by 56.6 ft. in area at 1st floor; 18.9 ft. by 38 ft. in area at typical floor; of Class 3 construction; erected prior to 1900; located in a residence use, B area and Class 1½ height district and used and occupied as follows: cellar, storage; basement, 1st and 2nd floors, one family and furnished rooms; proposed to be used and occupied as follows: cellar, ordinary storage; basement, meeting room, 46 persons; 1st floor, meeting room, 75 persons; 2nd and 3rd floors combined, caretaker's apartment; that the building is equipped with one interior 2 ft. 8 in. wide, wood stairs, enclosed in one hour partitions and leading directly to the street and provided with a ladder and scuttle to the roof; that the stair enclosure doors are of wood and are to be made self-closing; that there is one fire escape on rear of the building, leading to the roof by a ladder; and

WHEREAS, the applicant contends that it is proposed to enclose the interior cellar stairs with a fireproof 3 hour rating partition and a 1 hour fireproof, self-closing door at the bottom; that the entire cellar ceiling is to be properly fire retarded, in accordance with rules and regulations of the Board; that new partitions are to be erected in the basement, to accommodate proper toilet facilities; that the entire basement ceiling is to be fire retarded with one-half in. perforated gypsum rock lath and two coats of gypsum mortar; that on the 1st floor, it is proposed to install proper exit doors to accommodate the occupancy; that the entire first floor ceiling is to be fire retarded with one-half in. perforated gypsum rock lath and two coats of gypsum mortar; that partitions enclosing stairs on the first floor are to be fire retarded, both sides, with one-half in. perforated gypsum rock lath and two coats of gypsum mortar; that the 2nd and 3rd floors are to be occupied conjunctively as the caretaker's apartment, and as an emergency measure, it is proposed to install a fire escape balcony and a drop ladder from the 3rd floor to the 2nd floor roof; that the 1st tier of beams and the 2nd tier of beams are to be properly reinforced, so as to carry a live load of 100 lbs. per sq. ft.; and

WHEREAS, the applicant further contends that plans as now submitted, show proposed alterations to the structure, which will make the building safe and proper for the occupancy as proposed.

RESOLVED, that the decision of the borough superintendent acting on Alt. Applic. 1340-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the public occupancy shall be substantially as proposed, meeting the requirements of the borough superintendent, under the Code and shall not be above the first floor of the building; that the building shall not be increased in height or area and otherwise shall comply in all respects with all laws, rules and regulations applicable thereto; that a second means of exit from the first floor shall be provided, leading to the yard of the plot; that the second and third floors shall be occupied for residential use only, as proposed; and that the cellar ceiling shall be fire-retarded, as required by Section C26-669.0 of the Building Code.

187-35-A

APPLICANT—New York Dock Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Appeal from orders of the fire commissioner.

PREMISES AFFECTED—Pier #38, Clinton Wharf, Atlantic Basin (Block 515, part of Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: George A. Eweler.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (187-35-A)

WHEREAS, this appeal from a decision of the commissioner of buildings, affecting Pier No. 38, Clinton Wharf, Atlantic Basin (Block 515, part of Lot 1), Borough of Brooklyn, was granted by the Board on November 26, 1935, on certain conditions; and

WHEREAS, time was extended from time to time, to obtain permits and complete the work, the last such extension having been granted on December 12, 1944; and

WHEREAS, the applicant requested for further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 26, 1935, as amended by resolutions adopted through December 12, 1944, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

". . . that in view of statement by applicant's representative that the work has been substantially completed, that all work shall be entirely completed within six months from the date of this *amended* resolution."

102-42-S

APPLICANT—Alfred H. Eccles, for Bernadel Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Variation of the labor law as cited in decisions of the borough superintendent. (Previously granted on condition for temporary term).

PREMISES AFFECTED—40-09 21st street, east side, 58.22 ft. south of 40th avenue (Block 410, Lot 9), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Alfred H. Eccles.
For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Application reopened and variance extended.

THE VOTE TO REOPEN AND EXTEND VARIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

THE RESOLUTION (102-42-S)

WHEREAS, this application from decisions of the borough superintendent, affecting premises 40-09 21st street, east side, 58.22 ft. south of 40th Avenue (Block 410, Lot 9), Long Island City, Borough of Queens, was granted by the Board on October 27, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the variance, relative to the removal of wood partitions.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted October 27, 1942, only so far as it has reference to the time within which to remove the combustible partitions, so that as amended, this portion of the resolution shall read:

". . . the combustible partitions shall be removed or replaced by lawful partitions within eighteen (18) months from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of October 27, 1942, shall be complied with (Misc. applic. 402-41)."

80-43-A

APPLICANT—Richard P. Carrigan, for Home Owners Loan Corp., (Augustana Evangelical Lutheran Church, lessee).

SUBJECT—Application for consideration—reopening and extension of temporary variance—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—117-08 114th Avenue (Linden boulevard), southwest corner of 118th Street (Block 11644, Lots 4, 7 and 9), Richmond Hill, Borough of Queens.

APPEARANCES—
For Applicant: Richard P. Carrigan and Rev. Carl F. Ellison.
For Administration: Fred Dahlem, Dept. Housing & Buildings.

ACTION OF BOARD—Appeal reopened and variance extended.

THE VOTE TO REOPEN AND EXTEND VARIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

MINUTES

THE RESOLUTION (80-43-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 117-08 114th Avenue (Linden boulevard), southwest corner of 118th Street (Block 11644, Lots 4, 7 and 9), Richmond Hill, Borough of Queens, was granted by the Board on May 18, 1943, on certain conditions, for a term of two years; and

WHEREAS, the applicant requested an extension of the temporary variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted May 18, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"that this variance is *granted* for a term of two years from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of May 18, 1943, shall be complied with (Alt. Applic. 68-43)."

430-43-A

APPLICANT—Stuyvesant Town Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—523-549 East 14th street and 234-244 Avenue B, northwest corner (Block 972, Lot 16), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen dismissed for lack of prosecution.

THE VOTE TO DISMISS REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (430-43-A)

WHEREAS, this appeal from a decision of the fire commissioner, affecting premises 523-549 East 14th street and 234-244 Avenue B, northwest corner (Block 972, Lot 16), Borough of Manhattan, was granted by the Board on November 3, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, when this case was called for consideration of reopening, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the request to reopen, be and it hereby is *dismissed* for lack of prosecution.

621-44-A

APPLICANT—William O. Staber, for Maher Realty Corporation, owner (U. S. Electric Manufacturing Company, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendennt, previously granted on condition.

PREMISES AFFECTED—107-109 West 13th street, north side, 105 ft. west of 6th avenue (Block 609, Lot 49), Borough of Manhattan.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

701-44-A

APPLICANT—Henry C. Brucker, for Ridgewood Savings Bank, owner (Brody's Furniture and Radio Store, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens, (Under section 35, General City Law re bed of mapped street—Beach 20th street).

APPEARANCES—

For Applicant: David Bornstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

172-45-A

APPLICANT—Samuel Rosenblum, for Shelton Holding Corp., owner.

SUBJECT—Appeal from a decision re orders of the fire commissioner.

PREMISES AFFECTED—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to July 10, 1945 at 2 P.M., pending an inspection by a committee of the Board.

329-45-A

APPLICANT—Martyn Weinstein, for Jemrod Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 2 P.M., on written request of applicant.

ZONING APPLICATIONS

327-27-BZ

APPLICANT—Joseph J. Karp, for P. Toback, Incorporation, owner (Sam Brufsky, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—745-757 Ralph avenue, east side, 275 ft. south of Sutter avenue and 16 ft. north of East 98th street (Block 3531, Lot 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph J. Karp.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (327-27-BZ)

WHEREAS, this application under section 21 of the zoning resolution, to permit in a business use district the erection and maintenance of a garage for more than five motor vehicles, affecting premises 745-757 Ralph avenue, east side, 275 ft. south of Sutter avenue and 16 ft. north of East 98th street (Block 3531, Lot 7), Borough of Brooklyn, was denied by the Board on October 28, 1927; and

WHEREAS, this garage, although permitted by the Court, was not erected; and

WHEREAS, the applicant requested a reopening of this application under section 7h of the zoning resolution, to permit for a term of two years, the parking and storage of more than five motor vehicles; and

WHEREAS, the application was granted by the Board on May 23, 1939, on conditions; and

WHEREAS, the permit was extended on May 27, 1941 and June 8, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1939, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 23, 1939, shall be complied with, and that a certificate of occupancy shall be obtained."

165-30-BZ

APPLICANT—Jacob Bookshin, for 543 Ocean Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and acceptance in view of previous denial—(re decision of the borough superintendent) to permit under sections 7a, 7c and 21 of the zoning resolution, in a residence use and E area district, the erection and maintenance of a business building occupying more than 70% of the area of the lot.

PREMISES AFFECTED—1602 Avenue J and 1001 East 16th street, southeast corner (Block 6718, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: G. Burchard Smith, Jacob Bookshin and Samuel S. Brandt.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen and accept new application denied.

THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (165-30-BZ)

WHEREAS, this application under sections 7a and 21 of the zoning resolution, to permit in a residence use and E area district, the erection and maintenance of a business building and also, the omission of the setback from the building line, as required by the zoning resolution, affecting premises 1602 Avenue J and 1001 East 16th street, southeast corner (Block 6718, Lot 1), Borough of Brooklyn, was denied by the Board on July 1, 1930; and

WHEREAS, upon court review, Mr. Justice Dunne sustained the Board's action on December 12, 1930 and the appeal to the Appellate Division was withdrawn by stipulation of all parties; and

WHEREAS, under the same calendar number, a later request for rehearing was denied on May 15, 1934; and

WHEREAS, under Calendar 306-38-A, permission to continue use of existing frame building limited to use as a hand laundry was granted on November 29, 1938 and later on July 13, 1943 a request for change of use was denied; and

WHEREAS, a further request for rehearing as a new application was made on June 8, 1945; and

WHEREAS, the Board deemed that, in view of previous actions on a similar proposal for a zoning variance, to permit the erection of a commercial building, no new facts of a substantial nature were presented to justify a rehearing.

Resolved, that the request for acceptance of the new application, be and it hereby is *denied.*

609-37-BZ

APPLICANT—Grand Street Realty Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block 867, Lots 83, 85 and 86), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Herman Tille.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (609-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block 867, Lots 83, 85 and 86), Jamaica, Borough of Queens, was granted by the Board October 4, 1938, on certain conditions; and

WHEREAS, the resolution was amended on January 4, 1939 and February 15, 1939 and the permit was extended on March 18, 1941, March 30, 1943 and March 27, 1945; and

WHEREAS, the applicant requested a further amendment of the resolution in reference to signs on the premises; and

WHEREAS, the Board deemed that there was no basis presented to justify permitting more and larger signs to be permitted under the resolution adopted on February 15, 1939.

Resolved, that the request to reopen, be and it hereby is *denied.*

70-39-BZ

APPLICANT—J. Jacques Stone, for Murray Hill Corporation, lessee; for Edith Kane Baker, Alexander C. Nagle and The First National Bank of the City of New York, executrix and executors of Estate of George F. Baker.

SUBJECT—Application for consideration—reopening and extension of permit. Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a restricted retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—13-19 East 38th street and 250-260 Madison avenue, northwest corner and 18-20 East 39th street (Block 868, Lots 14, 15, 16, 59, 62 and 63), Borough of Manhattan.

APPEARANCES—

For Applicant: J. Jacques Stone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (70-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a restricted retail use district, for a term of two (2) years, the parking and storage of more than five motor vehicles, affecting premises 250-260 Madison avenue, 13-19 East 38th street, northwest corner, and 18-20 East 39th street, south side, 100 ft. west of Madison avenue (Block 868, Lots 14, 15, 16, 59, 62 and 63), Borough of Manhattan, was granted by the Board June 20, 1939, on certain conditions; and

WHEREAS, the resolution was amended on April 16, 1940 and the permit was extended on June 24, 1941 and June 22, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 20, 1939, as amended through June 22, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot under appeal to be used for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of June 20, 1939, as amended through June 22, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

452-41-BZ

APPLICANT—L. A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district the construction of a new accessory building on an existing gasoline service station.

PREMISES AFFECTED—406 Bay street, northwest corner of Clinton street (Block 505, Lot 18), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (452-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the construction of a new accessory building on an existing gasoline service station, affecting premises 406 Bay street northwest corner of Clinton street (Block 505, Lot 18), Tompkinsville, Borough of Richmond, was granted by the Board September 16, 1941, on certain conditions; and

WHEREAS, the resolution was amended on June 9, 1942, and time to obtain permits and complete the work, was extended on October 6, 1942, May 4, 1943, June 27, 1944 and December 19, 1944; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 16, 1941, as amended on June 9, 1942, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of statement by applicant that all permits have been obtained and the work has been substantially completed, that all work shall be completed within six (6) months from the date of this *amended* resolution and other than as *amended* herein, the conditions of the resolutions of September 16, 1941 and June 9, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

587-41-BZ

APPLICANT—Clayton G. Shirkey, for Realty Associates, Inc., owner (Elizabeth Sullivan, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business and residence use district, the seasonal parking and storage of more than five motor vehicles.

PREMISES AFFECTED—32-11 Sprayview avenue, south side, 40 ft. east of Beach 33d street, east side of Beach 33d street, 100 ft. south of Sprayview avenue and north side of Boardwalk, between Beach 32d street and Beach 33d street (Block 304, Lots 3 and 14), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (587-41-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, permitting in a business and residence use district, the seasonal parking and storage of more than five (5) motor vehicles, affecting premises 32-11 Sprayview avenue, south side, 40 ft. east of Beach 33rd street, east side of Beach 33rd street, 100 ft. south of Sprayview avenue, west side of Beach 32nd street, 100 ft. south of Sprayview avenue and the north side of Boardwalk between Beach 32nd and Beach 33rd streets (Block 304, Lots 3 and 14), Edgemere, Borough of Queens, was granted by the Board July 17, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on January 27, 1942 and the permit was extended on June 8, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 17, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h, for a term of two years from the date of this *amended* resolution, to permit the seasonal parking and storage of more than five motor vehicles, *on condition* * * * that other than as *amended* herein, the resolution adopted by the Board July 17, 1941, shall be complied with in all respects and that a new certificate of occupancy shall be obtained (Misc. Applic. 5599-41)."

MINUTES

790-41-BZ

APPLICANT—Lama and Proskauer, for Herman H. Behn, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district for a term of three years, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—112-16 to 112-18 101st avenue, southwest corner of 113th street (Block 9430, Lot 7), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant—Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (790-41-BZ)

WHEREAS, this application under section 7i of the zoning resolution, permitting in a business use district for a term of three years, the conversion of occupancy of an existing building to a motor vehicle repair shop, affecting premises 112-16 to 112-18 101st avenue, southwest corner of 113th street (Block 9430, Lot 7), Richmond Hill, Borough of Queens, was granted by the Board on June 30, 1942, on certain conditions; and

WHEREAS, time to complete the work was extended on May 31, 1944 and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 30, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7i for a term of five years, from the date of this *amended* resolution, to permit the continuation of minor repairing with hand tools, painting and radiator repairing in the westerly store, having a frontage of approximately 30 ft. on 101st avenue, *on condition* * * * that other than as herein *amended*, the conditions of the resolution of June 30, 1942, shall be complied with, and that a certificate of occupancy shall be obtained (Misc. Applic. 8047-41)."

987-41-BZ

APPLICANT—L. A. Kiesewetter, for the Texas Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete the work—re Application (decision of the borough superintendent) previously granted on condition, under section 7c thereof, permitting in a business use district, the reconstruction and erection of a new accessory building upon an existing gasoline service station.

PREMISES AFFECTED—736-746 Linden boulevard, and 796-804 Utica avenue, southwest corner (Block 4675, Lot 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (987-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the reconstruction and erection of a new accessory building upon an existing gasoline service station, affecting premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block 4675, Lot 6), Borough of Brooklyn, was granted by the Board on June 8, 1943, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 27, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 8, 1943, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"That all permits shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as *amended* herein, the the conditions of the resolution of June 8, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

1029-41-BZ

APPLICANT—Gulf Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete the work— Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, the extension and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block 487, Lot 42), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing & Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1029-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the extension and reconstruction of an existing gasoline service station, affecting premises 263 Bay street and 16 Hannah street, southeast corner (Block 487, Lot 42), Tompkinsville, Borough of Richmond, was granted by the Board on July 14, 1942, on certain conditions; and

WHEREAS, time to complete the work was extended on June 20, 1944 and the applicant requested a further extension of time for such similar purpose.

Rosolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 14, 1942, only so far as it has reference to the completion of the work, so as amended, this portion of the resolution shall read:

"In view of statement by applicant, all plans have been approved, that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of July 14, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

1101-41-BZ

APPLICANT—L. A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting partly in business and partly in an unrestricted use district, the reconstruction of an existing gasoline service station.

MINUTES

PREMISES AFFECTED—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block 2263, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (1101-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station, affecting premises 451-457 Flushing avenue and 713-721 Bedford avenue; northeast corner (Block 2263, Lot 1), Borough of Brooklyn, was granted by the Board on July 21, 1942, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 27, 1944 and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 21, 1942, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"that in view of statement by the applicant's representative, that plans have been filed with and approved by the borough superintendent, that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of July 21, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

408-44-BZ

APPLICANT—Eberhart Brothers, Inc., for Blackwell Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting partly in a residence use and partly in an unrestricted use district, for a term of six years, the occupancy as a factory of the 3rd and 4th stories of an existing building now occupied on two lower stories, facing on East 71st street as a garage for more than five motor vehicles; for the storage and shipping of vacuum cleaner parts on the 1st and 2nd stories and on the 3rd and 4th stories as garage for more than five motor vehicles.

PREMISES—524-528 East 72nd street, south side, 373 ft. east of York avenue and 525-533 East 71st street (Block 1483, Lot 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Walter Eberhart.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (408-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a residence use and partly in an unrestricted use district, for a term of six years, the occupancy as a factory on the 3rd and 4th floors of an existing building now occupied on the two lower stories, facing on East 71st street as a garage for more than five motor vehicles; for the storage and shipping of vacuum cleaner parts on the 1st and 2nd stories and on the 3rd and 4th stories as garage for more than five motor vehicles; affecting premises 524-528 East 72nd street, south side, 373 ft. east of York avenue and 525-533 East 71st street (Block 1483, Lot 33), Borough of Manhattan, was granted by the Board on July 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the use as granted for the 3rd and 4th stories, to be extended to include the 2nd story.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1944, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, for a temporary term not exceeding six (6) years from July 1, 1944, to permit the 2nd, 3rd and 4th stories, as proposed, to be occupied as a laboratory and factory, *on condition* . . . that other than as *amended* herein, the conditions of the resolution of July 25, 1944, shall be complied with."

1004-25-BZ

APPLICANT—Arthur Jovis, for 2929-2933 Third Ave. Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of superintendent of buildings), previously granted on condition, under section 21 of the zoning resolution, permitting in a residence district, the change of occupancy of the 1st story of an existing apartment building from dwelling use to stores.

PREMISES AFFECTED—2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Jovis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW THE REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

1236-27-BZ

APPLICANT—Samuels and Samuels, for Dorothy Rehder, owner.

SUBJECT—Application for consideration—reopening and extension of permit—expired by limitation, station not operating; re Application (decision of borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163d avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on July 24, 1945, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

MINUTES

280-31-BZ

APPLICANT—Harry H. Goebel, for Grace Lociero, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street, (Block 4046, Lot 5), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Harry H. Goebel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on July 17, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

241-33-BZ

APPLICANT—Charles M. Spindler, for W. S. Refining Corp., owner in fee under contract.

SUBJECT—Application for consideration—reopening and hearing as Vol. II—re Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales.

PREMISES AFFECTED—875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

217-45-BZ

APPLICANT—Morris Whinston, for Loab Estates, Inc., New York Cold Storage, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the extension of an existing building from factory, loading platform and packaging of dairy products in containers, to a milk bottling and distributing station.

PREMISES AFFECTED—516-18 Westchester avenue and 521-27 East 150th street (Block 2276, Lots 17, 86, 87 and 88), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 5, 1945, as they appeared in Bulletin No. 24, Vol. 30, are hereby corrected to read as follows:

324-45-A

APPLICANT—Reuben Siskin, owner.

SUBJECT——Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Toplitz and Reuben Siskin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (324-45-A)

WHEREAS, Reuben Siskin, owner, filed May 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 1256-1262 Bedford avenue, northwest corner Fulton street (Block 2000, Lot 35), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated May 16, 1945, on Alt. Applic. 2675-44, reads:

"2. Existing floor load capacity of 100 lbs. does not comply with Section 7.3.2.3, Bldg. Code."

and

WHEREAS, the applicant states the building is 3 stories (45 ft.) in height; 88 ft. 11 in. by 118 ft. 4 in. irregular in area, of Class 3 construction, erected prior to 1914; located in a business use, B area, Class 1¼ height district and used and occupied: cellar, boiler room; 1st floor, stores, 10 persons; 2nd floor, manufacturing dresses, 105 persons; 3rd floor, vacant; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, same; 3rd floor, manufacturing dresses, 75 persons; that the building is not equipped with an interior fire alarm system, but fire drills are maintained; that the building is equipped with one 7 ft. wide wood stairs, enclosed in fire retarded partitions, equipped with metal covered self-closing doors and leading directly to the street and a ladder and scuttle to the roof is provided; that there are two fire escapes, one of which leads to the roof by a stair and the other by a ladder and one to the street by counter-balanced stair and the other to the *street* by a *sliding drop ladder;* that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant requested the Board to accept 100 lb. live load in lieu of 120 lbs. as required by Section 7.3.2.3 of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2675-44, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the capacity of the third floor, proposed to be occupied for factory purposes, shall not be less than 100 lbs. per superficial foot and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 46-45-BZ; and that the requirements of the Labor Law shall be complied with as to the exterior fire escape; that the partition on the third floor, shown on plans filed with the zoning application (Cal. 46-45-BZ) marked "Received February 1, 1945" and separating the space marked "dress factory" from space marked "showroom", shall have an additional door therein located to the east, complying with the requirements, to provide an easier

means of access to the fire escape on the Fulton street side; that the floor loads shall be posted and that a certificate of occupancy shall be obtained prior to occupancy.

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* Correction—The word "yard" changed to "street" in line 27 of the resolution and the words "counter-balanced stair changed to *"sliding drop ladder"* in line 28 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 29, 1945, as they appeared in Bulletin No. 23, Vol. 30, are hereby corrected to read as follows:

280-45-A

APPLICANT—Irvin J. Berger, for Victor Metal Products Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12). Borough of Brooklyn.

APPEARANCES—
For Applicant: Irvin J. Berger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION (280-45-A)

WHEREAS, Irving J. Berger, for Victor Metal Products Corp., owner, filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1945, re Alt. Applic. 271-45 reads:

> 9. "Provide two means of egress from each floor, complying with the requirements of Sec. 270 of the Labor Law, as building was extended under Alt. 6163-29.
>
> 10. Vertical openings shall be enclosed throughout their height by enclosures of fireproof materials, as per Sec. 270-7 of the Labor Law. Denied."

and

WHEREAS, the applicant states that the building is 3 stories (51 ft.) in height; 140 ft. 2 in. frontage (plans show a total frontage of 175 ft., additional 35 ft. being a two-story adjoining building occupied by same concern and connected thereto); that it is 50 ft. and 100 ft. in depth at street floor; and 50 ft. and 61 ft. 2 in. in depth at typical floor; Class 3 construction; located in unrestricted use C area, Class 1¼ height districts; erected about 1897 and 1929 and used and occupied since as follows: 1st, 2nd and 3rd floors, manufacturing collapsible tubes, 35 persons, 32 persons and 14 persons, respectively; proposed occupancy —1st floor, 35 persons; 2nd floor, 45 persons; 3rd floor, 80 persons—same use—manufacturing collapsible tubes; that the building is equipped with an approved one-source sprinkler system, standpipe and fire alarm systems and that fire drills are maintained; that there are two interior stairs, one stairway at the northwest corner, marked "Stair A" on plans filed with this appeal, is 3 ft. 8 in. wide, constructed of wood, enclosed with fire-retarded partition on both sides, with #24 gauge sheet metal over ½ in. plaster board, and one stairway, 75 ft. from the southwest corner, marked "Stair B" on plans, constructed of steel and concrete, enclosed in masonry, both lead directly to the street and one extends to the roof bulkhead, construction of doors one and one-half hour, self-closing; that Certificate of Occupancy 60300 was issued May 2, 1930, for use of the building as a factory, with 120 lbs. liveload p.s.f. on each floor and occupancy of 20 persons on 1st floor, 22 persons on the 2nd floor and 4 persons on the 3rd floor; that Permit 6163-29 was issued and work completed May 2, 1930; and

WHEREAS, the applicant contends that the records in the Department of Housing and Buildings indicate that the section of the building at the corner of Diamond and Calyer streets, was erected in 1897 and purchased by the present owner in 1926 and that it has been used continuously for the same purpose since that time; that in 1928, the building was altered, by enclosing the present wooden stair (indicated as Stair A) on both sides with ½ in. plaster board and 24 in. gauge sheet metal; that in 1929, the building was enlarged by adding a three story extension to the south, which was approved by the Bureau of Buildings and in which there was constructed a steel and concrete stair (indicated as Stair B), enclosed in masonry and so located as to be directly accessible to both the old and new portions of the building; that another Certificate of Occupancy, 62144 was issued October 29, 1930, for this extension, approved for floor loads of 75 lbs. p.s.f. for the 2nd and 3rd floors, the first floor being on the ground and all permitted for factory throughout; that as to objection 9, the Borough Superintendent questions the construction of Stair "A" as to compliance with the Labor Law, under Section 270; and as to objection 10, that the openings consist of conveyors, indicated on the drawings as Nos. 1 and 2; Conveyor #1 extends from 2nd to 3rd floors only and it would be difficult to enclose it, because of the wood floor construction; that it is proposed to construct the necessary guard rails and slatted fire doors at the floor, as called for in Section 10.13.2 of the Building Code; that Conveyor #2 extends from the 1st to the 3rd floors and it is proposed to protect this with self-supporting angle iron construction with 20 gauge sheet metal and fire doors at each opening; and

WHEREAS, it appears that the section of the frontage of 40 ft. used in conjunction with this plant to the south, is separated from the balance of the factory by fireproof, self-closing doors on the ground and second floors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 271-45, and that the appeal be and it hereby is *granted,* as to objection 9 *on condition* that the existing means of exit as indicated on plans filed with this appeal marked "Received May 10, 1945" shall be maintained, and in addition, a stairway at the Diamond street side of the southerly building, intended for future office space, shall be continued to the roof with a bulkhead, which may be fire-retarded construction and a fire-retarded passageway stair enclosure constructed on the second floor; that the door, leading to the second story roof from the 3rd floor toward the front, shall be maintained; that the enclosures around stairs "A" and "B" may be maintained, as previously approved by the Department of Housing and Buildings, as stated; as to objection 10, that the openings for conveyors may be maintained as proposed and provided that in all other respects, other than as herein modified, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto; that the one source sprinkler system shall be maintained throughout the building and the standpipe, fire alarm systems and fire drills shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that the building shall not be increased in height or area; that the floor loads per superficial foot per floor shall be maintained *in accordance with Certificates of Occupancy* 60300 and 62144.

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*Correction—The words "of 120 pounds" deleted near the end of the resolution and the words *"in accordance with Certificates of Occupancy* 60300 and 62144 "inserted in the last line of the resolution.

352.05
495 NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

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JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of July 3, 1945 will be printed in the Bulletin of July 17, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 3, 1945.

Cal. No. Dept. Premises Affected

398-45-BZ—H.B.Q.—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6379, Lot 21), Bayside, Borough of Queens, Alt. 421-45.

399-45-A—H.B.Q.—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6379, Lot 21), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—Cororal Kennedy street (Stewart avenue), Alt. 421-45.

400-45-BZ—H.B.Q.—122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens, Alt. 564-45.

401-45-A—H.B.M.—256-258 West 36th street, south side, 197 ft. 7¼ in. west of 8th avenue (Block 785, Lot 73), Borough of Manhattan, Amendment to Alt. 917-45.

402-45-A—H.B.Q.—17 Clinton Walk, west side, 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re frontage on mapped street—Clinton Walk), N.B. 532-45.

403-45-BZ—H.B.B.—761-783 Rutland road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn, Alt. 1663-45.

404-45-A—H.B.B.—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn, Alt. 1587-45.

405-45-SM—Jiffy Flame Proof Liquid, manufactured by Jiffy Hose Rack Co., Material.

406-45-A—H.B.M.—3835 9th avenue, east side, from West 205th to West 206th streets (basement and 1st floors); (Block 2186, Lot 1), Borough of Manhattan, B.N. 869-45.

407-45-BZ—H.B.Q.—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66) Richmond Hill, Borough of Queens, N.B. 497-45.

408-45-BZ—H.B.B.—561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn, Alt. 3429-44.

409-45-SA—Yale Compact Door Closer ("Liquid" Type), Appliance.

410-45-A—F.D.—East side of Conover street, 345 ft. south of Reid street (Block 611, part of Lot 1), Pier 45, East River, Borough of Brooklyn, 15123-LF.

411-45-BZ—H.B.B.—538 Washington avenue, west side, 80 ft. south of Fulton street (Block 2012, Lot 39), Borough of Brooklyn, N.B. 72-45.

412-45-A—F.D.—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens, Decision re 99014-LC.

413-45-BZ—H.B.M.—154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan, Amendment to N.B. 128-45.

414-45-A—H.B.Q.—51-03 Van Dam street and 32-02 Borden avenue, southeast corner (1st floor); (Block 305, Lot 17), Long Island City, Borough of Queens, Misc. 2568-45.

415-45-A—F.D.—170-172 2nd avenue, northwest corner of 13th street (1st floor); (Block 1025, Lot 49), Borough of Brooklyn, Decision.

416-45-A—H.B.Bx.—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx, Amendment to Alt. 155-45.

417-45-A—F.D.—160-30 Northern boulevard, south side, 509.8 ft. east of 159th street (basement); (Block 5335, Lots 61 and 62), Flushing, Borough of Queens, 14959-LF and Decision.

Restored to Calendar.

701-44-A—H.B.Q.—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens, Alt. 331-44.

338-44-A—1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx, Alt. 352-45.

592-44-A—H.B.B.—530 Ocean parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn, Alt. 2010-44.

597-39-BZ—H.B.Q.—84-02 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens, Alt. 736-45.

345-36-BZ—H.B.Bx.—2095 Grand Concourse, west side, 95.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx, Amendment to Alt. 1033-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A

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		Last Publication in Bulletin
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June	19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules	May	15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb.	6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec.	28, 1943—Vol. 28, No. 52A
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Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar.	13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	May	29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for	Mar.	27, 1945—Vol. 30, No. 13
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

JULY 10, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 10, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

50-45-BZ—Application, February 3, 1945, under section 21 of the zoning resolution, of The Dime Savings Bank of Brooklyn, applicant and owner, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area; premises 1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

210-45-BZ—Application, April 5, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of The Fifth Avenue Bank of New York, owner, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

297-39-BZ—Application of Ervin Palmer, applicant, on behalf of Wilson & Company, owner (H. Chazen, Inc., lessee), reopened February 15, 1944, under section 7i of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises; premises 838-840 1st avenue, east side, 16 ft. south of East 47th street (Block 1358, part of Lot 47), Borough of Manhattan.

91-45-BZ—Application, February 23, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank Broz, owner, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building; premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901 (2678). Lots 42 and 45), Flushing, Borough of Queens.

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

159-45-BZ—Application, March 19, 1945, under section 7h of the zoning resolution, of Lama & Proskauer, applicants, on behalf of George C. Tilyou and George C. McCullough, owners, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years; premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

546-44-BZ—Application, September 26, 1944, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Siegal, owner, to permit in a business use district, the erection of an extension to office building of an existing gasoline service station for a car laundry and to house grease lift; premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn.

43-45-BZ—Application, January 31, 1945, under section 21 of the zoning resolution, of Bay Ridge Savings Bank, applicant and owner, to permit in a business use C area district, the extension in area of a bank building to cover entire lot and omitting rear yard; premises 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.

504-27-BZ—Application of Crisona & Murphy, applicants, on behalf of Broadway-230th Street Corporation, owner (Wallace I. Wolpert, lessee), reopened June 5, 1945, for consideration as to extension of time to complete work—Application previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gas station, previously granted by the Board, so as to include a lubritorium and auto laundry and also the use of part of the plot for parking and storage of more than five motor vehicles; premises 200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

CALENDAR

624-44-BZ—Application, October 30, 1944, under sections 7c and 21 of the zoning resolution, of Henry Nordheim; applicant; on behalf of Catherine Lama, owner, to permit on a lot in a business use district, on which there exists a garage for three motor vehicles, an additional garage for two motor vehicles; premises 1632 Glover street, east side, 40.9 ft. south of Castle Hill avenue (Block 3990, Lot 33), Borough of The Bronx.

285-45-BZ—Application, May 10, 1945, under section 7e of the zoning resolution, of Glenn Phelps, applicant, on behalf of 341 Corporation, owner (J. A. Patterson Trucking Corp., lessee), to permit in a residence use district, the change of occupancy of a garage for more than five motor vehicles to storage of naval and military materials for a temporary period; premises 329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

244-45-BZ—Application, April 18, 1945, under section 21 of the zoning resolution, of Abraham Davis, applicant, on behalf of 133-135 Roosevelt Avenue Corp., Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co., lessee), to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space; premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

Appeals from Administrative Decisions.

245-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

637-44-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

286-45-A—329-335 to 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

211-45-A—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

192-45-A—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

372-45-A—1215 Nostrand avenue, east side, 60 ft. south of Hawthorne street (1st floor); (Block 4819, Lot 106), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 10, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 10, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

172-45-A—25-33 West 45th street, north side, 325 ft. west of 5th avenue (Block 1261, Lot 21), Borough of Manhattan.

586-44-A—2973-3011 Cropsey avenue, northeast corner of Coney Island creek (ground floor); (Block 6951, Lot 16, Block 6952, Lot 22, Block 6997, Lots 300, 252 and 325), Borough of Brooklyn.

329-45-A—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood. Borough of Queens.

241-45-A—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn.

389-45-A—Block bounded by Park avenue, east side, to 3rd avenue between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None), Borough of Manhattan (James Weldon Johnson Houses).

636-44-A—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under section 35, General City Law re bed of mapped street—150th street) reopened and restored to calendar May 8, 1945 (previously withdrawn).

128-45-A—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan.

388-45-A—827-837 56th street, north side, 220 ft. east of 8th avenue (Block 5679, Lots 65 and 67), Borough of Brooklyn.

281-45-A—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.

374-45-A—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan.

401-45-A—256-258 West 36th street, south side, 197 ft. 7¼ in. east of 8th avenue (Block 785, Lot 73), Borough of Manhattan.

338-44-A—1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx. (reopened July 3, 1945).

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

227-45-BZ—Application, April 16, 1945, under section 21 of the zoning resolution, of Charles S. Ward, applicant, on behalf of Francis J. Meyer, owner, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot; premises 146-06 to 146-10 Hillside avenue, south side. 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

420-43-BZ—Application, August 30, 1943, under sections 7c and 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of National Fabricating Co., owner, to permit in a residence use F area district, a one story extension to an existing factory building and not complying with F area district requirements; premises 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

CALENDAR

274-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Dora F. Kraut, owner, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable; premises 6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

730-44-BZ—Application, December 15, 1944, under section 7f of the zoning resolution, of Kobie Klinghoffer, applicant, on behalf of Lotli, Inc., owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

280-31-BZ—Application of Harry H. Goebel, applicant, on behalf of Grace Locicero, owner, reopened June 26, 1945 for consideration as to extension of permit—expired by limitation—Application, previously granted on condition. under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the maintenance of a gasoline service station; premises 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens.

254-45-BZ—Application, May 1, 1945, under sections 7a and 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Joseph Ledogar and James Pond, owners, to permit in a business use district, the erection of a building to be occupied as a showroom and conducting minor motor vehicle repairs with a business entrance more than 25 ft. from the intersection of the business and residential streets; premises 186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

191-34-BZ—Application of Herman Kron, applicant, on behalf of 180th Street and Boston Road, Inc., owner, reopened March 27, 1945, under section 7h of the zoning resolution, to permit in the business portion of a plot located in a business and residence use district, the erection and maintenance of a gasoline service station and the parking and storage of more than five motor vehicles; premises 2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx.

101-45-BZ—Application, February 28, 1945, under section 7c of the zoning resolution, of John H. Knubel, applicant, on behalf of 795 Eighth Avenue Corp., owner (Ida Ballocci, d/b/a Du Midi Restaurant, lessee), to permit in a residence use district, the extension of a basement restaurant by the erection of a one story addition at the rear; premises 311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan.

262-45-BZ—Application, May 4, 1945, under sections 7c and 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Albert Zoller, owner, to permit in a residence use district, the alteration and change of occupancy of a garage for more than five motor vehicles to a factory (knitting mill); premises 16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens.

384-45-BZ—Application, June 21, 1945, under section 21 of the zoning resolution, of A. Joseph Geist, applicant, on behalf of Rockaway Park Series Corp., owner, to permit in a retail use B area district, the extension of a building in the 1st and 2nd story to the street line, the building as extended, exceeding in the 2nd story the lot area permitted in a B area district; premises 54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan.

872-39-BZ—Application of Herman Kron, applicant, on behalf of Paramount Filling Stations, Inc., owner, reopened March 20, 1945, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the erection of a lubritorium and office building over present lifts on an existing gasoline service station; premises 7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O (Block 6574, Lot 6), Borough of Brooklyn.

795-23-BZ—Application of Lama & Proskauer, applicants, on behalf of 1507-1535 Coney Island Corporation, owner, reopened June 12, 1945, under section 21 of the zoning resolution, to permit in a business use district, the inclusion of an additional use, minor motor vehicle repairs in a showroom, in a garage and gasoline service station, previously granted by the Board; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

Appeals from Administrative Decisions

259-45-A—30 and 50 Church street, west side, from Cortlandt street to Fulton street (Concourse level and ramps); (Block 61, Lot 1 and Block 81, Lot 1), Borough of Manhattan.

270-45-A—534-552 11th avenue, east side, from West 41st to West 42nd streets, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan.

350-45-A—35-37 Nostrand avenue and 1-15 Hopkins street, northeast corner (yard area); (Block 1719, Lot 1), Borough of Brooklyn.

365-45-A—47-55 Rodney street, north side, 75 ft. east of Wythe street (yard); (Block 2185, Lot 21), Borough of Brooklyn.

379-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

380-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

381-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

Materials for Approval

316-43—SM—Sand (fine aggregate) manufactured by Gallagher Brothers Sand and Gravel Corporation, approval of.

710-44—SM—U. S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, Red Top and Samson Brands, approval of.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JULY 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 17, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

196-45-A—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.

90-45-A—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

394-45-A—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (2nd to 7th floors, inclusive); (Block 18, Lots 10, 12 to 24, inclusive, 41 to 45 inclusive and 47 to 54 inclusive), Borough of Manhattan.

404-45-A—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn.

257-45-A—74 Broad street and 2 Marketfield street, southwest corner (Block 11, Lot 11), Borough of Manhattan.

733-44-A—572 Wythe avenue, west side, 84 ft. 7 in. south of Rush street (cellar and 1st floor); (Block 2165, Lot 26), Borough of Brooklyn.

447-44-A—205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn (reopened and restored to calendar June 12, 1945; previously withdrawn).

247-45-A—430-432 12th street, south side, 234 ft. east of 7th avenue (3rd floor, Building M); (Block 1098, Lot 1), Borough of Brooklyn.

268-45-A—372-378 Gates avenue, south side, 125 ft. west of Nostrand avenue (Block 1812, part of Lot 42), Borough of Brooklyn.

269-45-A—380-390 Gates avenue and 390-398 Nostrand avenue, southwest corner (Block 1812, part of Lot 42), Borough of Brooklyn.

294-45-A—148-150 West 20th street, south side, 196 ft. east of 7th avenue (basement); (Block 795, Lot 67), Borough of Manhattan.

357-45-A—1282-1300 Broadway, east side, from West 33rd street to West 34th street, 53-63 West 33rd street and 46-62 West 34th street (Block 835, Lot 1), Borough of Manhattan (McAlpin Hotel).

376-45-A—132-184 39th street and 3902-3924 2nd avenue, southwest corner (Bush Building 19, 1st, 2nd, 6th, 7th and 8th floors); (Block 706, Lot 1), Borough of Brooklyn.

415-45-A—170-172 2nd avenue, northwest corner of 13th street (1st floor); (Block 1025, Lot 49), Borough of Brooklyn.

264-45-A—1052-1054 Greene avenue, south side, 51 ft. 8 in. west of Broadway (Block 1623, Lot 33), Borough of Brooklyn.

302-45-A—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens.

305-45-A—154-156 and 158 Ludlow street, east side, 25 ft. south of Stanton street (2nd, 3rd and 4th floors); (Block 411, Lots 50, 51 and 52), Borough of Manhattan.

592-44-A—530 Ocean parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

288-45-A—40-42 West 17th street, south side, 295 ft. east of 6th avenue (3rd floor); (Block 818, Lot 73), Borough of Manhattan.

289-45-A—40-42 West 17th street, south side, 295 ft. east of 6th avenue (7th floor); (Block 818, Lot 73), Borough of Manhattan.

272-45-A—814-838 Westchester avenue and 793-803 Prospect avenue, southwest corner (1st floor); (Block 2676, Lot 49), Borough of The Bronx.

291-45-A—5101-5111 2nd avenue and 214-216 51st street, southeast corner (Block 797, Lots 5-11), Borough of Brooklyn.

303-45-A—6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn.

304-45-A—1613 East 16th street, east side, 100 ft. south of Avenue P (2nd floor); (Block 6779, Lot 69), Borough of Brooklyn.

326-45-A—76-78 Varick street and 9 Grand street, southeast corner (Block 227, Lot 70), Borough of Manhattan.

366-45-A—505 Kent avenue, east side, 130 ft. south of Division street (Block 2163, part of Lot 10), Borough of Brooklyn.

431-45-A—34-40 East 35th street, south side, 63 ft. west of Park avenue (Block 864, Lot 47), Borough of Manhattan.

434-45-A—40-20 and 40-22 23rd street, west side, 175.16 ft. south of 40th avenue (2nd floor); (Block 409, Lots 33 and 34), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 24, 1945,at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

1236-27-BZ—Application of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, reopened June 26, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens.

382-45-BZ—Application, June 20, 1945, under section 21 of the zoning resolution, of Herman E. Horwood, applicant, on behalf of Anne Posner, owner, to permit in a G area district, the erection of a porch on an existing building 15 ft. 3 in. from the street line instead of 20 ft. as required by the zoning resolution; premises 108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens.

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302-44-BZ—Application, May 22, 1945, under section 21 of the zoning resolution, of Italo Nicolai, applicant, on behalf of Xavier Kirchoffer, owner, to permit in a residence use E area district, the erection of an extension to a greenhouse potting room without providing the rear yard required by the zoning resolution; premises 2286 Richmond road, south side, 122 ft. east of Otis avenue (Block 3618, Lots 7 and 16), New Dorp, Borough of Richmond.

343-45-BZ—Application, June 5, 1945, under section 21 of the zoning resolution, of Allen A. Blaustein, applicant, on behalf of Jack W. Edson, owner, to permit in a residence use E area district, the erection of a one car private garage in an embankment, the face of the garage being located on the street line; premises 124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn.

55-45-BZ—Application, February 6, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Estate of Bertha Schurz (Robert Schurz and Marie Goetz, Executors), owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn.

96-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Lorberg Realty Co., Inc., owner, to permit in a residence use C area district, the extension of a woodworking factory occupying in excess of the permitted area in a C area district and omitting required rear yard; premises 1552-1564 Bergen street, south side, 177 ft. west of Utica avenue (Block 1354, Lots 30, 33 and 35), Borough of Brooklyn.

175-45-BZ—Application, March 19, 1945, under sections 7c and 21 of the zoning resolution, of Joseph M. Lonergan, applicant, on behalf of William Stroh, owner, to permit in a residence use district, the extension of a business use now existing on the 1st story, to the 2nd story; premises 403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lots 10 and 11), Borough of Manhattan.

377-45-BZ—Application, June 19, 1945, under sections 7e and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Herman J. Klinck, owner, to permit the extension from a business use into a residence use district, and the coverage in a C area district in excess of 60% of the lot area of a proposed extension to an existing store; premises 990 Flatbush avenue, west side, 58 ft. 3 in. south of Albemarle road (Block 5125, Lot 14), Borough of Brooklyn.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

403-45-BZ—Application, June 25, 1945, under sections 7c and 21 of the zoning resolution, of George Alexander, Jr., applicant, on behalf of Mock, Grossarth and Ott, owners, to permit in a residence use district, the extension of an existing factory building with the omission of the required rear yard; premises 761-783 Rutland road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn.

407-45-BZ—Application, June 29, 1945, under sections 7a and 7c of the zoning resolution, of Alfred H. Eccles, applicant, on behalf of Victor Wallboard Co., Inc., owner, to permit in a residence use district, the erection of an office and warehouse building; premises 87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

419-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Edgar J. Moeller, applicant, on behalf of Rogers Peet Company, owner, to permit in a retail use B area district, the extension of an existing building, the building now exceeding 80% of lot area permitted for corner lots; premises 479-485 5th avenue and 5-7 East 41st street, northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan.

593-30-BZ—Application of Joseph B. Lynch, applicant, on behalf of Hauben Investing Corp., owner, reopened June 5, 1945, under sections 7f and 21 of the zoning resolution, to permit in a business use district, the erection of a gasoline service station, a gasoline service station having previously been granted by the Board for a portion of these premises but not erected; premises 219-02 Horace Harding boulevard and 61-01 219th street, southeast corner (Block 7609, Lot 1), Bayside, Borough of Queens.

248-45-BZ—Application, April 27, 1945, under section 7f of the zoning resolution, of Max Horn, applicant, on behalf of Robert Bresnick, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a stated term of years; premises 171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street, southwest corner (Block 9827, Lots 31, 32, 33 and 34), Jamaica, Borough of Queens.

341-45-BZ—Application, June 1, 1945, under section 7h of the zoning resolution, of George Boochever, applicant, on behalf of Frank J. Borrello, owner, to permit partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn.

430-45-BZ—Application, July 9, 1945, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Arnold Kramer, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a temporary period; premises 218-224 East 3rd street, south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14-17 inclusive), Borough of Manhattan.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

223-45-BZ—Application, April 12, 1945, under section 7e of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Henrietta Dobin, owner, to permit in a residenec use district, a day nursery school conducted as a business; premises 523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grasmere Terracc (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

224-45-A—523 Briar place, north side, 82 ft. east of Hanson court and 562 Grasmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

CALENDAR

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

445-45-A—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

137-45-A—51-55 Nassau avenue and 78-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

677-44-A—34-44 Hubert street and 398-408 Washington street, northwest corner (6th floor); (Block 217, Lot 1), Borough of Manhattan.

Appliance and Materials for Approval.

254-42-SA—Haughton Type "F" Elevator Interlock.

190-45-SA—Pan-Tex Safety Dry Cleaning System, Models CB-1 to CB-8, inclusive and Models M-1 to M-8, inclusive.

437-45-SM—Bethlehem Open Web Welded Steel Joists.

717-44-SM—The Z-D System of Reinforced Concrete Shell Construction.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

402-45-A—17 Clinton Walk, west side 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without frontage on mapped street—Clinton Walk).

701-44-A—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 20th street); (reopened July 3, 1945).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 3, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, June 26, 1945, and on Tuesday afternoon, June 26, 1945, were approved as printed in Bulletin No. 27, Volume 30.

ZONING APPLICATIONS

504-27-BZ

APPLICANT—Crisona & Murphy, for Broadway-230th Street, Corp., owner. (Wallace I. Wolpert, lessee).

SUBJECT—Application reopened June 5, 1945, for consideration as to extension of time to complete work. Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline service station, previously granted by Board, to include a lubritorium and auto laundry and also use of part of plot for parking and storage of more than five motor vehicles.

PREMISES AFFECTED—200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph List.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 10, 1945, at 10 A.M. on request of applicant's representative.

420-43-BZ

APPLICANT—John E. Cahill, for National Fabricating Co., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use, F area district, a one story extension to an existing factory building, and not complying with F area district requirements.

PREMISES AFFECTED—129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Edward T. Tykets and Vincent Fischett.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M. on request of applicant's representative.

730-44-BZ

APPLICANT—Kobie Klinghoffer, for Lotli, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Charles Pokany, Morton Klinghoffer and Sumner A. Sirtl.
For Opposition: Henry Rosenthal, Ethaline Allman, Thomas Bress and Karl Rief.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945, at 10 A.M. for consideration and decision of the Board.

43-45-BZ

APPLICANT—Bay Ridge Savings Bank, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use, C area district, the extension in area of a bank building to cover entire lot and omitting rear yard.
PREMISES AFFECTED—4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Robert L. Callahan, N. J. Kaye and A. L. Muller.
For Opposition: Irving M. Hartman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 10, 1945 at 10 A.M. for decision, without further discussion.

227-45-BZ

APPLICANT—Charles S. Ward, for Francis J. Meyer, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot.
PREMISES AFFECTED—146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Charles S. Ward.
For Opposition: Edward A. von Sothen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M. for an inspection by a committee of the Board and for further consideration.

274-45-BZ

APPLICANT—Lama & Proskauer, for Dora F. Kraut, owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable.
PREMISES AFFECTED—6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama, Percy Kraut and Morris Perlstein.
For Opposition: James A. Phillips, John J. Dwyer, Gertrude L. Fritsch, Rev. Henry P. King, John De Biase and others.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M. for decision, without further discussion.

120-33-BZ

APPLICANT—Thomas Nunley, for Harry Hugger, owner.
SUBJECT—Application reopened June 12, 1945, for consideration as to extension of variance—re Application (decision of the borough superintendent), previously granted on condition, under section 7f of the zoning resolution, for a term of two years, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop, and, also a gasoline service station.
PREMISES AFFECTED—2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond.
APPEARANCES—
For Applicant: Thomas Nunley.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Permit extended.
THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (120-33-BZ)

WHEREAS, this application, under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the erection and maintenance of a motor vehicle repair shop and also a gasoline service station, affecting premises 2030 Hylan boulevard, southwest corner of Hamden avenue (Block 3688, Lot 9), Grant City, Borough of Richmond, was granted by the Board on March 1, 1938, on certain conditions; and

WHEREAS, the permit was extended on September 17, 1940 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this application was reopened by vote of the Board on June 12, 1945, restored to the calendar and set for hearing on July 3, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 3, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 1, 1938, as amended through September 17, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a term of two (2) years from the date of this *amended* resolution, to permit the front portion of Lot No. 9 to be used as a gasoline service station and for minor automobile repairs, *on condition* * * * that other than as herein *amended,* the conditions of the resolution of March 1, 1938, shall be complied with and that a certificate of occupancy shall be obtained."

317-45-BZ

APPLICANT—Stanley H. Klein, for Estate of F. D. Underwood (E. W. Underwood, Executor), owner.
SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles and dwelling to a chemical laboratory, factory, office and dwelling for a temporary period.
PREMISES AFFECTED—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.
APPEARANCES—
For Applicant: Stanley H. Klein, Edward B. Gottheif and Jack Rauch.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (317-45-BZ)

WHEREAS, Stanley H. Klein, for Estate of F. D. Underwood (E. W. Underwood, Executor), owner, filed May 17, 1945, an application under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a garage for more than five motor vehicles and dwelling to a chemical laboratory, office and dwelling for a temporary period; affecting premises 330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 3, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 70th street is in a residence use, A area and Class 2 height district; West 69th street is in an unrestricted use, A area and Class 2 height district; West End avenue is in a business use, A area, Class 2 height district; and West Side highway is in an unrestricted use district; and

WHEREAS, the decision of the borough superintendent, issued May 15, 1945, on Alt. Applic. 556-45, reads:

"1. Non-conforming use of factory and laboratory on 1st floor and office and chemical research laboratory on 2nd floor changed from garage use on 1st and 2nd floors in a residence district, is contrary to Section 3, Zoning Resolution, and may not be granted by this Department, under Section 6, Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 23 ft. 2 in, frontage by 100 ft. 5 in. in depth on which is located a 3-story, Class 3 constructed building, 23 ft. 2 in. by 90 ft., occupied as a garage for more than five motor vehicles and dwelling for 1 family and that it is proposed to occupy the building as a chemical laboratory, factory, office and dwelling for one family; and

WHEREAS, the applicant contends that the existing 3-story non-fireproof building was erected in 1889 under New Building Applic. No. 1740, is set 10 ft. back from building line and consists of a 3-story main building with two-story rear extension (no cellar); that it was originally built and used as stable and carriage room on 1st and 2nd floors and chauffeur's quarters on third floor; that in 1909, Alt. No. 2081 was filed and approved for erection of heater room under sidewalk within area of property; that this work was completed; that the occupancy stated at that time was garage on 1st and 2nd floors and caretaker's apartment on 3rd floor; that since that time, Fire Dept. records show that the first floor was used for live storage of cars, the 2nd floor for storage and 3rd floor for caretaker; that for some time gasoline was stored, but this had been discontinued and tanks sealed; that in 1924 under V.P. No. 251, the stairs and ceiling of first floor and ceiling of main building of 2nd floor were fire-retarded with ½ in. plaster board and 26 gauge metal under supervision of Fire Dept. in accordance with Violation No. 20350-LC.; that the building is used at present for live storage of cars on 1st floor, storage on 2nd floor and caretaker's apartment on 3rd floor; that proposed occupancy is for a chemical laboratory and factory on 1st floor, 4 persons; office and research laboratory on 2nd floor, 4 persons; caretaker's apartment on 3rd floor, 2 persons; that the chemical laboratory and factory are for the development and manufacture of water soluble materials, such as a concrete floor hardener, a cleansing powder and similar items; that no inflammable materials or mixtures are to be used, except those normally used by research chemists in their work and will not exceed the amounts allowed in the Building Code; that the bulk of the business at present, is the manufacture of the liquid concrete floor hardener, over 80% of which is used by war plants to stop the dusting of cement floors; that the only alteration work contemplated at present, is to provide lally columns as required, for the support of the 2nd floor and to fire-retard both sides of the stair enclosure between 2nd and 3rd floors and provide a ¾ hour door; that this will provide a completely enclosed fire-retarded stair from the street to the third floor landing; that no other alteration work is to be done to 2nd floor under this application, as this space is not needed at present; that the third floor is to remain as an apartment for the exclusive use of the caretaker; that the present use of the garage is more hazardous and more objectionable than proposed use, in view of low occupancy and non-hazardous nature of the work; that the majority of buildings on south side of West 70th street are garages or repair shops; that a research chemical laboratory and factory occupies the adjoining buildings; that of 12 plots, 376 feet are occupied on first floor for business purposes and 135 feet (8 plots) are residential; that in June 1944, the Planning Commission proposed to rezone the south side of West 70th street west of West End avenue, from residence to business use; that the proposed occupancy is acceptable in a business district; that the present one is not; that the south half of Block 1181 and all the blocks south are zoned "unrestricted"; that the north side of West 70th street and blocks north are residential; that the area to the west is occupied by the N. Y. Central Railroad and zoned unrestricted; that West End avenue is business south of West 70th street and residential to the north; that the exit facilities to be provided, are in accordance with Cal. 318-45-A; that in view of the aforementioned reasons, the general character of the neighborhood, the present occupancy of the building and greater desirability of the proposed occupancy, this appeal is being made for relief under Section 7e; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e for a term of two (2) years from the date of this action, to permit the premises to be occupied substantially as proposed, *on condition* that the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 318-45-A; that the number of occupants shall not exceed the number stated; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct.

APPEALS FROM ADMINISTRATIVE DECISIONS.

292-45-A

APPLICANT—Plasti Products Company.
SUBJECT—Appeal from a decision of the fire commissioner re Packaging of inflammable mixture known as 'Plasti-Cleaner" in one pint or 16 oz. Glass containers (capacity of Glass containers not in conformity with Administrative Code specifications).
APPEARANCES—
For Applicant: Charles L. Martin.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: Chairman Murdock and Commissioner Blum 2
Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (292-45-A)

WHEREAS, Plasti Products Company, filed May 16, 1945, an appeal from a decision of the fire commissioner, relating

to the packaging of inflammable mixture known as "Plasti-Cleaner" in 16 oz. glass containers; and

WHEREAS, the decision of the fire commissioner dated April 30, 1945 reads:

> "Acknowledge receipt of your letter of the 26th, requesting permission to package the inflammable mixture known as "Plasti-Cleaner" in one pint or sixteen ounce glass containers, please be advised that Section C19-59.0 of the Administrative Code of the City of New York prohibits the packaging of inflammable mixtures in glass containers of a capacity exceeding four ounces each and therefore your request is hereby denied."

and

WHEREAS, the applicant contends that "Plasti-Cleaner" and "Plasti-Lino" have been granted Certificate of Approval No. 1275 by the fire commissioner; that "Plasti-Lino" is packaged in one quart metal containers in accordance with the requirements of the Fire Department; that "Plasti-Cleaner" is required to be packaged in cans or in bottles not over 4 oz. capacity; that permission is requested to use 16 oz. prescription type bottles, as under present day conditions, it is impossible to obtain metal containers for packaging "Plasti-Cleaner" and a bottle containing only 4 oz. would not be sufficient for the use of the consumer for the purpose for which the cleaner is intended; that "Plasti-Cleaner" is used for removing wax from floors and for cleaning paint brushes; and

WHEREAS, the applicant has filed drawings with this appeal, indicating that it is proposed to use glass bottles manufactured by the Glenshaw Glass Company of Glenshaw, Pa., having a capacity of 16⅞ oz., and equipped with a metal closure of the screw type; and

WHEREAS, record of the laboratory tests on file in Fire Department folder No. 22.780 indicate flashpoint of Plasti-Cleaner to be less than 70 degrees F.

Resolved, that the decision of the fire commissioner dated April 30, 1945, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

318-45-A

APPLICANT—Stanley H. Klein, for Estate of F. D. Underwood, owner (E. W. Underwood, Executor).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Stanley H. Klein, Edward B. Gotthelf and Jack Rauch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (318-45-A)

WHEREAS, Stanley H. Klein, for Estate of F. D. Underwood, owner (E. W. Underwood, Executor), filed May 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 330 West 70th street, south side, 329.3 ft. west of West End avenue (Block 1181, Lot 46), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 13, 1945, on Alt. Applic. 556-45, reads:

> "3. In view of mixed occupancy and the application of the law to each class of occupancy as required by Departmental memorandum dated October 10, 1944:
>
> a. All stairs from residence to street to be fire-retarded, as required by Sec. 6.4.1.8.1 and provided with FPSC doors swinging out, and extend to roof as per 6.4.1.1.
>
> b. In view of laboratory 1st and 2nd floor factory and laboratory occupancies (1 person in 25 sq. ft.), two means of egress complying with 6.1.2.1 to be provided.
>
> c. Provide two means of egress from each floor (may be 1st and 2nd floors according to above memo if permitted) and roof egress, as per Sec. 271 Labor Law; all exit doors to swing out and be 1 hr. fpsc.
>
> 5. Show compliance with Sec. 272 Labor Law re exit signs, lights, passageways, bars, gratings, door swing, etc."

and

WHEREAS, the applicant states that the building is 3 stories (40 ft.) in height, 23 ft. 2 in. by 90 ft. in area, of class 3 construction, erected in 1889, located in a residence use, B area and class 2 height district and used and occupied since prior to 1909 as follows: cellar, heater room and vault; 1st floor, garage for more than five cars; 2nd floor, storage; 3rd floor, dwelling, 1 family; proposed to be used and occupied as follows: cellar, heater room; 1st floor chemical laboratory and development and manufacture of water soluble materials and concrete floor hardener, 4 persons; 2nd floor, office and research laboratory, 4 persons; 3rd floor, dwelling, 1 family; that the building is equipped with one 42 in. wide wood stairs, enclosed in partitions of ½ in. plaster board and 20 gauge metal on 1st floor and wood sheathing on 2nd floor, equipped with fireproof self-closing door at the 1st floor and leading directly to the street; that these stairs are clear except for 10 in. by 8 in. pilaster on the west wall; that a ladder and scuttle to the roof is provided; that the building to the east is of the same height and to the west, 2 stories in height; and

WHEREAS, the applicant contends that the first floor ceiling, both sides of stair enclosure to 2nd floor are fire-retarded; that a single fireproof, self-closing door is provided to the stair landing, swinging inwardly and one wood sliding garage type door, opening directly to the street; that the second floor ceiling is fire-retarded for the main building only; that an enclosed stair is provided to third floor, equipped with a single wood door to the stair enclosure swinging inwardly; that the ceiling of the rear extension is covered with wood sheathing; that there is an existing hoist at the front of the building; that the stairs are open at the 2nd floor landing; that a scuttle is provided to the main roof, with a stationary ladder and à secondary means of egress is provided by means of a casement window to the extension roof and a stationary ladder to the main roof; that the adjoining building to the east has main and extension roofs of the same height; and

WHEREAS, it is proposed to change the swing of present 2 ft. 8 in. wood door in stair passage, to swing outwardly at 1st floor, to provide 2 ft. 4 in. access door in the present door to swing outwardly and to make structural changes to meet laboratory requirements for 2nd floor; that on the second floor, it is proposed to fire-retard both sides of stair enclosure, to make same a one hour enclosure, to replace the present door to the stair landing with a 3 ft. wide ¾ hour door and to remove the present door on the stair landing, it is also proposed to erect a fire escape at the front of the building, 4 ft. wide, with 3 ft. rails, with balconies on 2nd and 3rd floors and a gooseneck ladder to the roof and a drop ladder to grade; and

WHEREAS, the applicant contends as to objection 3a, that the Board is requested to accept the present stair terminating at 3rd floor and to be unenclosed at this floor, stair enclosure to be fire-retarded at the 1st and 2nd floors; that the residence occupancy for the third floor is for the caretaker of the premises, who will be an employee of the factory; that to be required to fire-retard the stair enclosure on the 3rd floor is in excess of the requirements of Rule 6 of the Factory Exit Rules; as to objection 3b, the applicant contends that a secondary means of egress is being provided and permission is requested to accept the present main stair with the 8 in. by 10 in. obstruction which reduces it to 34 in. at one point; as to objection 3c, the applicant contends that modification of Sec. 271 of the Labor Law is requested, as to the termination of present stairway at 3rd floor, to accept the prescnt fire-retarding at the 1st floor and proposed fire-

retarding of the stair enclosure at the 2nd floor, to accept the present fireproof self-closing door from the 1st floor to the stair passage to swing inwardly and the additional access door in the garage door to swing outwardly, to accept a ¾ hour fireproof, self-closing door to the stairs on the 2nd floor to swing inwardly, to accept the proposed fire escape as a secondary means of egress, with present wood double hung windows as access thereto; and

WHEREAS, the applicant requests reconsideration of objection 5 in view of the contentions made in answer to objections 3b and 3c; and

WHEREAS, the applicant further contends that the proposed occupancy will be non-combustible with the number of occupants limited to four persons on the 1st floor and four persons on the 2nd floor; that the building is only 3 stories in height and it is respectfully requested that the present stair and additional means of egress as proposed, be accepted.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 556-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 3, *on condition* that the primary means of exit shall be maintained substantially as shown on revised plans filed with this appeal marked "Received June 15, 1945," and as proposed; that a secondary means of exit shall be maintained, as shown on such plans, complying with the requirements of the Labor Law therefor, except that a straight counterbalanced ladder may be installed as indicated; that the existing stationary ladder and scuttle to the roof shall be maintained from the third floor; that the stairway from the 2nd to 3rd floors may remain as proposed, provided the entire 3rd floor is used for residential purposes only; that an additional ladder to the roof shall be maintained, as shown, from the 2nd floor roof to the main roof; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. 317-45-BZ; withdrawn as to Objection 5, on condition that the requirements of this resolution shall be complied with; that this variance is for a term of two years from the date of this action, as granted under 317-45-BZ.

Adjourned: 1:20 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING,

TUESDAY AFTERNOON, JULY 3, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

298-39-A

APPLICANT—C. H. Simmons, Jr., for The Corporation of the Brick Presbyterian Church in the City of New York, owner.

SUBJECT—Application reopened April 17, 1945—re Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44) Borough of Manhattan.

APPEARANCES—

For Applicant: C. H. Simmons, Jr.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (298-39-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 62 East 92nd street, south side, 153 ft. west of Park avenue (Block 1503, Lot 44), Borough of Manhattan, was granted by the Board on March 28, 1939, on certain conditions; and

WHEREAS, the resolution was amended on April 11, 1939; and

WHEREAS, the applicant requested a further amendment of the resolution, based on an order of the fire commissioner and a decision of the borough superintendent, affecting premises 62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan; and

WHEREAS, this case was reopened by vote of the Board on April 17, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, Order 32979-LF of the Fire Commissioner, dated June 12, 1945, reads:

> "1. Install an adequate electric closed circuit interior fire alarm system, of an approved type in accordance with the interior fire alarm rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the Borough Superintendent, dated March 16, 1945, acting on Alt. Applic. 357-45 reads:

> "3. Obtain a variation from the Board of Standards and Appeals. Calendar 298-39-A.
>
> "4. Conversion of this building from the present use Parish House to public use (School & Parish House) as indicated on Specification Sheet, is contrary to C26-254 A. Code.
>
> "5. The means of egress are inadequate as per C26-278 A. Code. Provide means of egress conforming with C26-273 B. (2) and C26-272 A. Code."

and

WHEREAS, the applicant states that the building which was erected in 1923, is 5-story and penthouse (62 ft. 8 in.) in height, 31 ft. 10 in. by 65 ft. 11 in. in area, of class 3 construction, located in residence use, B area and class 1½ height district; used by the church for administrative and social welfare work under a resolution of the Board of Standards and Appeals, adopted March 28,. 1939, amended April 11, 1939 under Cal. 298-39-A; occupied: cellar, services, boiler room and storage, 1 person; 1st and mezzanine floors, reception, administration, 25 persons; 2nd floor, dining and lounge, 50 persons; 3rd floor, library and conference, 50 persons; 4th floor, conference, 40 persons; 5th floor, study and conference, 40 persons; pent house, sun room, 20 persons; and proposed to be occupied without change, except the 4th and 5th floors, which will be for Conference and Nursery School, 40 persons each floor; that the means of egress consist of one 3 ft. 8 in. fireproof stairway, leading from the roof bulkhead to an exterior passage on the 1st story, connecting this building with the adjoining church and exiting directly to East 92nd street; that all ceilings and partitions are covered with metal lath and plaster; and

WHEREAS, the applicant contends that the owner acquired the present building at 62 East 92nd street in 1939, after the Board had granted an appeal for the use of the building for Parish House work; that alterations were made in accordance with the Board's resolution and a Certificate of Occupancy issued in 1940, classifying the building as "non-fireproof" construction and "public" occupancy; that in connection with its Parish House work, the Church operates a Nursery School in this building on weekday mornings, for children from 3½ to 6 years old; that the purpose of this school is to give children selected chiefly from Church membership, religious education and pre-school training; that the present enrollment is 55 children and this occupancy will not be exceeded; that after application was made to the Department of Health for a permit to operate this Nursery School, the Dept. of Housing and Buildings and the Fire

Dept. both made inspections of the premises and recommended respectively the following:

Department of Housing & Buildings:

"Building should be fire proof. A secondary means of exit stair on rear of building in the form of an exterior stair on rear of building, having safe egress from its termination, must be provided. An alteration application should be filed for the construction of same." Dated 11/13/44.

Fire Department:

"Install an approved interior fire alarm system or reduce the number of children to not more than 30." Dated 11/13/44.

and

WHEREAS, an appeal to the Board of Standards and Appeals was made January 23, 1945, to permit use of the building for a Nursery School, without complying with the above recommendations; that upon reconsideration, the Church requested the withdrawal of that appeal and has since filed plans showing an exterior stair and an interior fire alarm system; that the plans now filed with the Department of Housing & Buildings show a proposed exterior stair located on the vacant Lot 43, adjacent to the Parish House; that by so locating the stair, the formal garden at the rear of Lot 44 is preserved and the light for the rooms on the rear of the building are preserved; that access to the new exterior stair is provided from the promenade tile roof at the 5th floor level and through one of the schoolrooms on the 4th floor level; that access from the 3rd floor has also been provided through a Conference Room; that no access to the stair is provided at the 2nd floor or 1st mezzanine levels; that to do so, would complicate the construction of the stair, and the primary concern is to provide an emergency exit for the occupants of the 4th and 5th floors; that plans filed with the Fire Department show a proposed non-coded closed circuit, supervised, constant ringing interior fire alarm system with wiring run in thin-wall tubing exposed; that the location of gongs and stations are indicated on the floor plans; that the church considers the work done by its Nursery school to be a most important feature in its religious educational program; that consideration has been given to the prosecution of this work in other locations in the church proper and on lower floors of the Parish House, but no satisfactory solution has been found; that the church proposes, when funds are available and building conditions permit, to erect a new fireproof building on Lot 43, which will house its school rooms; that the present building will probably be retained for administrative and welfare work, and the exterior stair removed; that the church is attempting to follow out the recommendations which the borough superintendent and the Fire Department consider necessary for the safety of the occupants, but to do so in as economical a manner as possible, due to the temporary nature of the school occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 28, 1939, as amended April 11, 1939, so that as amended, the resolution shall read:

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 392-39, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the construction of the first floor above grade, where not already fireproof construction, shall be fire-retarded on the ceiling with wire lath and cement plaster, complying with the requirements of the Board of Standards and Appeals and that in addition there shall be installed throughout the cellar, except in the boiler-room and elevator machine room, a sprinkler system connected with the domestic water supply; that the automatic fire alarm may be omitted and the required siamese from the streets; that the heads may be spaced 25 per cent. greater than permitted by the sprinkler requirements and the Building Code; that the house water supply pipe shall be not less than 1½ inches in diameter; that the heater room in the cellar shall be enclosed with fireproof walls, with fireproof door; that the proposed new stairway complying with the requirements of the building code, shall be continued from the lowest level to and through the roof; that the existing dumbwaiter shall be removed above the 2nd floor ceiling and properly fire-stopped at the top of the shaft with fireproof material; that exit from the roof to an adjoining building shall be maintained; and that this modification shall continue only so long as the building is used in conjunction with the church on the adjoining plot, at East 91st street and Park avenue.

Resolved further, that the decision of the borough superintendent, acting on Alt. Applic. 357-45 be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 3, *on condition* that the requirements of the resolution as amended April 11, 1939 shall be complied with, together with the conditions hereinafter set forth, and *on condition* that the space to be occupied for the nursery school shall be restricted to the 4th and 5th floors, as indicated on revised plans marked "Received April 5, 1945"; as to objection 4, that in all other respects, the building shall comply with all laws, rules and regulations applicable thereto, other than as modified by this resolution; as to objection 5, that the second means of exit, consisting of an exterior stair, as indicated on plans filed with this appeal marked "Received April 5, 1945," shall be constructed and maintained substantially as proposed; that in addition to the connections to the rear windows as shown on the 3rd and 4th floors, a similar connection shall be constructed and maintained at the 2nd floor; that the width of treads and height of risers of this proposed stair shall be the same as on the stair comprising the primary means of exit and that the treads and risers shall be of reasonably close construction, to prevent accidents to children; that the height of risers and width of treads shall be the same as on the interior fireproof stairs; that the treads shall be of the non-slip type; that a supplementary bar at a height of not more than two feet shall be constructed along the run of the stair, to serve as a handrail, as a safety measure; and that the decision of the fire commissioner as to order 32979-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the fire alarm system as proposed shall be installed and maintained; that fire drills shall be conducted not less than once every two weeks by responsible persons in charge of the nursery school; that the sun room on the roof and other parts of the roof shall not be used in connection with the nursery school.

676-44-A

APPLICANT—Arnold W. Lederer, for Congregation Anskei Zedek of Bensonhurst, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—6724 (6720 displayed), 19th avenue, northwest corner of 68th street (1st floor); (Block 5569, Lot 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (676-44-A)

WHEREAS, Arnold W. Lederer, for Congregation Anskei Zedek of Bensonhurst, owner, filed an appeal on November 27, 1944, from a decision of the borough superintendent, affecting premises 6724 (6720 displayed) 19th avenue, north-

west corner 68th street (1st floor); (Block 5569, Lot 45), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 24, 1944, on Alt. Applic. 3357-44, reads:

"1. Proposed public use is frame building in the fire limits, contrary to Sec. 4.1.2 and Sec. 4.2.1, as per Sec. 2.1.3.5 of the Building Code."

and

WHEREAS, the applicant states the building is two stories, and attic (32 ft.) in height; 28 ft. by 59 ft. in area at 1st floor; 22 ft. by 50 ft. in area at 2nd floor; of Class 4 construction; erected approximately 1900; located in a residence use, C area and Class 1 height district and used and occupied since 1927 as follows: cellar, toilet rooms; 1st floor, synagogue, 150 persons; 2nd floor, meeting room, 20 persons; attic, vacant; proposed to be used and occupied as follows: cellar, same; 1st floor, synagogue, 150 persons; 2nd floor, dwelling, one family, 6 persons; attic to remain vacant; that the building is equipped with one 2 ft. 6 in. wide wood stairs, enclosed in partitions of wood lath and plaster, equipped with wood doors and leading directly to the street; and

WHEREAS, the applicant contends that the building is detached on all sides and surfaced on the exterior from foundation to roof eaves with incombustible shingles; that the plumbing fixtures in the attic will be removed and the attic sealed and the stairs removed, if directed by the Board; that in the application of the siding, all filagree was removed, except for main roof cornices and attic balconies; that there is no rear cornice on rear wall; that the second floor will be used for the sexton or caretaker and not for any religious purposes; that the average occupancy, from Friday night and Saturday morning during the year, is 25 persons and the maximum capacity will be reached on but three high holy days in the year; that no catering is carried on; that the building is heated by oil fired steam and the cellar stairs are fireproof enclosed with terra cotta blocks and kalamein, self-closing door at the bottom; that it is proposed to reinforce the 1st tier of beams for 100 lb. live-load, to provide adequate toilet facilities in cellar for males and on 2nd floor for females; that the cellar ceiling will be covered with perforated gypsum lath and two coats of gypsum plaster; that the entire first floor ceiling in the synagogue is covered with metal; that the porch ceiling will be covered with perforated gypsum lath and two coats of gypsum plaster; that the exit facilities will be provided by installing a new 3 ft. door to a new 3 ft. 8 in. exterior stairway at the rear; that all exit doors will swing outwardly; that exit lights and signs will be installed; that aisles to exits will be increased, as indicated on plans and as directed by the borough superintendent; that the existing entrance hall partitions will be covered with perforated gypsum lath and two coats of gypsum plaster and will be fire stopped; that the exterior walls on the 1st story and vestibule partition where not punctured by windows, will be filled with rock wool; that all electrical work throughout will be overhauled and certificates of approval obtained from the Board of Underwriters and the Department of Water Supply, Gas and Electricity; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3357-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that all the work as herein proposed, shall be complied with to the satisfaction of the borough superintendent; that the exits indicated on revised plans marked "Received June 11, 1945" shall be provided and maintained; that the existing stairs to the attic shall be continued, but the attic shall not be used by any occupancy or for storage; that the public assembly shall be restricted to the first floor; that the second floor shall be used only for residential occupancy by the Rabbi or caretaker and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

214-45-A

APPLICANT—Henry George Greene, for The Greater New York Industries, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—215-219 East 91st street, north side, 225 ft. east of 3rd avenue (Block 1537, Lot 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry George Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (214-45-A)

WHEREAS, Henry George Greene, for The Greater New York Industries, Incorporated, owner, filed April 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 215-219 East 91st street, north side, 225 ft. east of Third avenue (Block 1537, Lot 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 2, 1945, on amendment to Alteration Application 877-44, reads:

"Proposal to omit the fire alarm system is not permitted, being contrary to Sec. 279 Labor Law."

and

WHEREAS, the applicant states the building is 4 stories (50 ft.) in height; 100 ft. by 100 ft. in area, of Class 1 construction erected 1926; located in an unrestricted use, B area and Class 2 height district and used and occupied since 1944 as follows: 1st subcellar, storage; subcellar, storage; cellar, boiler room and storage, 6 persons; 1st floor, garage for more than five motor vehicles, 6 persons; 2nd floor, same, 6 persons; 3rd floor, same, 6 persons; 4th floor, same, 6 persons; proposed to be used and occupied as follows: 1st subcellar, subcellar and cellar, same; 1st to 4th floors, manufacturing of electronic parts, 86 persons per floor; that the building is equipped with two 3 ft. 8 in. wide fireproof stairs, one of which leads to the roof and both lead to the street; and

WHEREAS, the applicant contends that the occupants have installed an alarm system which permits them to ring all floors at any specified time; that there are several guards posted throughout the building, since the work done is highly essential, involving critical material; that the installation of an approved fire alarm system would be costly and would not achieve any greater safety than the combination of the local alarm system and the 24-hour guard system now in force; and

WHEREAS, in the opinion of the Board, the alarm system installed cannot be accepted as in substitution for the fire alarm system required.

Resolved, that the decision of the borough superintendent, acting on amendment to Alt. Applic. 877-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

237-45-A

APPLICANT—Arnold W. Lederer, for Clara Kaufman, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1407 Rockaway parkway, east side, 144 ft. 3 in. north of Glenwood road (2nd floor): (Block 8166, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (237-45-A)

WHEREAS, Arnold W. Lederer, for Clara Kaufman, owner, filed April 24, 1945, an appeal from a decision of the borough superintendent, affecting premises 1407 Rockaway parkway, east side, 144 ft. 3 in. north of Glenwood road (2nd floor); (Block 8166, Lot 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1945, on Alt. Applic. 829-45, reads:

"1. Comply with Sect. 270 of the Labor Law, as to providing two fireproof stairways. Required stairs to extend to roof.

"2. Window guards to comply with Sect. 272 of the Labor Law.

"3. Provide 2nd floor construction good for liveload capacity of 120 lbs. (Sec. 7.3.2.3).

and

WHEREAS, the applicant states that the building is 2 stories (24 ft.) in height, 58 ft. 4 in. front by 30 ft. 9 in. in depth, irregular in area, of Class 3 construction, erected in 1928, located in a business use, D area and Class 1 height district and used and occupied since 1945 as follows: cellar, storage and heating plant; 1st floor, retail stores; 2nd floor, manufacturing blouses, 18 persons; that the building is equipped, with one 3 ft. 8 in. steel stairs with fireproof enclosure at the 1st floor, fire-retarded enclosure at the 2nd floor, equipped with kalamein self-closing doors and leading directly to the street; that a ladder and scuttle to the roof is provided; that the adjoining building to the north is of the same height; and

WHEREAS, Violation 778 of 1945 was issued March 2, 1945 for occupying the 2nd floor for factory in violation of Certificate of Occupancy 61435; and

WHEREAS, Certificate of Occupancy 61435 issued August 26, 1930, on permit 13474 of 1928 for new building, permits the use of the premises as follows: cellar, ordinary; 1st floor, three stores, 120 lb. liveload; 2nd floor, office, 69 lb. liveload; that it describes the building as 1407-1413 Rockaway avenue (parkway) east side, 443 ft. 4½ in. south of Farragut road; and

WHEREAS, the applicant contends that in view of the small area involved, it is requested that the 2nd floor be permitted to be occupied for the proposed limited occupancy, on condition that a Labor Law fire escape be provided on the front of the building; that exit signs and lights be installed; that no manufacturing be done on the first floor; that the barred windows on the 1st floor are 2 ft. by 4 ft. fireproof wire glass, barred against burglary; that the present ladder leading to scuttle in roof be maintained; that the manufacturing will not exceed the area of the lot; that the actual applied load on the 2nd floor will not exceed 50 lbs. per sq. ft.; that all exit doors on the 2nd floor be made to swing outwardly; that all existing lot line windows of kalamein wire glass construction, be maintained; that the cellar stairs be fireproof enclosed and the cellar ceiling surfaced with plasterboards and plaster; and

WHEREAS, the applicant further contends that the building is semi-detached, being surrounded on the south by the Canarsie trolley terminal and on the east by a large yard; that in view of the adequate exits and limited occupancy, it is requested that this appeal be granted.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 829-45, and that the appeal be and it hereby is *granted*, as to Objection 1, *on condition* that the primary means of exit shall be maintained substantially as indicated on plans filed with this appeal marked "Received April 24, 1945"; that the door leading to such stairway on the 2nd floor shall comply with the requirements as to width; that there shall be an opening from the stairway to the roof by means of a scuttle with a double rung iron ladder leading thereto; that the scuttle shall be fitted with an easy opening device; that the second means of exit from the second story shall be provided, by means of a labor law fire escape to Rockaway parkway as indicated on plans marked "Received April 24, 1945"; as to Objection 2, that no window guards shall be installed on any windows except the lot line windows as indicated, one to each store on the first floor only; as to Objection 3, that the liveload of the 2nd floor shall be not less than 60 lbs. per superficial foot and shall be so posted; that only manufacturing and occupancy of the needle work type shall be permitted such as requires a light load that will not exceed 50 lbs. per sq. ft.

282-45-A

APPLICANT—Elmer H. Paull, for Gold Medal Farms, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1141 East 156th street, northeast corner of Barry street (1st floor); (Block 2736, Lots 123 and 189), Borough of The Bronx.
APPEARANCES—
For Applicant: John Alicanatic.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent Commissioner Savage..... 1

THE RESOLUTION (282-45-A)

WHEREAS, Elmer H. Paull, for Gold Medal Farms Inc., owner, filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 1141 East 156th street, northeast corner of Barry street (1st floor); (Block 2736, Lots 123 and 189), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated May 7, 1945, re N.B. Applic. 23-45, reads:

"13. Opening in fire wall must conform to Section C26-660. Reconsideration request denied."

and

WHEREAS, the applicant states that the building will be 1 story (19 ft.) in height, 69 ft. by 114 ft. and 109 ft. in area, of class 3 construction, located in an unrestricted use, B area and class 1½ height district and used and occupied on the 1st floor only for tank wash truck room and storage garage for more than five (5) motor vehicles with an occupancy of 5 persons; and

WHEREAS, the applicant contends that the floor area of the proposed building will be 7117 sq. ft. and facing two streets; that the present building adjoining is also a one story structure, 72 ft. by 100 ft., occupied as a milk depot with a loading platform within the building for the loading and unloading of about 50 trucks and four large tractor trailers; that at present these trailers back into the building and loading platform from an existing door opening, 14 ft. wide by 13 ft. high, located in the west wall adjacent to a vacant lot; that on this vacant lot the proposed building will be erected, thus making this west wall a fire wall separating the two buildings; that due to the unusual length of the trailers and the number of trucks utilizing this opening daily and the limited floor space, it will be difficult to maneuver the trailers into an opening less than 14 ft. wide by 13 ft. high without causing damage to the structures or the vehicles; that the Building Code permits a fire wall opening of 140 sq. ft. and the proposed opening will be 182 sq. ft.; that the Board is requested to permit the opening 14 ft. wide by 13 ft. high, protected by Underwriters Labeled Automatic Steel Rolling, 3 hour test door, equipped with fusible link.

Resolved, that the decision of the borough superintendent, dated May 7, 1945, acting on N.B. Applic. 23-45, objection

13, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the opening in the fire wall as proposed, shall not exceed the dimensions as proposed and that in all other respects, the fire door shall comply with all requirements therefor and that this door shall be permitted only so long as the building is occupied as proposed and complies in all other respects to all laws, rules and regulations applicable thereto.

312-45-A

APPLICANT—Morris Bernard Adler, for Minger Holding Corp., owner (Central Tire Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floor); (Block 6774, Lots 55-61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Bernard Adler and Nathan Gordon.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (312-45-A)

WHEREAS, Morris Bernard Adler, for Minger Holding Corporation, owner (Central Tire Company, Incorporated, lessee), filed May 21, 1945, an appeal from a decision of the borough superintendent affecting premises 1987-2003 Coney Island avenue, east side of 160 ft. north of Quentin road (cellar and 1st floor); (Block 6774, Lots 55-61, inclusive), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 9, 1945, on Alt. Applications 778 to 784-45, inclusive, reads:

"5. The proposed new extension is contrary to Art. IV, Section 13b of the zoning resolution and is not acceptable under Section 19g, as in the opinion of the superintendent the arrangement is not solely for parking and unloading, but also for the servicing and installation in the cars of merchandise sold on the premises."

and

WHEREAS, the applicant states that the building is 2 stories and cellar (22 ft.) in height; 20 ft. by 64 ft. in area of Class 3 construction; erected 1924, located in a business use, C area and Class 1½ height district and used and occupied as follows: cellar, ordinary and stock storage; 1st floor, stores; 2nd floor, two apartments each building, and proposed to be used and occupied as follows: cellar, ordinary and stock storage; 1st floor, stores, driveway and parking and unloading space; 2nd floor, two apartments each; and

WHEREAS, the applicant states the building is equipped with one 3 ft. wide wood stairs, fire retarded enclosure, equipped with wood doors which are self-closing and leading directly to the street and a ladder and scuttle to the roof is provided; and

WHEREAS, plans filed with this appeal indicate that the premises consist of 7 two story, Class 3 buildings, each 20 ft. front, 64 ft. in depth with the exception of No. 2003 (2001 displayed) Coney Island avenue, which has an existing one-story extension at the rear, running to the rear lot line with a total depth of 100 ft. and that each building is provided with an interior stair leading to the second story; and

WHEREAS, Certificate of Occupancy 26748, issued June 27, 1924, on Permit No. 2643-24, permits the use and occupancy of 10 buildings as stores and two families; and

WHEREAS, it is proposed to erect a one-story extension at the rear, 80 ft. in width by 86 ft. in depth, to be used for parking and unloading space and to alter two of the stores for use as driveways, all as indicated on plans filed with this appeal marked "Received May 21, 1945"; and

WHEREAS, the applicant states the premises are occupied by the Central Tire Company, who are wholesale and retail tire dealers and also deal in kindred automobile appurtenances, such as batteries radios, heaters, etc.; that the business of necessity requires that the automobile be brought to the premises; that coupled with the other establishments on the block dealing in similar automobile products, a very serious automobile parking problem arises during business hours; that it is the intent of the owners of these premises to erect the subject extension in order to alleviate this parking problem insofar as their own clientele is concerned, by providing a parking space where their customers may park their cars during the transaction of their business on the premises; that after they have made their purchases, their respective automobiles can be movd to one side of the driveway, where the product purchased may be installed in the automobiles; that provision is also made for the unloading of deliveries to the storage spaces provided in the cellars of the respective buildings, as stairs are provided from the parking and unloading space to the storage cellars, in each building; that it is the intent of the owners to make only such installations in automobiles as are permitted in a business district as defined by the Zoning Resolution, and then only when the product to be installed has been purchased on the premises; that such installation will not be made in the space allotted for the parking and unloading of automobiles, but in areas distinctly separate and away from said parking and unloading spaces, as per signed and sworn to affidavit submitted; that in view of the above, the applicant contends that he comes within the provision of Section 19g and that the additional area be permitted to be erected and occupied; and

WHEREAS, the Board deemed that a correct interpretation of Section 19, sub. div. g, permits the construction as stated in the following resolution and that a variance of Zoning Resolution is not required for the construction and use of the building, as stated in the resolution.

Resolved, that the decision of the borough superintendent on Alt. Applications 778 to 784-45 inclusive, as to Objection 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the space permitted to be covered under the provisions of Section 19, subd. g, of the Zoning Resolution with a C area district shall be used for no other purpose than for the parking and unloading as permitted under such section; that under the parking use, there shall be no storage of motor vehicles and no fees paid or collected for such storage; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

332-45-A

APPLICANT—Arthur F. Winter, for Joseph Goodman and Aron Nisse, owners (Arthur Weinrich, Attorney-in-fact); (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—31-01 to 31-05 Steinway street and 40-02 to 40-10 31st (Jamaica) avenue, southeast corner (cellar); (Block 678, Lots 30-40-42), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: C. E. Arthus.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (332-45-A)

WHEREAS, Arthur F. Winter, for Joseph Goodman and Aron Nisse, owner (F. W. Woolworth Company, lessee),

filed June 1, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 31-01 to 31-05 Steinway street and 40-02 to 40-10 31st (Jamaica) avenue, southeast corner (cellar); (Block 678, Lots 30, 40 and 42), Long Island City, Borough of Queens; and

WHEREAS, the order 14705-LF of the fire commissioner, dated March 22, 1945, reads:

"You are hereby ordered and required, within 30 days of the date of the service of this order, to:

"1. Provide in the cellar, a fixed fire extinguishing system or other means for the extinguishment of fire, satisfactory to the Fire Commissioner. Section C-19-161.0 Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated May 1, 1945, reads:

"Your letter of April 24, 1945, requesting that Order 14705-LF be reissued has been received. Your request is denied for the reason that it is not the policy of this Department to reissue violation notices."

and

WHEREAS, the applicant states the building is 2 stories (41 ft.) in height; 75 ft. by 115 ft. in area; of Class 3 construction; erected 1941, located in a business use, B area and Class 1¼ height district and used and occupied since May, 1941 as follows: cellar, storage; 1st floor, store and restaurant, 370 persons; 2nd floor, offices and rest room, 33 persons, for which Certificate of Occupancy Q18395 was issued on N.B. Applic. 828-41; and

WHEREAS, the applicant contends that there are openings in the show window bulkhead to provide ventilation to the basement; that there is a fireproof room for the storage of baled paper, which is baled every night; that the merchandise carried in the basement is common to this type of occupancy; that the amount of celluloid merchandise stored in the basement is approximately .3 of 1% of the entire stock; that all of the aisles are 3 ft. wide and are kept clear; that the basement ceiling is fire retarded; that all basement partitions are fireproof; that adequate fire protection has already been provided in the basement and it is therefore requested that the order of the fire commissioner be modified.

Resolved, that the order of the Fire Commissioner, 14705-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Item 1, *on condition* that a wet sprinkler system shall be installed through the cellar, which may be fed from the domestic water line, provided it is not less than two inches in diameter, from the street connection; that in all other respects, the sprinkler system shall comply with the regulations, except that the fire hose inlet on the Jamaica (31st) avenue side may be single; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

339-45-A

APPLICANT—Alfred H. Eccles, for Harry Gertz, Max Gertz, Louis Gertz, Samuel Gertz and Sheppard Glucroft, owners (Nachman Motors, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—92-15 159th street, east side, 125.19 ft. south of Jamaica avenue (2nd floor); Block 10100, Lots 35-46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION (339-45-A)

WHEREAS, Alfred H. Eccles, for Harry, Max, Louis and Samuel Gertz and Sheppard Glucroft, owners (Nachman Motors, lessee), filed May 31, 1945, an appeal from a decision of the borough superintendent, affecting premises 92-15 159th street, east side, 125.19 ft. south of Jamaica avenue (2nd floor); (Block 10100, Lots 35-46) Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated May 3, 1945, on Alt. Applic. 287-44, reads:

"1. Two enclosed exits from the second floor leading direct to the street as required by Sec. 270 of the Labor Law not provided.

"2. 75 lb. liveload on 2nd floor is less than minimum of 120 lb. permitted by Sec. 7.3.2.3, Building Code.

"3. The erection of frame partitions in a fireproof building is contrary to Sec. 3.2.1 Building Code."

and

WHEREAS, the applicant states that the building is 2 stories (30 ft.) in height, 92 ft. 9 in. by 134 ft. 10 in. in area, of Class 1 construction, erected in 1930, located in an unrestricted use, B area and Class 1½ height district and used and occupied since 1930 as a garage, pursuant to Certificate of Occupancy 44957, issued under N.B. 4139-30, which describes the building as of brick construction; and

WHEREAS, the applicant contends that the building is proposed to be used and occupied as follows: cellar, boiler room; 1st floor, garage, 20 persons; 2nd floor, garage, machine shop and office, 20 persons; that the building is equipped with a standpipe system, one 44 in. wide interior stairs of steel construction, enclosed in 6 in. terra cotta blocks, equipped with fireproof, self-closing doors and leading from the roof bulkhead directly to the street, and one fire escape at the rear, leading from the 2nd story to the rear yard; that windows and doors on the course of the fire escape are not fireproof, self-closing; that egress from the rear fire escape to the street is provided by means of an open space leading to Archer avenue, as indicated on plans filed with this appeal; and

WHEREAS, Violation 1759-44 issued January 16, 1945 was for erecting partitions without approved plan or permit; and

WHEREAS, the applicant further contends that permission is sought to use a portion of the 2nd floor for the duration of the war, for a machine shop and to erect a partition, constructed of wood studs, covered both sides with ½-in. sheetrock, separating the machine shop from the garage; that the lessee is engaged in war production; that the partition is required by the Navy Department to maintain secrecy; that the lessee maintains a used car agency and is using the regular machine shop equipment, supplemented by other equipment, for the production of war products; that there are three exits from the 2nd floor, consisting of an interior fireproof stairs and an open exterior fireproof stairs at the rear and a ramp leading to the street; that the interior and exterior stairs are remote; that the equipment of the machine shop on the second floor is lightweight and materials produced are lightweight and the floor is not loaded in excess of 75 lbs. per sq. ft.; that the frame partitions are covered with ½-in. sheetrock, which provides limited fire protection for the wood studs; that it is therefore requested, the Board grant a variation for a temporary period of the duration of the war, the wood partitions to be removed and the manufacturing to cease at the termination of such period.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent as to Alt. Applic. 287-44 and that the appeal be and it hereby is *granted*, as to Objection 1, *on condition* that the primary means of exit, consisting of an enclosed fireproof stair leading to street as shown and the secondary means of exit consisting of an exterior iron stair leading to the yard and across the premises under the same ownership, to Archer avenue, shall be maintained, provided a fireproof self-closing door shall be constructed between the corner of the machine shop partition and the column outside the

toilet room; that such door shall be as wide as the space permits but not less than 3 ft. and the space over the door may be constructed with a partition similar to the temporary enclosing partition in the machine shop; that the windows on the course of the iron stair at the rear shall have fireproof frames and sash and wire glass along the course of the stairs; as to Objection 2, that the existing liveload of 75 lbs. per sq. ft. may be permitted, provided such liveload is posted and the loading per superficial foot within the machine shop area shall at no time exceed such loading; as to Objection 3, that the frame partition, consisting of studs and sheetrock on both sides from floor to ceiling, may be permitted temporarily, provided the proposed machine shop work shall be discontinued within six (6) months after the termination of the present war emergency and the partition shall also be removed at that time; that the number of cars stored in the rear of the second floor shall at no time exceed five (5) and not more than twenty-five (25) cars shall be stored on the 1st floor; that the machine shop shall be operated by the concern which is the lessee of the entire building; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the ramp to the street may remain, but shall not be deemed as a lawful exit; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

345-45-A

APPLICANT—Joseph Kleinberger, for Atlantic Leasing Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street (Block 1019, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Kleinberger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Absent: Commissioner Savage 1

THE RESOLUTION (345-45-A)

WHEREAS, Joseph Kleinberger, for Atlantic Leasing Co., Inc., owner, filed June 5, 1945, an appeal from a decision of the brorough superintendent, affecting premises 1580-1590 Broadway, east side, 710-720 7th avenue and 200 West 48th street, (Block 1019, Lot 36), Borought of Manhattan, and

WHEREAS, the decision of the borough superintendent, dated April 27, 1945, on amendment to Bldg. Noticc 2338-44, reads:

"1. As this sign is not at right angles to wall and also not parallel to wall, question of having sign as shown on plan, should be referred to Superintendent as per sec. C26-220.0 Adm. Code 2.4.1.5.B.C."

and

WHEREAS, the said decision was re-denied May 3, 1945; and

WHEREAS, the applicant states the building is two stories and mezzanine (40 ft.) in height, 93 ft. by 125 ft. in area; Class 1 construction, erected in 1912, located in a retail use, B area and Class 2 height district; used and occupied: Cellar, storage and restaurant, 500 persons; 1st floor, stores, 100 persons; 2nd floor, restaurant and cabaret, 650 persons; mezzanine, kitchen, 20 persons, that the building is equipped with one 7 ft. 6 in. wide steel stairs, fireproof enclosed, leading directly to the street, having fireproof, self-closing doors thereto and provided with a ladder and scuttle to the roof and one counterbalanced stair to grade on the 7th Avenue side; and

WHEREAS, the applicant contends that the proposed signs are not contrary to scction B26-13.0, as they do not project more than 8 ft. beyond the building line; that this section does not limit the type of projection, whether right angle, parallel, triangular or V-shape, and it is therefore assumed that any type of sign is permissible; that the fact this section does not prohibit the various types of signs is evidenced by the numerous similar signs erected throughout the City; that the Corporation Counsel in 1930, ruled that section B-26-13.0 does not prohibit the type of sign proposed; that the Zoning Law does not prohibit the type of sign proposed in the district in which the building is located; that the signs as proposed will not interfere with ingress or egress; that the building was designed as a place of public assembly since 1912 and has had advertising signs on its walls for many years; that since the signs in question do not violate any provision of the Building Code, the sign ordinance or the Zoning Resolution and many signs of this type have been approved and erected throughout the City, it is requested that the ruling of the Building Department be varied and the erection of the signs permitted; and

WHEREAS, this appeal is for a variance of the law, in as much as appeal 89-45-A was solely to determine the corrcctness of the decision of the Borough Superintendent; and

WHEREAS, the premises are located in a retail-1 district and not in a retail district as stated by the applicant; and

WHEREAS, in the opinion of the Board it would be contrary to public interest and safety, to permit the sign to extend beyond the street building as proposed; and

WHEREAS, the Board, in upholding the dccision of the Borough Superintendent appealed from under calendar 89-45-A, was of the opinion that Section B26-13.0 permits an extension of 8 feet from the Building line, only as to right angle signs and not wall signs, which are governed by Section B26-7.0; that Section B26-13.0 at most permits signs at right-angles to the building wall to extend outwardly 8 feet, as against 3 feet as provided in Section B26-7.0.

Rcsolvcd, that the decision of the borough superintendent, acting on amendment to Bldg. Notice 2338-44, objection 1, be and it hereby is *affirmcd* and that the appeal be and it hereby is *denied.*

358-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—142-30 Barclay avenue, southeast corner of Union street (cellar, P.S. 20); (Block 5047, Lots 1, 20 and 52), Flushing, Borough of Queens.

APPEARANCES—

For Applicant Gustave Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (358-45-A)

WHEREAS, Eric Kebbon, for the Board of Education, City of New York, owner, filed June 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 142-30 Barclay avenue, southcast corner of Union street (cellar, P.S. 20); (Block 5047, Lots 1, 20 and 52), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. 20-45, dated May 24, 1945, reads:

"1. The connection of more than one oil burner to a single flue, is contrary to the Oil Burner Rules of the Board of Standards and Appcals, Rule 12.1."

and

WHEREAS, the applicant states that the proposed building

will be 3 stories (40 ft. 3 in.) in height, 331 ft. by 252 ft. in area, Class 1 construction; located in a residence use, B area and Class 1½ and 1 height district; proposed to be used and occupied as follows: Cellar, boiler room, mechanical equipment, store rooms, etc., 20 persons; 1st floor, auditorium, playroom, 450 persons; lunch room and teachers' room, 295 persons; gymnasium, 132 persons; music room, 90 persons; classrooms, shops and offices, 250 persons; 2nd floor, library, 68 persons; children's organization room, 45 persons; classrooms and office, 650 persons; 3rd floor—classrooms and offices, 865 persons (Board of Education total capacity for school 1552 pupils); that this building will be equipped with an approved one-source sprinkler system and interior fire alarm system and semi-monthly fire drills will be maintained; that there will be four single stairs and one double stairs, 3 ft. 8 in. wide, constructed of steel with 2-hour stair enclosures; that the stairs will lead directly to the street; that the doors will be self-closing, ¾ hour rating; and

WHEREAS, the applicant contends that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for two boilers; that the breeching from one boiler, equipped with a fully automatic type of oil burner, will be connected to one chimney and the breeching from two boilers equipped with a semi-automatic type oil burner, will be connected to the other chimney; that these boilers will at all times be under the supervision of a competent and qualified operator; that the estimated temperature at point of entrance to the chimney is about 400 degrees F.; that the boilers will be operated simultaneously at times.

Resolved, that the decision of the borough superintendent, dated May 24, 1945, acting on N.B. Applic. 20-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chimneys shall be constructed and maintained as proposed; that the oil burners shall be of a type approved by the Board and the Oil Burner Rules of the Board have been complied with in all other respects.

359-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—63-55 to 63-73 102nd street, east side, between 63rd drive and 64th avenue (Basement, P.S. 157); (Block 2126, Lot 14), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Gustave Goldman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (359-45-A)

WHEREAS, Eric Kebbon, for the Board of Education, City of New York, owner, filed June 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 63-65 to 63-73 102nd street, east side, between 63rd drive and 64th avenue (Basement, P.S. 157); (Block 2126, Lot 14), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. 40-43, dated May 24, 1945, reads:

"1. The connection of more than one oil burner to a single flue is contrary to the Oil Burner Rules of the Board of Standards & Appeals, Rule 12.1."

and

WHEREAS, the applicant states that the building is 3 stories and basement (53 ft. 8 in.) in height, 193 ft. by 240 ft. 8 in. in area; Class 1 construction, located in a residence use, D area and Class 1 height district; proposed to be used as follows: Basement, 2 gymnasiums, 260 persons; cafeteria, 530 persons; mechanical equipment, boiler room and store rooms, etc., 5 persons; 1st floor, auditorium, 612 persons; classrooms, shops and offices, 384 persons; 2nd floor, same, 811 persons (no auditorium); 3rd floor, classrooms, shops and offices, 967 persons; that the building is equipped with six single interior stairs, 3 ft. 8 in. in width of steel construction with 2-hour rating enclosures, leading directly to the street; that doors are self-closing ¾ hour rating; that there is an approved one-source sprinkler system, fire alarm system and regular semi-monthly fire drills are maintained; and

WHEREAS, the applicant contends that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for two boilers; that the breeching from one boiler, equipped with a fully automatic type of oil burner, will be connected to one chimney and the breeching from two boilers equipped with a semi-automatic type oil burner, will be connected to the other chimney; that these boilers will be at all times under the supervision of a competent and qualified operator; that the estimated temperature at point of entrance to the chimney is about 400 degrees F.; that the boilers will be operated simultaneously at times.

Resolved, that the decision of the borough superintendent, dated May 24, 1945, acting on N.B. Applic. 40-43, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chimneys shall be constructed and maintained as proposed; that the oil burners shall be of a type approved by the Board and the Oil Burner Rules of the Board shall be complied with in all other respects.

360-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—83-02 to 83-38 168th street, west side, between 84th avenue and Grand Central parkway (Basement, Thomas A. Edison Vocational High School); (Blocks 9867, 9868, 9869, 9870, Lots 1), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Gustave Goldman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (360-45-A)

WHEREAS, Eric Kebbon, for the Board of Education, City of New York, owner, filed June 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 83-02 to 83-38 168th street, west side, between 84th avenue and Grand Central parkway (Basement, Thomas A. Edison Vocational High School); (Block 9867, 9868, 9869, 9870, Lots 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. 89-43, dated May 24, 1945, reads:

"1. The connection of more than one oil burner to a single flue is contrary to the Oil Burner Rules of the Board of Standards and Appeals, Rule 12.1."

and

WHEREAS, the applicant states that the building is 4 stories, and basement (56 ft.) in height, 269 ft. 10 in. by 377 ft. 8 in. in area, of Class 1 construction, located in a residence use, F area and one-half and 1 times height district, and proposed to be used as follows: Basement, pupils and teachers cafeteria, storerooms, and dressing rooms, 700 persons;

boiler room, miscellaneous equipment, etc., 100; 1st floor, class rooms, shops and office, 1116 persons; auditorium, 856 persons; 2nd floor, class rooms, shop and office, 1215 persons, gymnasium and locker rooms, 200 persons; 3rd floor, class rooms, shops and office, 1215 persons, gymnasium, 600 persons; 4th floor, class rooms, shops and offices, 444 persons (Board of Education capacity 2334 pupils); that the building is equipped with six single stair and three double stairs 3 ft. 8 in. in width of steel construction, with 2 hour rating enclosure; that the doors lead directly to the street and have a ¾ hour rating and are self-closing; that there is an approved interior fire alarm system, and fire drills are regularly maintained semi-monthly; that the building is equipped with an approved 2 source sprinkler system; and

WHEREAS, the applicant contends that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for three boilers; that the breeching from one boiler, equipped with a fully automatic type of oil burner, will be connected to one chimney and the breeching from three boilers equipped with a semi-automatic type oil burner, will be connected to the other chimney; that these boilers will be at all times under the supervision of a competent and qualified operator; that the estimated temperature at point of entrance to the chimney is about 400 degrees F.; that the boilers will be operated simultaneously at times.

Resolved, that the decision of the borough superintendent, dated May 24, 1945, acting on N.B. Applic. 89-43, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chimneys shall be constructed and maintained as proposed; that the oil burners shall be of a type approved by the Board and the Oil Burner Rules of the Board shall be complied with in all other respects.

361-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—960 Columbus avenue, west side, between West 107 and West 108 streets, 131-169 West 107th street and 100-154 West 108th street (Basement, West Side Vocational Hight School); (Block 1862, Lots 7, 9, 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Gustave Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (361-45-A)

WHEREAS, Eric Kebbon, for the Board of Education, City of New York, owner, filed June 12, 1945, an appeal from a decision of the borough superintendent affecting premises 960 Columbus avenue, west side, between West 107th and West 108th streets; 131-169 West 107th street and 100-154 West 108th street (Basement, West side Vocational High School), (Block 1862, Lots 7, 9, 10, 11), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 163-44, dated May 23, 1945, reads:

"8. The connection of more than one oil burner to a single flue is contrary to the Oil Burner Rules (12.1) of the Board of Standards & Appeals."

and

WHEREAS, the applicant states that the proposed building will be 3 stories and basement (46 ft. 4 in.) in height, 477 ft. 2 in. by 192 ft. 8 in. in area; Class 1 construction; located in an unrestricted and business use, B area and Class 1½ height district; proposed to be used and occupied as follows: Cellar, boiler room, mechanical equipment, etc., 3 persons; ground floor, pupils' and teachers' cafeteria, 990 persons; shops, storerooms, etc., 260 persons; 1st floor, auditorium and balcony, 744 persons; girls' gymnasium, 630 persons; boys' gymnasium, 160 persons; classrooms, shops, etc., 575 persons; lecture room, 80 persons; 2nd floor, balcony of auditorium, 166 persons; classrooms, shops, etc., 904 persons; library, 112 persons; 3rd floor, floral shop and greenhouse, 50 persons; classrooms, shops and offices, 1,000 persons (The Board of Education capacity is given as 2519 pupils); that the building is equipped with an approved one-source sprinkler system and interior fire alarm system and regular semi-monthly fire drills are maintained; that there are eight single stairs and two double stairs 3 ft. 8 in. in width of steel construction with two-hour rating enclosures; that exit doors lead directly to the street and are self-closing and have a ¾-hour rating; and

WHEREAS, the applicant contents that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for three boilers; that the breeching from one boiler equipped, with a fully automatic type of oil burner, will be connected to one chimney and the breeching from three boilers, equipped with a semi-automatic type oil burner will be connected to the other chimney; that these boilers will at all times be under the supervision of a competent and qualified operator; that the estimated temperature at point of entrance to the chimney is about 400 degrees F.; that the boilers will be operated simultaneously at times.

Resolved, that the decision of the Borough Superintendent, dated May 23, 1945, acting on N.B. Applic, 163-44, objection 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chimneys shall be constructed and maintained as proposed; that the oil burners shall be of a type approved by the Board and the Oil Burner Rules of the Board shall be complied with in all other respects.

362-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1180 Morris avenue, southeast corner of East 167th street (Basement, P.S. 22); (Block 2438, Lots 33, 45 and 50), Borough of The Bronx.

APPEARANCES—

For Applicant: Gustave Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (362-45-A)

WHEREAS, Eric Kebbon, for the Board of Education, City of New York, owner, filed June 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 1180 Morris avenue, southeast corner of East 167th street, (Basement P.S. 22); (Block 2438, Lots 33, 45 and 50), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, acting on N.B. Applic. 100-44, dated May 22, 1945, reads:

"12. The connection of more than one oil burner to a single flue is contrary to the oil burner rules of the Board of Standards and Appeals, Rule 12.1".

and

WHEREAS, the applicant states that the building is 3 stories and basement (47 ft. 11 in.) in height, 317 ft. 4 in. by 172 ft. in area; Class 1 construction; located in a business use, B area and Class 1¼ height district; proposed to be used and occupied as follows: Basement, boiler room, mechanical

equipment, etc., 15 persons; cafeteria, 670 persons; boys' gymnasium, 250 persons; 1st floor, classrooms, shops and office, 448 persons; auditorium, 516; persons; 2nd floor, classrooms, shops and office, 1150 persons; balcony of auditorium, 204 persons; 3rd floor, classrooms, shop and office, 1190 persons (Bd. of Education capacity 2334 pupils); that the building is equipped with six single stairs and one double stairs of steel construction, 3 ft. 8 in. in width with 2-hour enclosures; that exits are equipped with ¾ hour rating, self-closing doors leading directly to the street; that there is an approved interior fire alarm system and a one-source sprinkler system and semi-monthly fire drills are regularly maintained; and

WHEREAS, the applicant contends that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for two boilers; that the breeching from one boiler equipped, with a fully automatic type of oil burner, will be connected to one chimney and the breeching from two boilers equipped with a semi-automatic type oil burner, will be connected to the other chimney; that these boilers will be at all times under the supervision of a competent and qualified operator; that the estimated temperature at point of entrance to the chimney is about 400 degrees F.; that the boilers will be operated simultaneously at times.

Resolved, that the decision of the Borough Superintendent, dated May 22, 1945, acting on N.B. Applic. 100-44, objection 12, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the chimneys shall be constructed and maintained as proposed; that the oil burners shall be of a type approved by the Board and the Oil Burner Rules of the Board shall be complied with in all other respects.

368-45-A

APPLICANT—William O. Staber, for William Caggian, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—30-98 to 30-102 Crescent street, northwest corner of 31st avenue (1st floor); (Block 570, Lots 58 and 59), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative: 0

Absent: Commissioner Savage 1

THE RESOLUTION (368-45-A)

WHEREAS, William O. Staber. for William Caggian, owner, filed June 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 30-98 to 30-102 Crescent street, northwest corner of 31st avenue (1st floor); (Block 570, Lots 58 and 59), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 12, 1945, on Alt. Applic. 684-45, reads:

"1. The combination of two business buildings, one frame and the other non-fireproof, into one enlarged class IV building, is contrary to Sec. 4.2.1 of the Building Code."

and

WHERAS, the applicant states that the buildings are 1 and 3 stories (32 ft.) in height, 46 ft. by 50 ft. average in area at 1st floor, 22 ft. by 50 ft. average in area at second floor, of class 3 and 4 construction, located in a business use, B area and class 1½ height district and used and occupied since prior to 1898 as follows: cellar—general storage and heater room; 1st floor—store—6 persons; 2nd floor—one five room apartment; 3rd floor—one 5 room apartment; proposed to be used without change and the occupancy of the first floor to be increased to 10 persons; that the building is equipped with one 3 ft. wide wood stairs on the 31st avenue front, enclosed in terra cotta blocks at the cellar, equipped with fireproof, self-closing door and the upper floors are enclosed in partitions of wood studs and plaster; that this stair leads directly to the street and is provided with a ladder and scuttle to the roof; that building known as 30-102 Crescent street was erected prior to 1898 and 30-98 to 30-100 Crescent street was erected in 1925; that no certificate of occupancy was issued; and

WHEREAS, the applicant contends that the owner operates a market on the 1st floor of the frame building and due to the expansion of business, needs additional sales space and it is proposed to use the present vacant brick one story structure to the north, by removing the walls between the two buildings on the 1st floor, supporting the super-structure on steel and thus increasing the sales space from 814 sq. ft. to 1848 sq. ft.; that the present finish of the store in the frame building consists of plaster walls, over wood lath and stamped metal ceiling, over plaster board; that the ceiling of the brick store is surfaced with stamped metal and the walls are plaster; that the cellar ceilings of both buildings are not covered; that is is proposed to fire-retard the ceilings of both cellars with ½-in. plaster board and plaster with two coats of gypsum mortar and the ceiling over the heating boiler to be covered with No. 26 gauge sheet metal, in addition to the plaster; that it is further proposed to install a new stairway from the brick store floor to the cellar and enclose the present stairs from the frame store to the cellar and the new stairs with terra cotta block enclosure, equipped with a self-closing, fireproof door at the cellar level; that there will be no openings between the two cellars; that there is now a separate stairway from the cellar in each store, leading to the street and another stairway leading from the cellar to the yard will be installed in the brick building, as indicated on plans filed with this appeal; it is therefore requested that a variation of Section 4.2.1 of the Administrative Building Code be granted, to permit the occupancy of the first floor as one unit, as proposed

Resolved, that the decision of the borough superintendent on Alt. Applic. 684-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the first floor store space shall be occupied only as proposed; that the fireproofing of the cellar ceiling shall be carried out as proposed; that the wall between the cellar of the two buildings shall remain unpunctured; that the additional stairway to the cellar of the one story building shall be constructed, as well as a means of reaching such cellar from the rear yard, in addition to the cellar entrance from Crescent street; that the ceiling of the store shall be fire retarded throughout; that the soffit of the stair leading to the upper stories shall be fire-retarded on the 1st floor over the entrance and stairway to the cellar; that the building shall not be increased in height or area; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a certificate of occupancy shall be obtained.

386-45-A

APPLICANT—Alden B. MacNeil, for Alfour Properties, Inc., owner (Ernest Waldvogel, lessee, representing the Ridgewood Pentecostal Church).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—9001-9011 Avenue L, northeast corner of Remsen avenue (Block 8236, Lot 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alden B. MacNeil, Rev. Ernest Oldfield, Rev. Hans Waldvogel and Vincent Hofflander.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage..... 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (386-45-A)

WHEREAS, Alden B. MacNeil, for Alfour Properties, Inc., owner (Ernest Waldvogel, lessee, representing the Ridgewood Pentecostal Church), filed June 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 9001-9011 Avenue L, northeast corner of Remsen avenue (Block 8236, Lot 6), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 8, 1945, on B.N. Applic. 670-45, reads:

"1. Canvas tent for religious purposes is contrary to Sect. 4.2.1 of the Code.

2. Wood fence exceeding 10 ft. in height is contrary to Sect. 8.7.2.6.4 of the Code."

and

WHEREAS, the applicant states that the proposed structure will consist of a canvas tent, 1 story (18 ft.) in height, 30 ft. by 60 ft. in area, to be located in a residence use, D area and class 1 height district and used for religious meetings with an occupancy of 125 persons; and

WHEREAS, the applicant contends that permits have been issued in the past and similar tents erected in previous years up to and including last year; that these tents withstood the hurricane that toppled so many other structures; that an approved flameproofing compound will be used to flameproof the canvas; it is therefore requested that the Board permit the erection of this tent for a specified period, so that a permit may be obtained from the borough superintendent under Section 8.7.2.7.2 of the Administrative Building Code; and

WHEREAS, authorization of the owner, addressed to the applicant states that the use is authorized during the months of July, August and September of 1945, effective only when and if, a public liability policy in the extent of $100,000 is filed before July 1, 1945, with the owners, indemnifying the owners against any accidents on the premises during such occupancy.

Resolved, that the decision of the borough superintendent acting on B.N. Applic. 670-45, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

390-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED— Block bounded by Park avenue, east side to 3rd avenue, between East 112th and East 115th streets (Block 1640, 1641 and 1642), Borough of Manhattan (James Weldon Johnson Houses).

APPEARANCES—

For Applicant: John P. Riley and Harry M. Prince.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (390-45-A)

WHEREAS, New York City Housing Authority, owner, filed June 15, 1945, an appeal from a decision of the borough superintendent, affecting the James Weldon Johnson Houses, bounded by East 112th street, Park avenue, East 115th street and Third avenue (Blocks 1640, 1641 and 1642), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 6, 1945, on N.B. Applic. 37 to 82-45, inclusive, reads:

"A3. Incinerator openings into public halls must be equipped with fireproof self-closing one-hour doors in addition to the regulation hopper doors."

and

WHEREAS, reconsideration of this objection was denied by the borough superintendent on May 23, 1945; and

WHEREAS, the applicant states that the buildings will be 6, 10 and 14 stories in height; of Class 1 construction and used as multiple dwellings; that each six-story unit will be equipped with a single stairway and each unit over 6 stories in height will be equipped with a double stairway of fireproof construction from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that the incinerators are of a non-fuel fired type and therefore not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that the incinerator openings will be provided with self-closing hopper doors and frames having a one-hour fire test rating and therefore it is unnecessary to add any further protection; that in accordance with the code, any hopper service door placed a foot or more off the required lines of egress travel would be acceptable, without the use of a protective door; that this could not, therefore be construed to give any more protection to the egress enclosure in which most incinerator openings are located; that in buildings where such protective doors have been installed, said doors have not only been a continual nuisance to the tenants, by not only interfering with the convenient operation of the hopper door, but also have been the cause of people spilling refuse, thereby creating an unsanitary condition; that people's clothes become soiled every time they use the incinerator, as they must lean against the protective door to hold it open; that in general, this additional door is very impractical; that most buildings heretofore using this protective door, have been of non-fireproof construction, whereas all these buildings will be Class I fireproof structures.

Resolved, that the decision of the borough superintendent, acting on N.B. Applics. 37 to 82-45, inclusive, Objection A-3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed incinerator hopper assembly shall be of the type as approved by the Board, as meeting the requirements for one-hour rating.

397-45-A

APPLICANT—Joseph Kleinberger and Paul Chapman, for Atlantic Leasing Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1580-1590 Broadway and 200 West 48th street, southeast corner and 710-720 7th avenue (roof); (Block 1019, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Kleinberger and Paul Chapman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Gunn 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION (397-45-A)

WHEREAS, Joseph Kleinberger and Paul Chapman for Atlantic Leasing Co., Inc., owner, filed June 21, 1945, an appeal from a decision of the borough superintendent, effecting premises: 1580-1590 Broadway and 200 West 48th street, southeast corner, and 710-720 7th avenue, (roof); (Block 1019, Lot 36), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 9, 1945, on Bldg. Notice 351-45, reads:

"5. The plaque as a part of the sign, shows a tight surface which would restrict the sign to 31 ft. above roof B26-11."

and

WHEREAS, the amendment dated April 2, 1945 on Bldg. Notice 351-45, reads:

"5. The plaques and the framework will not cause more than 35 per cent of the area of the structure to be exposed to wind pressure. Allowance is therefore requested under B26-11-b-2."

and

WHEREAS, the decision of the borough superintendent, dated May 23, 1945, reads:

"Reconsideration to Obj. No. 5 is denied as per Supt. note dated 5/23/45."

and

WHEREAS, the note of the borough superintendent, dated May 23, 1945, as to such decision reads:

"Reconsideration denied. E.P.L. 5/23/45."

and

WHEREAS, the applicant states the building is two stories and mezzanine (40 ft.) in height, 93 ft. by 125 ft. in area; Class 1 construction, erected in 1912, located in a retail use, B area and Class 2 height district; used and occupied: Cellar, storage and restaurant, 500 persons; 1st floor, stores, 100 persons; 2nd floor restaurant and cabaret, 650 persons; mezzanine, kitchen, 20 persons; that the building is equipped with one 7 ft. 6 in. wide steel stairs, fireproof enclosed, leading directly to the street, having fireproof, self-closing doors thereto and provided with a ladder and scuttle to the roof and one counterbalanced stair to grade on the 7th Avenue side; and

WHEREAS, the applicant contends that plans and application were submitted to the borough superintendent for a roof sign 75 ft. high and 90 ft. long; that in accordance with B26-11.b restriction 2 of the Administrative Code, the portion of the sign shown covered and exposed to wind, was less than 35% of the total area; that the examiner in the Department of Housing and Buildings disapproved the application by objection 5, dated March 9, 1945; that attention is called to the examiner's statement "as part of the sign," upon which he appears to base the disapproval; that the denial appears based on restriction 1 of B26-11.b "Any roof signs having a tight closed or solid surface shall not extend more than 31 feet above the roof level at any point;" that the examiner in his objection 5, "The plaque as part of the sign" concedes that the sign itself is not a "sign having a tight closed or solid surface," since the plaques with the framework are less than 35% of the sign area; that the practice of the Department for many years past, has been to classify a sign having not more than 35% of its area covered, whether by plaques or otherwise, as a "sign not having a tight closed or solid surface;" that the plaques on the proposed sign are to be removable and are designed to meet advertising requirements; that if the intent of the Code had been to classify a sign having less than 35% of its area covered as a "sign having a tight closed or solid surface," the restriction would certainly have so stated; that restriction 1 should stand on its own merits; that restriction 2 is more than a restriction, since it allows the erection of 75 ft. signs on fireproof buildings and 50 ft. signs on nonfireproof buildings with the sole restriction that not more than 35% of the total area be covered and exposed to wind; that the sign proposed meets the requirements of the zoning ordinance; and

WHEREAS, the premises is located in a retail-1 use district and not in a retail use district, as stated by the applicant; and

WHEREAS, in the opinion of the Board, the sign in question should be considered as coming within the purview of subdivision 2 of Section B26-11.0.

Resolved, that the decision of the borough superintendent, acting on Building Notice 351-45, objection 5, dated May 23, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the sign structure shall comply with all laws, rules and regulations applicable thereto and that the amount of closed space shall not exceed 35 per cent. of the total area of the sign, whether the closed space is in the form of a plaque or fixed portion of the sign, provided that the plaque is firmly attached to the sign, but may be arranged so that it can be removed for changing the advertising matter; and that the sign as shown to be double-sided, shall be deemed a single sign structure.

169-44-A

APPLICANT—Henry L. Shadd, for The Calhoun School, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—309-311 West 92nd street, north side, 100 ft. west of West End avenue (Block 1252, Lot 12), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (169-44-A)

WHEREAS, Henry L. Shadd, for The Calhoun School, owner, filed on March 20, 1944, an appeal from a decision of the borough superintendent, affecting premises 309-311 West 92nd street, north side, 100 ft. west of West End avenue (Block 1252, Lot 12), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal and it hereby is *dismissed* for lack of prosecution.

1199-40-A

APPLICANT—Stanley H. Klein, for Joseph G. Laks and Evelyn R. Laks, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution— re Appeal from decisions of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—69-77 and 69-81 183rd street, northeast corner of 73d avenue and east side of 183rd street, 59.91 ft. north of 73d avenue (Block 7136, Lot 1), Flushing, Borough of Queens.

APPEARANCES—

For Appellant: Stanley H. Klein.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1199-40-A)

WHEREAS, this appeal from decisions of the borough superintendent, affecting premises 69-77 and 69-81 183rd street, northeast corner of 73rd avenue and east side of 183rd street, 59.91 ft. north of 73rd avenue (Block 7136, Lot 1), Flushing, Borough of Queens, was granted by the Board on January 28, 1941, on certain conditions; and

WHEREAS, the owner of the building originally approved by the borough superintendent, under N. B. Applic. 7663-40, after a variance was granted by the Board under this calendar number on January 28, 1941, requested amendment of the resolution, to permit additional construction, consisting of a screened in storm porch, as indicated on plans filed with the borough superintendent under Alteration 930-45, and as shown on plans filed with the Board marked "Received June 15, 1945".

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 28, 1941, by adding thereto:

"...that in the event the owner of the dwelling lo-

cated on the northeast corner of 73rd avenue and 183rd street desires to construct a porch on the rear as indicated on plans filed with the borough superintendent and as shown on plans filed with this Board marked "Received June 15, 1945", that such porch may be permitted, provided it shall be used only as an open porch and shall at no time be enclosed (except by fly screens) and occupied as a living room."

580-44-A

APPLICANT—Minerva Boat Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order and a decision of the fire commissioner re transportation of gasoline in two 55 gallon portable gasoline tanks attached to the body of a truck to a vessel or marine craft from a private pier (not in conformity with Administrative Code requirements) in New York City (previously granted on condition).

APPEARANCES—
For Applicant: C. C. Roberts.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (580-44-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, relative to the transportation of gasoline in two 55 gallon portable gasoline tanks attached to the body of a truck to a vessel or marine craft from a private pier, was granted by the Board on October 31, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 31, 1944, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* to permit the delivery of gasoline as proposed for a term expiring on June 30, 1946, *on condition* . . . and that other than as here in *amended*, the conditions of the resolution of October 31, 1944, shall be complied with."

647-44-A

APPLICANT—F. P. Platt and Brother, for Advertising Club of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—23 Park avenue and 101 East 35th street, northeast corner (Block 891, Lot 1), Borough of Manhattan.

APPEARANCES—
For Applicant: J. S. Bookwalter.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

240-45-A

APPLICANT—Solomon Schwartz, for Kenro Realty Corp., owner (M. Maisel Co., Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—621-629 Kent avenue, northeast corner of Rodney street (Block 2185, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Solomon Schwartz, B. Maisel and Morris Perlstein.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

375-45-A

APPLICANT—Joseph Lau, for Merchants Refrigerating Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—500-528 West 17th street, 97-111 10th avenue, southwest corner and 501-521 West 16th street (curb); (Block 688, Lot 21), Borough of Manhattan.

APPEARANCES—
For Applicant: Joseph Lau and T. R. Helpert.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

338-44-A

APPLICANT—William J. Minogue, for Mary C. Condon, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx.

APPEARANCES—
For Applicant: William J. Minogue.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

592-44-A

APPLICANT—Cafiero and Lacerenza, for Chevra Machzika Harav, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—530 Ocean parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn.

APPEARANCES—
For Applicant: William A. Lacerenza and Joseph Mosckkevitz.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

(Remaining minutes of the meeting of July 3, 1945 will be printed in the Bulletin of July 17, 1945.)

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of July 10, 1945 will be printed in the Bulletin of July 24, 1945.)

Corrections Affecting Calendar Numbers 227-44-A and 324-45-A.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 10, 1945.

Cal. No. Dept. Premises Affected.

418-45-A—H.B.Q.—104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 35), Jamaica, Borough of Queens, Alt. 891-45.

419-45-BZ—H.B.M.—479-485 5th avenue, 5-7 East 41st street, northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan, Alt. 827-45.

420-45-A—H.B.M—Block bounded by Park avenue to 5th avenue between East 132nd and East 135th streets (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21); (Abraham Lincoln Houses), Borough of Manhattan, Decision re N.B. 96-45 to N.B. 109-45, inclusive.

421-45-A—H.B.B.—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn, N.B. 294-45.

422-45-A—H.B.Bx—5080 Waldo avenue and east side of Fieldston road, 308.68 ft. north of West 250th street (Block 3415Q, Lot 27) Borough of The Bronx, Amendment to Alt. 52-45.

423-45-BZ—H.B.Bx—101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx, Amendment to Alt. 572-40.

424-45-SA—Clayton Steam Generator, 10-100 H.P., Model 25 (Oil-fired), Appliance.

425-45-A—H.B.Bx—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx, Decision re Certificate of Occupancy.

426-45-SM—Pecora Exterior Glass Mastic, Code 7HR, Pecora Exterior Bondkote, No. 631 and Pecora Calking Compound, No. 7R5, manufactured by Pecora Paint Co., Inc., Material.

427-45-A—H.B.B.—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn, Alt. 1426-45.

428-45-A—H.B.B.—235-245 Lynch street, north side, 224 ft. east of Harrison avenue (cellar); (Block 2234, Lot 43), Borough of Brooklyn, Alt. 2153-44.

429-45-A—H.B.Bx—30 West Fordham road, south side, 53 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx, Amendment to E.S. 32-45.

430-45-BZ—H.B.M.—218-224 East 3rd street, south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14, 15, 16 and 17), Borough of Manhattan, Alt. 1056-45.

Restored to Calendar.

52-38-BZ—H.B.M.—1187-1201 3rd avenue, from East 69th to East 70th streets, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan, Amendment to Alt. 519-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

JULY 17, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 17, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Zoning Applications

227-45-BZ—Application, April 16, 1945, under section 21 of the zoning resolution, of Charles S. Ward, applicant, on behalf of Francis J. Meyer, owner, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level more than 60% of the area of the plot; premises 146-06 to 146-10 Hillside avenue, south side. 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

420-43-BZ—Application, August 30, 1943, under sections 7c and 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of National Fabricating Co., owner, to permit in a residence use F area district, a one story extension to an existing factory building and not complying with F area district requirements; premises 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

274-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Dora F. Kraut, owner, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot now used as cow stable; premises 6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

730-44-BZ—Application, December 15, 1944, under section 7f of the zoning resolution, of Kobie Klinghoffer, applicant, on behalf of Lotli, Inc., owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

280-31-BZ—Application of Harry H. Goebel, applicant, on behalf of Grace Locicero, owner, reopened June 26, 1945 for consideration as to extension of permit—expired by limitation—Application, previously granted on condition. under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the maintenance of a gasoline service station; premises 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens.

254-45-BZ—Application, May 1, 1945, under sections 7a and 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Joseph Ledogar and James Pond, owners, to permit in a business use district, the erection of a building to be occupied as a showroom and conducting minor motor vehicle repairs with a business entrance more than 25 ft. from the intersection of the business and residential streets; premises 186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

191-34-BZ—Application of Herman Kron, applicant, on behalf of 180th Street and Boston Road, Inc., owner, reopened March 27, 1945, under section 7h of the zoning resolution, to permit in the business portion of a plot located in a business and residence use district, the erection and maintenance of a gasoline service station and the parking and storage of more than five motor vehicles; premises 2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx.

101-45-BZ—Application, February 28, 1945, under section 7c of the zoning resolution, of John H. Knubel, applicant, on behalf of 795 Eighth Avenue Corp., owner (Ida Ballocci, d/b/a Du Midi Restaurant, lessee), to permit in a residence use district, the extension of a basement restaurant by the erection of a one story addition at the rear; premises 311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan.

262-45-BZ—Application, May 4, 1945, under sections 7c and 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Albert Zoller, owner, to permit in a residence use district, the alteration and change of occupancy of a garage for more than five motor vehicles to a factory (knitting mill); premises 16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens.

384-45-BZ—Application, June 21, 1945, under section 21 of the zoning resolution, of A. Joseph Geist, applicant, on behalf of Rockaway Park Series Corp., owner, to permit in a retail use B area district, the extension of a building in the 1st and 2nd story to the street line, the building as extended, exceeding in the 2nd story the lot area permitted in a B area district; premises 54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan.

872-39-BZ—Application of Herman Kron, applicant, on behalf of Paramount Filling Stations, Inc., owner, reopened March 20, 1945, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the erection of a lubritorium and office building over present lifts on an existing gasoline service station; premises 7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O (Block 6574, Lot 6), Borough of Brooklyn.

796-23-BZ—Application of Lama & Proskauer, applicants, on behalf of 1507-1535 Coney Island Corporation, owner, reopened June 12, 1945, under section 21 of the zoning resolution, to permit in a business use district, the inclusion of an additional use, minor motor vehicle repairs in a showroom, in a garage and gasoline service station, previously granted by the Board; premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.

244-45-BZ—Application, April 18, 1945, under section 21 of the zoning resolution, of Abraham Davis, applicant, on behalf of 133-135 Roosevelt Avenue Corp., Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co., lessee), to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space; premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

Appeals from Administrative Decisions

245-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

CALENDAR

637-44-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

192-45-A—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

259-45-A—30 and 50 Church street, west side, from Cortlandt street to Fulton street (Concourse level and ramps); (Block 61, Lot 1 and Block 81, Lot 1), Borough of Manhattan.

270-45-A—534-552 11th avenue, east side, from West 41st to West 42nd streets, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan.

350-45-A—35-37 Nostrand avenue and 1-15 Hopkins street, northeast corner (yard area); (Block 1719, Lot 1), Borough of Brooklyn.

365-45-A—47-55 Rodney street, north side, 75 ft. east of Wythe street (yard); (Block 2185, Lot 21), Borough of Brooklyn.

379-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

380-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

381-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

Materials for Approval

316-43—SM—Sand (fine aggregate) manufactured by Gallagher Brothers Sand and Gravel Corporation, approval of.

710-44—SM—U. S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, Red Top and Samson Brands, approval of.

HARRIS H. MURDOCK, *Chairman.*

JULY 17, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 17, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

196-45-A—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx.

90-45-A—745 Nostrand avenue, east side, 58 ft. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

394-45-A—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (2nd to 7th floors, inclusive); (Block 18, Lots 10, 12 to 24, inclusive, 41 to 45 inclusive and 47 to 54 inclusive), Borough of Manhattan.

404-45-A—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn.

257-45-A—74 Broad street and 2 Marketfield street, southwest corner (Block 11, Lot 11), Borough of Manhattan.

733-44-A—572 Wythe avenue, west side, 84 ft. 7 in. south of Rush street (cellar and 1st floor); (Block 2165, Lot 26), Borough of Brooklyn.

447-44-A—205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn (reopened and restored to calendar June 12, 1945; previously withdrawn).

247-45-A—430-432 12th street, south side, 234 ft. east of 7th avenue (3rd floor, Building M); (Block 1098, Lot 1), Borough of Brooklyn.

268-45-A—372-378 Gates avenue, south side, 125 ft. west of Nostrand avenue (Block 1812, part of Lot 42), Borough of Brooklyn.

269-45-A—380-390 Gates avenue and 390-398 Nostrand avenue, southwest corner (Block 1812, part of Lot 42), Borough of Brooklyn.

294-45-A—148-150 West 20th street, south side, 196 ft. east of 7th avenue (basement); (Block 795, Lot 67), Borough of Manhattan.

357-45-A—1282-1300 Broadway, east side, from West 33rd street to West 34th street, 53-63 West 33rd street and 46-62 West 34th street (Block 835, Lot 1), Borough of Manhattan (McAlpin Hotel).

376-45-A—132-184 39th street and 3902-3924 2nd avenue, southwest corner (Bush Building 19, 1st, 2nd, 6th, 7th and 8th floors); (Block 706, Lot 1), Borough of Brooklyn.

415-45-A—170-172 2nd avenue, northwest corner of 13th street (1st floor); (Block 1025, Lot 49), Borough of Brooklyn.

264-45-A—1052-1054 Greene avenue, south side, 51 ft. 8 in. west of Broadway (Block 1623, Lot 33), Borough of Brooklyn.

302-45-A—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens.

305-45-A—154-156 and 158 Ludlow street, east side, 25 ft. south of Stanton street (2nd, 3rd and 4th floors); (Block 411, Lots 50, 51 and 52), Borough of Manhattan.

592-44-A—530 Ocean parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

288-45-A—40-42 West 17th street, south side, 295 ft. east of 6th avenue (3rd floor); (Block 818, Lot 73), Borough of Manhattan.

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289-45-A—40-42 West 17th street, south side, 295 ft. east of 6th avenue (7th floor); (Block 818, Lot 73), Borough of Manhattan.

272-45-A—814-838 Westchester avenue and 793-803 Prospect avenue, southwest corner (1st floor); (Block 2676, Lot 49), Borough of The Bronx.

291-45-A—5101-5111 2nd avenue and 214-216 51st street, southeast corner (Block 797, Lots 5-11), Borough of Brooklyn.

303-45-A—6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn.

304-45-A—1613 East 16th street, east side, 100 ft. south of Avenue P (2nd floor); (Block 6779, Lot 69), Borough of Brooklyn.

326-45-A—76-78 Varick street and 9 Grand street, southeast corner (Block 227, Lot 70), Borough of Manhattan.

366-45-A—505 Kent avenue, east side, 130 ft. south of Division street (Block 2163, part of Lot 10), Borough of Brooklyn.

431-45-A—34-40 East 35th street, south side, 63 ft. west of Park avenue (Block 864, Lot 47), Borough of Manhattan.

434-45-A—40-20 and 40-22 23rd street, west side, 175.16 ft. south of 40th avenue (2nd floor); (Block 409, Lots 33 and 34), Long Island City, Borough of Queens.

241-45-A—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn.

128-45-A—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan.

281-45-A—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 24, 1945,at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

1236-27-BZ—Application of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, reopened June 26, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens.

382-45-BZ—Application, June 20, 1945, under section 21 of the zoning resolution, of Herman E. Horwood, applicant, on behalf of Anne Posner, owner, to permit in a G area district, the erection of a porch on an existing building 15 ft. 3 in. from the street line instead of 20 ft. as required by the zoning resolution; premises 108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens.

302-44-BZ—Application, May 22, 1945, under section 21 of the zoning resolution, of Italo Nicolai, applicant, on behalf of Xavier Kirchoffer, owner, to permit in a residence use E area district, the erection of an extension to a greenhouse potting room without providing the rear yard required by the zoning resolution; premises 2286 Richmond road, south side, 122 ft. east of Otis avenue (Block 3618, Lots 7 and 16), New Dorp, Borough of Richmond.

343-45-BZ—Application, June 5, 1945, under section 21 of the zoning resolution, of Allen A. Blaustein, applicant, on behalf of Jack W. Edson, owner, to permit in a residence use E area district, the erection of a one car private garage in an embankment, the face of the garage being located on the street line; premises 124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn.

55-45-BZ—Application, February 6, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Estate of Bertha Schurz (Robert Schurz and Marie Goetz, Executors), owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn.

96-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Lorberg Realty Co., Inc., owner, to permit in a residence use C area district, the extension of a woodworking factory occupying in excess of the permitted area in a C area district and omitting required rear yard; premises 1552-1564 Bergen street, south side, 177 ft. west of Utica avenue (Block 1354; Lots 30, 33 and 35), Borough of Brooklyn.

175-45-BZ—Application, March 19, 1945, under sections 7c and 21 of the zoning resolution, of Joseph M. Lonergan, applicant, on behalf of William Stroh, owner, to permit in a residence use district, the extension of a business use now existing on the 1st story, to the 2nd story; premises 403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lots 10 and 11), Borough of Manhattan.

377-45-BZ—Application, June 19, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Herman J. Klinck, owner, to permit the extension from a business use into a residence use district, and the coverage in a C area district in excess of 60% of the lot area of a proposed extension to an existing store; premises 990 Flatbush avenue, west

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side, 58 ft. 3 in. south of Albemarle road (Block 5125, Lot 14), Borough of Brooklyn.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

403-45-BZ—Application, June 25, 1945, under sections 7c and 21 of the zoning resolution, of George Alexander, Jr., applicant, on behalf of Mock, Grossarth and Ott, owners, to permit in a residence use district, the extension of an existing factory building with the omission of the required rear yard; premises 761-783 Rutland road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn.

407-45-BZ—Application, June 29, 1945, under sections 7a and 7c of the zoning resolution, of Alfred H. Eccles, applicant, on behalf of Victor Wallboard Co., Inc., owner, to permit in a residence use district, the erection of an office and warehouse building; premises 87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

419-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Edgar J. Moeller, applicant, on behalf of Rogers Peet Company, owner, to permit in a retail use B area district, the extension of an existing building, the building now exceeding 80% of lot area permitted for corner lots; premises 479-485 5th avenue and 5-7 East 41st street, northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan.

593-30-BZ—Application of Joseph B. Lynch, applicant, on behalf of Hauben Investing Corp., owner, reopened June 5, 1945, under sections 7f and 21 of the zoning resolution, to permit in a business use district, the erection of a gasoline service station, a gasoline service station having previously been granted by the Board for a portion of these premises but not erected; premises 219-02 Horace Harding boulevard and 61-01 219th street, southeast corner (Block 7609, Lot 1), Bayside, Borough of Queens.

248-45-BZ—Application, April 27, 1945, under section 7f of the zoning resolution, of Max Horn, applicant, on behalf of Robert Bresnick, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a stated term of years; premises 171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street, southwest corner (Block 9827, Lots 31, 32, 33 and 34), Jamaica, Borough of Queens.

341-45-BZ—Application, June 1, 1945, under section 7h of the zoning resolution, of George Boochever, applicant, on behalf of Frank J. Borrello, owner, to permit partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn.

430-45-BZ—Application, July 9, 1945, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Arnold Kramer, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a temporary period; premises 218-224 East 3rd street, south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14-17 inclusive), Borough of Manhattan.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

223-45-BZ—Application, April 12, 1945, under section 7e of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Henrietta Dobin, owner, to permit in a residence use district, a day nursery school conducted as a business; premises 523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grasmere Terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

224-45-A—523 Briar place, north side, 82 ft. east of Hanson court and 562 Grasmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

445-45-A—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

137-45-A—51-55 Nassau avenue and 78-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

677-44-A—34-44 Hubert street and 398-408 Washington street, northwest corner (6th floor); (Block 217, Lot 1), Borough of Manhattan.

Appliance and Materials for Approval.

254-42-SA—Haughton Type "F" Elevator Interlock.

190-45-SA—Pan-Tex Safety Dry Cleaning System, Models CB-1 to CB-8, inclusive and Models M-1 to M-8, inclusive.

437-45-SM—Bethlehem Open Web Welded Steel Joists.

717-44-SM—The Z-D System of Reinforced Concrete Shell Construction.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood. Borough of Queens.

CALENDAR

402-45-A—17 Clinton Walk, west side 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without frontage on mapped street—Clinton Walk).

701-44-A—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 20th street); (reopened July 3, 1945).

744-44-A—2592 Bruckner boulevard (Eastern boulevard), south side, 447.84 ft. east of Brush avenue (1st floor); (Block 5541, Lot 61), Borough of The Bronx.

45-45-A—211-249 Lombardy street, north side, 188 ft. east of Stewart avenue (2nd floor, penthouse); (Block 2822, Lot 1) Borough of Brooklyn.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

228-45-A—1921 Colden avenue, west side, 215 ft. north of Rhinelander avenue (cellar); (Block 4267, Lot 53), Borough of The Bronx.

433-45-A—785-789 East 144th street and 428 Wales avenue, northeast corner (1st and 2nd floors); (Block 2576. Lot 1), Borough of The Bronx.

369-45-A—840-848 60th street, south side, 320 ft. east of 8th avenue (Block 5714, Lots 23 and 25), Borough of Brooklyn.

427-45-A—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion (Barrett) street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn.

436-45-A—409 Hancock street, north side, 349 ft. west of Sumner avenue (basement and 1st floors); (Block 1836, Lot 69) Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning,* September 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of July 3, 1945.)

701-44-A

APPLICANT—Bernstein & Bernstein, for Joneal Realty Corporation, new owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: David Bernstein.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

MINUTES

163-45-A

APPLICANT—Kalvid Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 2 p. m., for further consideration.

241-45-A

APPLICANT—Jack Z. Cohen, for Raygot Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn.

APPEARANCES—
For Applicant: Jack Z. Cohen.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 2 p. m., on request of applicant.

389-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED: Block bounded by Park avenue, east side, to Third avenue between East 112th and East 115th streets (Blocks 1640, 1641 and 1642, Lots None), Borough of Manhattan (James Weldon Johnson Houses).

APPEARANCES—
For Applicant: John P. Riley and Harry M. Prince.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Laid over to July 10, 1945 at 2 p. m., for further consideration.

394-45-A

APPLICANT—Ole Singstad, for New York City Tunnel Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (2nd to 7th floors, inclusive); (Block 18, Lots 10, 12 to 24, inclusive, 41 to 45 inclusive and 47 to 54 inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: Ole Singstad and D. G. Bailbe, Jr.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Laid over to July 17, 1945 at 2 p. m., for further consideration.

404-45-A

APPLICANT—Ralph J. Gurfield, for Ross-Kent Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn.

APPEARANCES—
For Applicant: Ralph J. Gurfield.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 17, 1945, at 2 p.m., for an inspection by a committee of the Board.

ZONING APPLICATIONS

286-37-BZ

APPLICANT——Trinor Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the extension of an existing business building.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block 1063, Lot 47), Borough of Manhattan.

APPEARANCES—
For Applicant: Henry A. Jacobs.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Gunn 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (286-37-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the extension of an existing laundry, affecting premises 428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block 1063, Lot 47), Borough of Manhattan, was granted by the Board on July 9, 1937, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time, the last such extension having been granted on June 20, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose; and

WHEREAS, the amendment to the zoning resolution as to area became effective December 2, 1944 and nullifies the action taken by the Board on July 9, 1937 as extended by resolutions adopted through June 20, 1944.

Resolved, that the request to reopen this application be and it hereby is *withdrawn* without prejudice to rehearing as to the extension of the use formerly granted and as to area.

454-44-BZ

APPLICANT—Lama and Proskauer, for Juliana Realty Corp., owner.

SUBJECT—Application for consideration—reopening, amendment of resolution, approval of plane and imposing further conditions. Application (decision of the borough superintendent) previously granted on condition, under Section 7e of the zoning resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, sales office, lubritorium and auto laundry.

PREMISES AFFECTED—3143-3161 Atlantic avenue and 248-262 Norwood avenue, northwest corner (Block 3960, Lot 58), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: Chairman Murdock 1

THE RESOLUTION (454-44-BZ)

WHEREAS, this application under Section 7e of the zoning resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, sales office, lubritorium and auto laundry, affecting premises 3143-3161 Atlantic avenue and 248-262 Norwood avenue, northwest corner (Block 3960, Lot 58), Borough of Brooklyn, was granted by the Board on December 19, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 19, 1944, as to the term of the permit, and as to approval of plans, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7e for a term of ten (10) years from December 19, 1944, to permit the plot to be occupied as a gasoline service station . . . . and that other than as herein *amended*, the conditions of the resolution of December 19, 1944, shall be complied with; that the plans submitted in accordance with this resolution marked "Received May 22, 1945," 4 sheets are hereby *approved*, as being in substantial compliance with the requirements of the resolution adopted by the Board, provided that the construction and arrangement as indicated on such plans shall be carried out, except that on the interior lot lines, a wood or metal picket fence as proposed, shall be constructed upon a masonry base not less than 2 ft. in height to a total fence height of not less than 5 ft. 6 in., as shown; that the piers between the sections of fence shall be masonry and that both the piers and the masonry walls shall be suitably coped; that the rear portion of the area to the north of the front line of the accessory building and extending easterly of the northerly curb cut to Norwood avenue, shall be protected with a masonry curb and all space from such curb to the rear lot lines shall be planted with grass and shrubbery; that no signs be erected on the premises, except there may be a fixed sign attached to the facade of the accessory building below the cornice and except the illuminated globes of the gasoline pumps and except that a post standard may be erected at 3 points as indicated on such plans; that in all other respects, the construction and arrangement shown on plans herein approved, shall be carried out and all construction work shall comply with the requirements of the Building Code."

52-45-BZ

APPLICANT—Joseph H. Cornell, for Frances Greenrose, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under Section 7c of the zoning resolution, permitting in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building.

PREMISES AFFECTED—214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell and N. J. Spata.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application refused and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (52-45-BZ)

WHEREAS, this application under Section 7c of the zoning resolution, permitting in a residence use district, a one-story extension for dining room and kitchen to an existing restaurant in the first story of an existing business and residence building, affecting premises 214 Beach 90th street, east side, 106 ft. north of Rockaway Beach boulevard (Block 574, Lots 1, 2 and 5), Rockaway Beach, Borough of Queens, was granted by the Board on April 10, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 10, 1945, by adding thereto:

". . . that in the event the owner desires to rearrange the rear portion of the building and to retain the existing southerly rear exterior frame wall, in view of possible further extension at a later date to the south, such may be permitted as indicated on revised plans marked 'Received June 14, 1945,' (6 sheets); that other than as *amended* herein, the conditions of the resolution of April 10, 1945, shall be complied with and that a Certificate of Occupancy shall be obtained Alt. Applic. 1425-44)."

345-36-BZ

APPLICANT—Ira B. Livingston, for John Seinfeld, owner.

SUBJECT—Application for consideration—reopening and acceptance of new application—re Application (decision of the borough superintendent) previously denied under Section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of part of an existing multiple dwelling to business use (stores). (Board's decision upheld by Court of Appeals).

PREMISES AFFECTED—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Maxwell Wyckoff.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Gunn 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (345-36-BZ)

WHEREAS, an application under Section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of part of an existing multiple dwelling to business use (stores), affecting premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx, was denied by the Board, January 25, 1938; and

WHEREAS, the action of the Board was sustained by the Courts; and

WHEREAS, the applicant requested an acceptance of a new application under Section 7e of the zoning resolution; and

WHEREAS, the Board deemed that the new application differs substantially from the previous application which was denied, since no structural alterations are now proposed and the basis of the application is Section 7 subdivision e, instead of Section 21.

MINUTES

597-39-BZ

APPLICANT—Lama and Proskauer, for Socony Vacuum Oil Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of area and new use of extension—re Application (decision of the borough superintendent) previously granted on condition, under Sections 7e and 21 of the zoning resolution, permitting in a business use district the alteration and extension of an existing gasoline service station.

PREMISES AFFECTED—84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

Adjourned: Thursday, July 5, 1945 at 12:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING,

TUESDAY MORNING, JULY 10, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, July 3, 1945, and on Tuesday afternoon, July 3, 1945, were approved as printed in Bulletin No. 28, Volume 30.

ZONING APPLICATIONS

624-39-BZ

APPLICANT—Lama & Proskauer, for John J. Smith, owner.

SUBJECT—Application reopened April 17, 1945—Application (decision of the borough superintendent) under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district.

PREMISES AFFECTED—177-08 to 177-12 Union Turnpike, south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: A. Lama, M. Berger and John J. Smith.
For Opposition: Freda Baileson, Anna Arnold, Max Wieser, Frank J. Coen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1945 at 10 A.M., for further consideration.

575-44-BZ

APPLICANT—Martyn M. Weinstein, for Cardinal Mfg. Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years.

PREMISES AFFECTED—729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 24, 1945 at 10 A.M., at written request of applicant.

244-45-BZ

APPLICANT—Abraham Davis, for 133-135 Roosevelt Avenue Corp., Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under Section 21 of the zoning resolution, to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Opposition: K. Beaver.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M., for inspection by Committee of Board and decision by the Board.

504-27-BZ

APPLICANT—Crizona & Murphy, for Broadway-230th Street Corp., owner. (Wallace I. Wolpert, lessee).

SUBJECT—Application reopened June 5, 1945, for consideration as to extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline station, previously granted by the Board to include a lubritorium and auto laundry and also use of part of plot for parking and storage of more than five motor vehicles.

PREMISES AFFECTED—200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx.

APPEARANCES—
For Applicant: Joseph List.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (504-27-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 200-218 West 230th street and 5485 Broadway, southwest corner (Block 3402, Lot 652), Borough of The Bronx, was granted by the Board on October 28, 1927, on certain conditions; and

WHEREAS, on October 28, 1941, the resolution was amended under section 7c of the zoning resolution, permitting the alteration and reconstruction of the existing gasoline service station so as to include a lubritorium and auto laundry and also, the use of part of the plot for parking and storage of more than five motor vehicles; and

WHEREAS, on December 16, 1941, the resolution was further amended and plans approved; and

WHEREAS, time to obtain permits and complete the work was extended on October 27, 1942 and October 26, 1943; and

WHEREAS, the applicant requested a further extension of time, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on June 5, 1945 and set for hearing on June 26, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 28, 1927, as amended by resolutions adopted through October 26, 1943, only so far as it has reference to an extension of time to complete, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution, and that other than as herein *amended,* the resolution adopted October 28, 1927, as amended through resolutions adopted October 26, 1943, shall be complied with in all respects."

297-39-BZ

APPLICANT—Ervin Palmer, for Wilson & Company, owner (H. Chazen, Inc., lessee).

SUBJECT—Application reopened February 15, 1944, (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the extension of a motor vehicle repair shop, granted by the Board, into an adjoining portion of the premises.

PREMISES AFFECTED—838-842 1st avenue and 400 East 47th street, southeast corner (Block 1358, part of Lot 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Opposition: Mary Soter and J. L. Fortcher.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (297-39-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop, affecting premises 842 First avenue, and 400 East 47th street, southeast corner (Block 1358, Lot 47), Borough of Manhattan, was granted by the Board July 18, 1939, on certain conditions, for a term of two years; and

WHEREAS, the permit was extended on May 27, 1941 and September 14, 1943; and

WHEREAS, requested an amendment of the resolution, under section 7i of the zoning resolution, affecting premises 838-842 1st avenue and 400 East 47th street, southeast corner (Block 1358, part of Lot 47), Borough of Manhattan; and

WHEREAS, this case was reopened by vote of the Board on February 15, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 1st avenue is in a business use, B area, Class 2 height district, and East 46th, 47th and 48th streets are in an unrestricted use, B area, and Class 2 height district; and

WHEREAS, the decision of the borough superintendent dated January 24, 1944, acting on Alt. Applic. 1202-44, reads:

"1. Proposed changing of use of premises 840 First avenue from a store to a motor vehicle repair shop and brake testing in a business district is contrary to Section 4, Zone Resolution."

and

WHEREAS, the applicant contends that the premises consist of a plot 59 ft. 10 in. by 60 ft. on which is a one story, Class 3 constructed building 54 ft. 6 in. by 60 ft., occupied as a store and it is proposed to use this building as a motor vehicle repair shop; and

WHEREAS, the applicant contends that the property faces on 1st avenue, which has probably the greatest amount of automobile and truck traffic in the city; that there is very little pedestrian traffic in this block and consequently the logical use of the property is in connection with the automobile industry and more specifically for automobile repair work; that the lessee who also occupies the adjacent stores, the one to the north for the same purpose, needs this additional space for his enlarged repair business; that due to the great volume of vehicular traffic and virtual absence of pedestrians as well as the character of the neighborhood and the occupancy of the adjoining properties, which are meat packing and slaughter houses, garages, gasoline stations, factories, it is requested that the application be granted.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 18, 1939, which was amended September 14, 1943, to bring it under section 7i instead of 21, for a term of two years, so that the resolution adopted July 18, 1939 shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution, and that the application be and it hereby is *granted,* for a term of two (2) years from September 14, 1945, permitting the building under appeal to be occupied as a motor vehicle repair shop, consisting mainly of brake testing, *on condition* that the building shall not be increased in height or area; that the repairing shall be restricted to brake testing and light motor vehicle repairs, excluding the use of acetylene torches, anvils, heavy repairing and fender work; that the existing signs on the building shall not be increased; that no gasoline shall be stored on the premises other than in the tanks of cars being serviced.

"Resolved further, that a portion of the building adjoining to the south having a frontage of 34 feet and a depth of 60 feet may also be used by the same concern for motor vehicle repairing as hereinbefore permitted, *on condition* that the building shall not be increased in height and area; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no openings shall be constructed between this building and the corner building at 842 First avenue; that existing signs on this building and on the corner building, if not in accordance with the requirements therefor, shall be made to conform thereto; that such additional extension of use of the entire premises is granted under section 7 subdiv i for a term of two years from September 14, 1945; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within six months from the date of this *amended* resolution."

MINUTES

546-44-BZ

APPLICANT—Lama and Proskauer, for Ida Siegal, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of an extension to an office building of an existing gasoline service station, extension to be used as a car laundry and to house grease lift.

PREMISES AFFECTED—822-828 4th avenue and 159-165 29th street, northwest corner, (Block 664, Lot 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (546-44-BZ)

WHEREAS, Lama and Proskauer for Ida Siegal, owner, filed September 26, 1944, an application under section 7c of the zoning resolution, to permit in a business use district, the erection of an extension to an office building of an existing gasoline service station, the extension to be used as a car laundry and to house grease lift, affecting premises 822-828 4th avenue and 159-165 29th street, northwest corner (Block 664, Lot 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 4th avenue is in a business use, B area and class 1½ height district and 28th and 29th streets are in a business and unrestricted use, class B area and 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated August 28, 1944 on Alt. Applic. 2437-44 reads:

> "1. The construction of an extension to be used for lubritorium and auto laundry to a building on a plot now used as a gasoline service station, lubritorinm and open grease pits in a business use district, is contrary to the Zoning Resolution. Sect. 4 (a) (4c)."

and

WHEREAS, the applicant states that the premises consist of a plot, 102.2 ft. frontage by 90 ft. in depth, on which is located a gasoline service station, grease pits, greasing lift, tanks and pumps and a one story and cellar, class 3 constructed building, 30 ft. 3 in. by 20 ft. 3 in. in area, occupied for office and supplies and that it is proposed to build an extension to the north of the building, 35 ft. 6 in. by 25 ft. in area, class 3 construction, to house grease lift and for a car laundry; and

WHEREAS, the applicant contends that the premises in question have a frontage of 100.2 ft. on 4th avenue, 90 ft. on 29th street, 100.2 ft. on the westerly lot line and 90 ft. on the northerly lot line; that the premises at the present time are improved with a one story masonry building as an office and for the sales of automobile accessories; that there are two automobile grease pits and four 550 gallon gasoline storage tanks; that this gasoline service station was constructed prior to 1925 before the zoning law was amended, prohibiting gasoline service stations in a business zone; that it is now proposed to construct a one story addition 25 ft. by 35 ft. 6 in. of masonry construction to house a lubritorium and automobile laundry; that this addition will not in any way affect the general surroundings, as it abuts a two story brick factory to the north and a one story brick garage to the west; that on the southwesterly corner there is a lumber yard and on the southeasterly corner there is a public school; that the entrance to this school to the nearest entrance or exit of the gasoline service station is approximately 300 ft. away; that in view of the foregoing facts, it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7-c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the existing gasoline service station with a frontage of 100 ft. 2 in. along Fourth avenue and 90 feet along 29th street to be rearranged and altered, as indicated on revised plans marked "Received June 26, 1945" (two sheets), *on condition* that all structures, including gasoline pumps and underground storage tanks shall be removed; and existing cellar filled up; that the entire plot shall be leveled substantially to the grade of the surrounding streets; that the accessory building shall be not over one story in height, without cellar and constructed substantially as indicated on revised plans marked "Received June 26, 1945" and shall be constructed of masonry which may be faced with porcelain enamel and shall be in compliance with all laws, rules and regulations applicable thereto; that the boiler room shall be of fireproof construction, separated from the balance of the building and enterable only from the exterior; that along the interior lot lines to the north and west, there shall be erected a masonry wall not less than 6 feet in height and suitably coped; that such wall to the north may be omitted where walls of adjoining buildings occur on the lot line, except that such buildings shall be faced with masonry to agree with the wall for the same height; that lot line walls may be faced with porcelain enamel; that all existing signs and billboards on the wall of the building adjoining to the north, extending over the building line, shall be removed; that the plot where not occupied by accessory building shall be paved with concrete or asphalt; that pumps erected shall be not nearer than 10 feet to the street building line; that curb cuts shall be restricted to two, each 30 feet in width to 4th avenue and two of similar width to 29th street, located substantially as shown, and no part of any curb cut nearer than 5 feet to the adjoining side lot line; that at the intersection of 4th avenue and 29th street, there shall be a segmental block of concrete maintained, extending not less than 5 feet from the intersection along each street line; that signs shall be restricted to permanent signs attached to the facade of the accessory building, excluding all roof and temporary signs, but permitting the illuminated globes of the pumps and the construction of post standards within the building line at two points along 4th avenue for supporting signs which may be illuminated, advertising only the brand of gasoline on sale, and permitting such signs to extend beyond the building line for a distance of not more than five feet; that the number of gasoline storage tanks installed shall not exceed eight, each with 550 gallons capacity; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that these premises shall be occupied only as a gasoline service station with accessory use of car washing and lubrication; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

624-44-BZ

APPLICANT—Henry Nordheim, for Catherine Lama, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit on a lot in a business use district, on which there exists a garage for three motor vehicles, an additional garage for two motor vehicles.

MINUTES

PREMISES AFFECTED—1632 Glover street, east side, 40.9 ft. south of Castle Hill avenue (Block 3990, Lot 33), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (624-44-BZ)

WHEREAS, Henry Nordheim, for Catherine Lama, owner, filed October 30, 1944, an application under section 7f of the zoning resolution, to permit on a lot in a business use district on which there exists a garage for three motor vehicles, an additional garage for two motor vehicles; affecting premises 1632 Glover street, east side, 40 ft. 9 in. south of Castle Hill avenue (Block 3990, Lot 33), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Glover street, Castle Hill avenue, Stearns street and Parker street are in a business use, C area and class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated October 25, 1944, re S.A. Applic. 1268-32, reads:

"Your letter of October 20, regarding your application for a certificate of occupancy for a two car garage at the subject premises has been received.

"As you were advised on November 16, 1942, your application for a certificate of occupancy for a two car garage situated on the front of the premises known as 1632 Glover street, Bronx, was denied for the reason that on these premises and on the adjoining premises known as 1630 Glover street, both of which are located in a business district, there are in existence not less than 4 garages, housing a total of 7 cars, and while the erection of these garages have been approved by this Department, it now appears that they are under the same management and control, contrary to Section 4-a-15 of the Building Zone Resolution. Your application for a Certificate of Occupancy is again denied."

and

WHEREAS, the applicant states the premises consist of a plot 27 ft. frontage by 95 ft. in depth, on which are located two garages, one for 3 cars at the rear, 27 ft. by 20 ft. one story and one for 2 cars at the front, one story frame, 18 ft. by 18 ft. 3 in. and it is proposed to maintain these garages; and

WHEREAS, the applicant contends that the garage was constructed under a permit issued in 1932 known as S.A. 1268-32; that the Fire Department issued permits for the garage yearly up to 1939; that in 1940, the Fire Department refused to issue any further permits unless a certificate of occupancy could be shown; that on June 5, 1942, an application for a certificate of occupancy was filed with a note made thereon, that a certificate should be issued in accordance with Section 22 of the zoning resolution; that a certificate was denied and the matter was taken to the Board on application, under Cal. 882-42-A; that on the rear of this lot there is located a three car garage constructed under permit, N.B. 161-36; that the permit was issued for housing 4 cars, but when the lot was sold, an alteration application was filed known as Alt. 143-42, reducing the garage to a 3 car garage on this lot and a 1 car garage on adjoining lot; that this arrangement left the legal number of cars that may be stored on a lot in a business district at 5; that an application was filed for a certificate of occupancy and such was issued, known as No. 973, dated August 14, 1942; that a significant fact is that the same superintendent who approved the altering of the rear brick garage into two buildings, issuing permits 143-42 and Alt. 144-42, then issued two certificates of occupancy, but now refuses the certificate for this two car garage, which he knew existed prior to the erection of the rear 3 car garage; that the superintendent found no fault with issuing permits on April 11, 1942, to alter the rear four car garage into two buildings and also requested that a plan be filed for the one car frame garage, located on adjoining lot 32; that the permit is N.B. 145-42, which was also approved, but the superintendent subsequently refused to issue a certificate of occupancy for the one car garage and requested that a plan be filed as an existing building; that in the denial of October 25, 1944, the Superintendent claims that all garages on this lot and those on the adjoining lot are under the same management and control, which is not so, as the five cars stored in these two garages are all separately owned, no part of any fleet of cars and the rents are paid to the owner, Catherine Lama; that the records in the Department of Buildings disprove such contention; that the recommendation that a certificate be issued by his inspectors is on the records and the issuance of curb cuts is on the records; that there is no good reason why a certificate of occupancy should be withheld, as the conditions in this case are entirely in conformance with the zoning resolution, not only as to requirements, but also to allowances that five motor vehicles may be housed on a lot in a business district; that the owner of this site, Lot 33 is in no way connected with the ownership of Lot 32, which lot is owned by Lucy Caslucci as may be noted in Cal. 882-42-A; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision f. of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted under Section 7f, for a term of ten (10) years from the date of this resolution, to permit the occupancy of the two separate buildings on the lots as shown on plans filed with this application marked "Received October 30, 1944" for a occupancy of three (3) cars in the building at the rear and two (2) cars in the building at the front, *on condition* that no additional buildings shall be erected on the premises and the intervening space between the garages shall not be occupied for parking or storage; that this use herein granted shall not be used in connection with any adjoining lot; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

43-45-BZ

APPLICANT—Bay Ridge Savings Bank, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use, C area district, the extension in area of a bank building to cover entire lot and omit the rear yard.
PREMISES AFFECTED—4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: R. Callahan. N. Cayc and A. Mullen.
For Opposition: T. M. Hartman.
For Administration: Fred Dahlem, Dep't of Housing & Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

THE RESOLUTION (43-45-BZ)

WHEREAS, Bay Ridge Savings Bank, owner, filed January 31, 1945, an application under section 21 of the zoning

resolution, to permit in a business use, C area district, the extension in area of a bank building to cover the entire lot and omit the rear yard; affecting premises: 4724 13th avenue, northwest corner of 48th street (Block 5628, Lot 42), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 13th avenue is in a business use, C area and Class 1 height district; 48th and 47th streets are in a residence use, C area and Class 1 times height district; and

WHEREAS, the decision of the borough superintendent, dated January 5, 1945, re Alt. Applic. 3487-44 reads:

> "1. Proposed extension on premises located in a business zone C area and occupying the entire area of the lot, is contrary to Article IV, Section 13 of the Zoning Resolution.
>
> 2. Provide a rear yard as per Article IV, Section 17 of the Zoning Resolution. Denied."

and

WHEREAS, the applicant states that the premises consist of a plot 60 ft. frontage by 100 ft. in depth, on which is located a one-story, mezzanine and cellar, Class 1 constructed bank building, 35 ft. by 100 ft. in area and that it is proposed to extend this building to cover an additional 25 ft. by 100 ft.; and

WHEREAS, the applicant contends that the plot is vacant, 25 ft. by 100 ft. on the northwesterly side of 13th avenue, between 48th and 47th streets; that in 1925, the Bay Ridge Savings Bank petitioned and obtained approval of the State Banking Dept. to purchase a plot 60 ft. by 100 ft. on the northwesterly corner of 13th avenue and 48th street, for the purpose of building a new branch bank; that this approval was necessary, as this aforementioned department regulates the location of all new savings banks and their branches, so that they may be located only in neighborhoods where such banking facilities are necessary; that in 1926, a savings bank was erected on the southerly 35 ft. by 100 ft. of the plot leaving the northerly 25 ft. by 100 ft. vacant; that it was estimated that such a building would be adequate for twenty years and then it could be enlarged to cover the entire area, if warranted; that the building was designed with this in view; that all leader and pipe lines were kept on the south side to avoid the necessity of future change; that the vault was located so that its door would be on the center of the future 60 ft. wide building and the northerly wall constructed of terra cotta with brick veneer, instead of solid brick, to make demolition easier; that in August, 1938, realizing the present quarters were becoming inadequate, the owner authorized its architects to make plans for increasing the work space on the first floor; that plans were made and estimates obtained; that because of government restrictions on materials, and because of the cost of the proposed alteration, it was abandoned; that it was decided that the addition on the northerly parcel would soon be necessary in any event and any changes in the existing building must wait; that in 1940, plans for the new addition on the plot were made, but were stopped by war conditions; that in November, 1944, final plans were filed with the Building Dept., in accordance with the law as it existed at that time, but the plans were subsequently disapproved by the Building Dept., because they did not comply with the new Zoning Regulations effective December 1, 1944; that it is apparent from the foregoing, the owner intended to erect the proposed addition and had not the war intervened, would have completed it in 1941; that the increase in the bank's business makes it necessary to revise the building; that the bank business is restricted to the street or ground level and it is necessary to extend the building to cover a greater area at the street level; that the building is one-story in height, far less than the legal limit; that it will not be increased in height and therefore is an asset, providing permanent light and air to adjacent residential areas; that it houses a mutual non-profit institution, rendering service to the public and the curtailment of its expansion would make it less able to serve the members of the community efficiently if the area of the addition is reduced; that the addition will not add to traffic congestion, since the number of employees will remain the same; that reduction in the area would necessarily be in the public space, as working spaces have fixed physical requirements; that because of the restrictions placed upon it, the owner may not use the plot for any other type of business and unless permitted to erect the proposed addition, the property will be useless; that it is located wholly within a business district; that the adjoining lot (4) is occupied for the entire 100 ft. by a one-story building; that lots 32 and 46 have ample space unoccupied by any structure, to insure adequate light and air with the proposed addition erected; that unless the addition is permitted for 100% occupancy of the lot, the owner will be required to abandon its present site and purchase property elsewhere; that this is a corner plot 60 ft. by 100 ft.; that under the provisions of Article IV, Section 13, subdivision (b) of the Zoning Resolution, a corner lot comprises 5,000 sq. ft.; that the present structure covers 3,500 sq. ft.; that under the Zoning Resolution, a building may occupy 7% of the area of a corner lot of 5,000 sq. ft.; that on the balance of 1,000 sq. ft., which is considered an interior lot, the building may only occupy 60% of the area of the lot; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant submitted revised plans, showing a space to be left unbuilt upon at the rear, equivalent to the requirements for a rear yard; and

WHEREAS, the adjoining premises in the business use area are built up to the rear lot line and contribute no unbuilt-upon area to provide open spaces for the common benefit; and

WHEREAS, the only property actually affected is the lot in the rear, within the residence use area, which would not be available for a possible extension of the Bank because of the zoning restriction; and

WHEREAS, in the opinion of the Board, the open area proposed complies with the intent of the Zoning Resolution in view of the surrounding condition and the relatively low height of the existing and proposed one-story building; and

WHEREAS, the adjoining owner would not be benefited if there were strict compliance with the zoning requirements, which would permit all of the open area, except the rear yard, to be left at the front, and that the low height of the building benefits all more than would a higher building; and

WHEREAS, it would be a hardship not to permit the required extension of the ground-floor banking room on the lot reserved solely for that purpose, in view of the impracticability of placing an extension to the public space on a story added to the present one-story building, which is not proposed to be increased in height; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted*, under section 21 thereof, to permit the extension in area, substantially as proposed and indicated on revised plans marked "Received July 3, 1945," provided the rear yard shall be left unbuilt upon as indicated on such plans, for a width of 25 feet and a depth of 10 feet; that such rear yard shall be cement paved or landscaped and a suitable wrought iron fence shall be erected and maintained to a height of not less than 5 feet at the rear lot line; that the building shall not be increased in height and area, unless in compliance with the zoning law requirements thereof; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied as a bank; and that all permits required shall be obtained and all work completed within one year from the date of this resoluiton.

MINUTES

50-45-BZ

APPLICANT—The Dime Savings Bank of Brooklyn, owner.

SUBJECT—Application (decision of the borough superintendent) under Section 21 of the zoning resolution, to permit in a business use C area district, the erection of an extension to a bank building, the structure as extended, occupying in excess of the permitted area.

PREMISES AFFECTED—1101 Avenue J, northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Hutton.

For Opposition: Mabel Glass.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (50-45-BZ)

WHEREAS, The Dime Savings Bank of Brooklyn, owner, filed February 3, 1945, an application under section 21 of the zoning resolution, to permit in a business use, C area district, the erection of an extension to a bank building, the structure as extended occupying in excess of the permitted area, affecting premises: 1101 Avenue J. northeast corner of Coney Island avenue (Block 6704, Lot 49), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Coney Island avenue and Avenue J at this location are in a business use, C area and class 1¼ height district; Avenue J to the west of a line 100 ft. west of Coney Island avenue is in an E area district and from a point 25 ft. west of Coney Island avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated January 5, 1945, on Alt. Applic. 3577-44, reads:

"1. Area of building is excessive for "C" area district as per Art. IV, par. 13, of Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 ft. frontage by 80 ft. in depth, on which is located a one story and mezzanine building, 60 ft. by 80 ft. class 1 construction, occupied as a bank; that it is proposed to extend this building on the Avenue J front, so that the building as extended will be 100 ft. by 80 ft. in area and that the applicant also owns the plot in the rear, 20 ft. by 100 ft. occupied by a 3 story private residence; and

WHEREAS, the applicant contends that in 1932, the New York State Banking Department approved the purchase of the 80 ft. plot on Coney Island avenue by 100 ft. on Avenue J, for the purpose of building thereon, a bank building to house a new branch; that in 1932, the Bank built a building 60 ft. by 80 ft. on the corner and easterly side of the property leaving the easterly forty ft. vacant; that the bank estimated that with normality of growth, the building would be adequate for 20 years and could then be enlarged to cover the entire property, should this be warranted; that the building was designed and built with this ultimate addition in view and all columns, leaders and pipe lines were kept out of the easterly wall; that the girders were spanned from north to south, permitting extension of the building to the east, without interference; that due to the rapid growth of business, bank quarters became cramped and plans were filed in November 1944 to enlarge the bank to the full area of the lot; that these plans were disapproved by the Department of Housing and Buildings, because they did not comply with the new zoning regulations which came in force December 1, 1944, for the reason that the area of the new building on the ground floor covered 100% of the lot; that in order to remove this objection, it would be necessary to reduce the size of the addition by 40%; that the remaining 60% would not be suitable or of sufficient area for the proper expansion of the bank floor; that the following reasons are submitted for permitting the construction of the addition: that the building is a one story building, the height of which is far less than the legal limit and will never be increased in height and therefore is an asset rather than a hindrance to providing more light and air to the adjacent residential area; that the building is used to serve as a public institution and the curtailment of its expansion is a disservice to the members of the community, as the Bank will be less able to serve sufficiently if the area of the addition is reduced; that the present property is a one story fireproof building, the street walls of which are of limestone; that the building faces 80 ft. on Coney Island avenue and 60 ft. on Avenue J; that adjacent to the building at present is a one story taxpayer 40 ft. on Avenue J; that the proposed building will eliminate the taxpayer and extend the banking building the entire 100 ft. on Avenue J; that the extension will be of the same height, material and design as the existing 60 ft.; that the parcel to the north, 80 ft. from the corner on Coney Island avenue, is owned by the applicant and was purchased to protect the corner building; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant submitted revised plans, showing open space to be left unbuilt upon, not previously proposed, including the demolition of an adjoining building, to provide required open space at curb level; and

WHEREAS, the Board deemed after inspection of the area in the rear, that the revised proposal complies with the spirit and intent of the resolution as to required open spaces, to be provided for the benefit of the surrounding occupancies; that in view of the need for more commodious banking-room space on ground floor, it would be a hardship to require strict compliance, as equivalent space added to the height of the building would not furnish the accommodations required, and that it would be less desirable from the standpoint of light and air to increase the height of the building; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under Section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardships.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the building to be extended in area as indicated on revised plans marked "Received July 10, 1945," *on condition* that the addition as proposed on Avenue J shall not exceed the existing building in height, as indicated on plans filed with this application marked "Received February 3, 1945"; that the building shall not later be increased in height except in accordance with the zoning requirements; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the space to be left unbuilt upon shall be landscaped and suitable steel fencing constructed on the building line of Coney Island avenue and on the rear property lines; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

91-45-BZ

APPLICANT—Lama and Proskauer, for Frank Broz, owner.

SUBJECT—Application (decision of the borough superintendent) under Sections 7c and 7i of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building.

MINUTES

PREMISES AFFECTED—61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901, Lots 42 and 45), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama and Frank Broz.
For Opposition: George Baxter.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (91-45-BZ)

WHEREAS, Lama and Proskauer, for Frank Broz, owner, filed February 23, 1945, an application under Sections 7c and 7i of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and the erection of a new office, lubritorium, auto laundry, brake testing and wheel realigning (minor repairs) building affecting premises 61-20 to 61-26 Fresh Meadow lane, west side, 111.40 ft. south of Horace Harding boulevard (Block 6901, Lots 42 and 45), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Horace Harding boulevard and Fresh Meadow lane are in a business use, D area and Class 1 height district and 173rd street is partly in a business use and partly in a residence use, D area, and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 9, 1943 re N.B. App. 26-45, reads:

> "3. The reconstruction and extension of an existing gasoline service station also to include lubritorium and minor repairs in a business use district, is not permitted by Art. 2, Sec. 4 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 130.68 ft. frontage on Fresh Meadow lane, 46 ft. on northerly lot line, 90 ft. on southerly lot line, and irregular on westerly lot line, on which is located a gasoline service station with a one-story concrete block office, 20 ft. by 25 ft., a grease pit and tanks and pumps of a gasoline service station and that it is proposed to demolish these buildings, increase the area of the gasoline service station and erect a new building for auto laundry, lubritorium, etc.; and

WHEREAS, the applicant contends that the plot is partly improved with a gasoline service station, which was erected in 1922 and the area of which according to Fire Department records is as follows: West side Fresh Meadow road 175 ft. south side of 61st avenue; south 66 ft. west 160 ft. north 60 ft. east 120 ft.; that it is intention of the owners to demolish the existing building and remove the open grease pits, rearrange the pumps and construct a new building along the westerly lot line to house office, lubritorium, auto laundry, brake testing, wheel alignment and minor repairs, all as shown on plans filed with this application; that this proposal will reduce the size of the original area westerly, but will increase the size in the northerly direction; that Fresh Meadow lane is a heavily traveled automobile artery and inasmuch as the gasoline service station is existing, the rearrangements and the improvements contemplated will greatly improve the general character of the neighborhood; it is therefore respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under Sections 7c and 7i of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under Sections 7c and 7i thereof, to permit the existing gasoline service station to be extended and reconstructed substantially as indicated on revised plans marked "Received June 26, 1945," to a total width along the building line of 133.68 feet and a depth on the southerly side of 90 feet and at the northerly side of 46 feet, *on condition* that all buildings and structures now on the premises shall be completely removed; that the accessory building shall be constructed substantially of the dimensions and of the design indicated on such revised plans, marked "Received June 26, 1945"; that the walls of the building shall be constructed on all sides, with face brick or selected common brick; that the roofs throughout shall be surfaced with natural slate; that the design, as indicated, shall be carried on all sides, including the roof design; that along the interior lot lines to the west and north, there shall be constructed a fence, consisting of brick posts and brick curbing, suitably coped and with heavy wood pickets or wrought iron within the sections thereto, to a total height of not less than five feet as shown on plans marked "Received June 26, 1945"; that the entire area where not occupied by the accessory building and planting, shall be paved with concrete or tarvia; that gasoline pumps shall be erected not nearer than 10 feet to the street line; that such pumps shall be of the parkway type, with brick pedestals to match the material and design of the accessory building; that the planting area to the north shall be maintained as indicated, protected by a 12 in. by 12 in. concrete curb from the northerly side of the accessory building to Fresh Meadow lane to the street line, except that along the street line, the curbing shall be 15 feet instead of five feet, as shown; that along the southerly line, the planting area shall be similarly protected; that the width of such space on the southerly side, dedicated to the planting, shall be not less than five feet in the clear; that in the accessory building any openings on any lot line wall shall be constructed of approved glass blocks with no openings therein; and that any opening between the sales office and lubritorium sections shall have fireproof, wire glass windows or approved glass block; that the lifts in the lubritorium and motor vehicle repair sections shall be of the hydraulic type; that the boiler room shall be separated from the balance of the accessory building by fireproof construction and enterable only from the exterior; that the number of gasoline storage tanks shall not exceed six (6) of a capacity of 550 gallons each; that signs shall be restricted to signs permanently attached to the facade of the accessory building facing Fresh Meadow lane, excluding all temporary and roof signs, but permitting signs on the illuminated globes of the pumps and permitting the erection of post standards within the building line, one toward the north and one toward the south, each supporting a brand sign advertising only the brand of gasoline on sale, permitting such sign to be illuminated and to extend beyond the building line not more than five feet; that curb cuts shall be restricted to two curb cuts, equivalent in width to the two 30 ft. curb cuts now existing; that the sidewalk in front of the premises shall be reconstructed and a curb installed; that the repair work shall consist only of minor repairs by hand tools, but permitting a motor driven drill and grinder, provided such machines do not require more than ½ horse power each, and permitting also brake testing and wheel aligning, excluding all body and fender work; that no anvil or forge shall be used on the premises; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no uses other than herein permitted as a gasoline service station, with the accessory uses of washing and greasing cars, sale of accessories and repair work shall be permitted and there shall be no parking or storage of cars other than those being serviced; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within one year from the date of this resolution;

and that corrected plans (four sets) in accordance with this resolution shall be filed within thirty (30) days.

159-45-BZ

APPLICANT—Lama and Proskauer, for George C. Tilyou and George C. McCullough, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years.

PREMISES AFFECTED—1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama and Mr. Cullough.

For Opposition: J. Spargo.

For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

THE RESOLUTION (159-45-BZ)

WHEREAS, Lama and Proskauer for George C. Tilyou and George C. McCullough, owners, filed March 19, 1945, an application under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years, affecting premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Surf avenue, West 15th street and West 16th street are in a business use, C area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 16, 1945, on B.N. Applic. 48-45, reads:

"1. Parking and storage of more than five cars within a business use district, is contrary to Art. 2, Section 4a-15 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 138 ft. 11 in. frontage by 157 ft. 4⅝ in. in depth, irregular, on which is located a carousel and a one family, 2 story frame dwelling, approximately 47 ft. 8½ in. by 32 ft. 9 in. and that it is proposed to park and store more than five motor vehicles on the vacant portion of the plot; and

WHEREAS, the applicant contends that during the summer season, Coney Island triples in population and there are no facilities to accommodate additional cars brought to the area; that the granting of this application will in no way affect the adjoining property owners; that for years, people have been parking on this plot without authorization of the owners; that in view of the fact that there is a decided need for parking accommodation in this area, it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of five (5) years from the date of this resolution, to permit the rear of the premises as proposed to be occupied for the parking and storage of more than five motor vehicles. *on condition* that such spaces, as indicated on plans filed with this application marked "Received March 19, 1945", shall be leveled and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting and to provide for surface drainage; that such parking shall be for cars of the pleasure vehicle type only and only those capable of operation shall be parked or stored; that adjacent to the fence on the interior lot lines there, shall be maintained bumpers of adequate size, firmly anchored to the ground, and not nearer than three feet to the lot line, to prevent injury to adjoining fences and buildings on the lot line; that entrance to the premises may be by the existing curb cut to Surf avenue and by a new curb cut not over 15 feet in width to Surf avenue, as shown; that signs advertising the parking and storage use shall be restricted to one sign not over 15 square feet in area, which shall not extend beyond the building line, advertising only the parking and storage use and the rates charged; that all other signs advertising parking and storage shall be removed; that the existing fence, between the driveway to Surf avenue and the portion of the premises occupied for the carousel, shall be maintained in substantial condition and no openings therein shall be made or permitted to the driveway; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

210-45-BZ

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail and restricted retail use B area district, the erection of an extension to a bank building occupying more than 65% of the lot area.

PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (Block 1260, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Joel D. Marder and Harold Webb.

For Opposition: None.

For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

THE RESOLUTION (210-45-BZ)

WHEREAS, Joel D. Marder, for The Fifth Ave. Bank of New York, owner, filed April 5, 1945, an application under section 21 of the zoning resolution, to permit in a retail and restricted retail use, B area district, the erection of an extension to a bank building occupying more than 65% of the lot area; affecting premises: 1-5 West 44th street, north side, 100 ft. west of Fifth avenue, (Block 1260, Lot 34), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 43d, 44th and 45th streets are in a retail use, B area and Class 1¼ and 2 height district and Fifth avenue is in a restricted retail use, B area and Class 1¼ and 2 height district; and

WHEREAS, the decision of the borough superintendent, dated March 9, 1945, re N.B. Applic. 152-44, reads:

"14. Repeat. Area of building should comply with Sec. 12 of Zoning Resolution".

and

WHEREAS, the applicant states the premises consist of a plot 87 ft. 9 in. frontage by 100 ft. 5 in. in depth on which

it is proposed to erect an 8-story and cellar (105 ft. 8 in. high) Class 1 construction, 87 ft. 9 in. by 85 ft. 5 in. bank building, to be connected with the existing bank building on the corner of Fifth avenue and West 44th street; and

WHEREAS, the applicant contends that the entire premises consist of a plot having a frontage of 75 ft. 5 in. on Fifth avenue and 175 ft. on West 44th street, on which are located a 4-story building (530-534 Fifth avenue) and one and 2-story buildings at 1-5 West 44th street; that all these structures are occupied by the present owners, for their banking quarters and have been so owned and occupied for many years; that all the above properties were acquired for the purpose of providing space for future expansion as well as for immediate needs; that architectural studies were made in 1936 for improvements on these premises, but were considered inadequate and set aside as the time was not deemed opportune; that then the war intervened and these considerations were abandoned; that the building as planned, provides even less ground floor area than the earlier studies and the plans now filed are dictated by the minimum present requirements of this institution for their own necessary facilities, and cannot be further reduced without hampering the bank's operations, as it is necessary to locate the public banking space at street level; that no additional adjacent plottage can now be obtained, nor can they re-establish their quarters elsewhere without suffering extreme hardship and subsequent loss of prestige and business; that for the 87 ft. 9 in. addition as planned, the coverage up to the 2nd floor level is 86¾% as against 97% for the present buildings, while above the roof level of the present 4 story Fifth avenue building, which is to remain, the coverage of the entire premises is only 43%; that there will be no truck deliveries or handling of materials on the premises; that in accordance with allowable excess heights derived from adjoining buildings, the proposed structure could be built to a height of 112 ft. 8 in. for the westerly 75 ft. and 121 ft. 10 in. within 100 ft. of Fifth avenue, as against a planned height of only 105 ft. 8 in., whereas a new building on the corner parcel, 75 ft. 5 in. by 100 ft. could be erected to a height of 100 ft. without making use of existing excess heights, or 121 ft. 10 in. by using such excess heights; that there are no open areas whatever at the 1st floor level on any of the adjoining lots, except for two small wells at the rear of 2-6 West 45th street, which accommodate open stairways, and it would be a great hardship to the owner if he were not now permitted to utilize sufficient space for his requirements at the 1st story level, which would still leave vacant the only open area at the 1st floor, and a larger open space than on any of the abutting lots; that there are no nearby residences that might benefit from any greater open yards or courts than those shown and ample light and air are provided on the subject owner's lot for the occupants of the proposed, as well as the present building, to safeguard their health, welfare and reasonable comfort, beside greatly improving present conditions and the appearance of the neighborhood; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant submitted revised plans, showing a greater area to be unbuilt upon than previously proposed; and

WHEREAS, the Board deemed that the revised proposal meets the spirit and intent of the Zoning Resolution and furnishes more open space for the benefit of neighboring buildings than such buildings are now furnishing for the common benefit; that, in view of the proven need for greater ground-floor space for banking room at the street level, it would be a hardship to require complete compliance by adding extra height to the building to offset the area required to be left vacant at the curb level, when such space would not be located where the needs would be served; that the reduction of area above the existing low building on the plot, which is to remain, fully compensates adjoining owners for the additional coverage on the lower stories below the height of adjacent buildings; that in view of the greater coverage of the lot of the present buildings to be removed, the new proposal constitutes a greatly improved condition for the common welfare; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted*, under section 21 thereof, to permit the extension in area on the lower floors only, as shown on revised plans marked "Received July 6, 1945", *on condition* that the rear yard shall be maintained to a depth of 31 ft. 2 in. at the rear above the first story, and a rear yard of 15 feet shall be maintained approximately at curb level; that such 15 foot portion of the rear yard shall be landscaped and appropriate wrought iron fence, maintained on the interior lot lines where walls of adjoining buildings do not occur; that above the roofs of the existing buildings facing Fifth avenue, the coverage shall not exceed the proposed coverage, approximately 40 per cent of the entire plot; that in all other respects, the requirements of the zoning resolution and all other laws, rules and regulations applicable thereto shall be complied with other than as modified by the Board under Cal. 211-45-A; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

285-45-BZ

APPLICANT—Glenn Phelps, for 341 Corporation, owner (J. A. Patterson Trucking Corp., lesee).

SUBJECT—Application (decision of borough superintendent) under Section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for more than five motor vehicles to storage of naval and military materials for a temporary period.

PREMISES AFFECTED—329-335 and 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Glenn Phelps, Marshal Lynch and (Lieut.) E. Myhre.

For Opposition: Alexander Rosenthal.

For Administration: Fred Dahlem, Dept. or Housing and Buildings, E. Meyer, Fire Dept. and H. Klorfein, Park Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (285-45-BZ)

WHEREAS, Glenn Phelps, for 341 Corporation, owner (J. A. Patterson Trucking Corporation, lessee), filed May 10, 1945, an application under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy of a garage for more than five motor vehicles, to storage of naval and military materials for a temporary period; affecting premises 329-335 and 337-341 Stanton street, southwest corner of Mangin street (Block 324, Lots 15 and 21), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Stanton street, Goerck street and Mangin street are in a residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent dated April 10, 1945, re Alt. Applic. 166-44, affecting premises 337-341 Stanton street, reads:

"2. Repeat. Proposed use contrary to Sec. 3 and Sec. 6 of Article II of Zoning Resolution."

and

WHEREAS, the decision of the borough superintendent dated April 11, 1945, re Alt. Applic. 165-44, affecting premises 329-335 Stanton street, reads:

"2. Repeat. Proposed use contrary to Sec. 3 and Sec. 6 of Article II of Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of two plots, one 60 ft. frontage by 55 ft. 5 in. in depth, the other 79 ft. 4 in. frontage by 55 ft. 5 in. by 81 ft. 4 in. in depth, on which are located two 2 story class 2 and 3 constructed garages, occuping the entire plot, and that it is proposed to occupy the buildings for the storage of naval and military material for a temporary period; and

WHEREAS, the applicant contends that such materials are now stored in the premises by the Royal Norwegian Navy and are furnished them by the U.S. Navy on lend-lease; that the materials consist of cordage, ropes and cables, ships parts of various kinds, and also a minor but necessary proportion of arms and ammunition; that the Norwegian Navy declares that because of the proximity of these materials to their docks and ships, it is necessary and highly desirable to leave them stored there; that to move them now would incur a hardship on their overburdened manpower and would impede and interrupt their war effort; that at the time of the issuance of the certificates of occupancy, which permit the use of these premises for garage and motor vehicle storage purposes—the district was zoned as unrestricted; that several years later, in 1939, the district was rezoned for residential purposes; that this is a temporary measure and will not alter or change the appearance of the district in any way; that within a block's distance, there are various lumber yards, barrel storage yard, vacant storage yards, boiler works, etc.; it is therefore requested that the Board grant temporary permission until May 31, 1946 by authority under section 7e of the zoning resolution for the use of these buildings for the storage of War and Navy materials; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e thereof, to permit the building to be occupied for a temporary term during the present war emergency and for not over six (6) months thereafter, for the use as proposed, *on condition* that the building is not increased in height or area and in all other respects, complies with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 286-45-A, and permitting the use of the buildings as garages to be restored upon the termination of the proposed storage building use and occupancy and not requiring change of certificate of occupancy for the temporary use; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution; that during the term of this occupancy the gasoline storage tanks within the building shall be sealed to the satisfaction of the fire commissioner.

APPEALS FROM ADMINISTRATIVE DECISIONS

637-44-A

APPLICANT—Abraham Davis, for Kapp Realty Corp., Jacob Bergheimer and Harry Benheim, owners (Fisher-Beer Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue, (1st floor); (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Opposition: Kenneth Beaver.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M. for an inspection by a committee of the Board and for decision by the Board.

192-45-A

APPLICANT—Henry George Greene, for The Houston Theatre Corp., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

APPEARANCES—
For Applicant: H. G. Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M. for an inspection by a committee of the Board and further consideration by the Board.

245-45-A

APPLICANT—Abraham Davis, for Kapp Trading Corp., 133-135 Roosevelt Avenue Corp., and Jacob Burgheimer, owners (Fisher-Beer Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4967, Lots 3, 6, 7 and 53), Flusing, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Opposition: Kenneth Beaver.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 17, 1945 at 10 A.M., for an inspection by a committee of the Board and for decision by the Board.

211-45-A

APPLICANT—Joel D. Marder, for The Fifth Avenue Bank of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan.

APPEARANCES—
For Applicant: Joel D. Marder and Harold Webb.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (211-45-A)

WHEREAS, Joel D. Marder, for The Fifth Avenue Bank of New York, owner, filed April 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 1-5 West 44th street, north side, 100 ft. west of 5th avenue (1st floor); (Block 1260, Lot 34), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 9, 1945, on N.B. Applic. 152-44, reads:

"3. Repeat. New 8 story fireproof building should be separated from existing 4 story non-fireproof building by walls of a 4 hr. fire resistive rating at all floors, Sec. 3.2.1 B.C. and all openings between buildings should be protected as per Sec. 10.8.1 B.C."

and

WHEREAS, the applicant states the premises consist of a plot having a frontage of 75 ft. 5 in. on 5th avenue and 175 ft. on West 44th street, on which it is proposed to erect an 8 story fireproof building as an extension to the present four story non-fireproof building on the northwest corner of 5th avenue and West 44th street; and

WHEREAS, the applicant states that the existing 4 story building is occupied as follows: cellar, vaults and storage, 31 persons; 1st floor, banking offices, 125 persons; mezzanine, rest rooms, janitor's rooms, 10 persons; 2nd floor, trust department, 30 persons; 3rd floor, banking offices, 20 persons; 4th floor, banking offices, 15 persons; that the new building is proposed to be used and occupied as follows: cellar, vaults, equipment and maintenance, 40 persons; 1st floor, banking, 125 persons; 2nd to 8th floors, banking offices, 75 persons on the 2nd floor, 60 persons on the 3rd floor, 60 persons on the 4th floor and 50 persons on each of the 5th, 6th, 7th and 8th stories; and

WHEREAS, the applicant states that the existing building was erected prior to 1889 and that the building as proposed will be 8 stories (105 ft. 8 in.) in height; 87 ft. 9 in. by 85 ft. 5 in. in area; of Class 1 construction; located in a retail and restricted retail use district, B area, Class 2 and Class 1¼ height district; equipped with one fire tower in proposed building and two stairways in present building; that these stairways extend to the roof bulkhead and lead directly to the street and are of fireproof construction, 3 ft. 8 in. wide, equipped with fireproof, self-closing doors; and

WHEREAS, the applicant states that it is proposed to provide 4 hour opening protective assemblies separating the two buildings on all stories except the 1st story; that it is proposed to use the 1st floor as public banking space, which purpose would be entirely defeated by such dividing wall; that all openings in the fire wall in the basement, second, third and fourth stories will be provided with fire doors, complying with Section 10.8.1 of the Building Code; and

WHEREAS, the applicant contends that the 1st floor of the present building is fireproof and ample exits are provided; that exit facilities for all floors of the present building will be improved, by the addition of horizontal exits to the proposed fireproof extension; that the proposed addition will house working personnel and will provide more light and air as well as horizontal exit, a new fire tower and a fire stairway in addition to the two existing stairways; it is therefore requested that the Board modify the provisions of the Administrative Code as requested.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 152-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to objection 3, *on condition* that the fire wall as required by the Code, shall be installed on all floors including the cellar, at the point where the proposed addition adjoins the existing building, except that on the first floor, such fire wall may be omitted, provided a sprinkler curtain shall be constructed and maintained continuously from north to south directly behind the girder, but not nearer than 2 feet thereto; that sprinkler heads shall be spaced not over four feet on centers; that such sprinkler heads shall be ½ in. in diameter and 165 degrees; that such sprinkler curtain may be fed from the domestic water service of the building, provided the water service line from the street is not less than 3 inches in diameter; that no street siamese for such water curtain need be installed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 210-45-BZ.

286-45-A

APPLICANT—Glenn Phelps, for 341 Corporation, owner (J. A. Patterson Trucking Corp., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—329-335 and 337-341 Stanton street, southwest corner of Mangin street (ground and 2nd floors); (Block 324, Lots 15 and 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Glenn Phelps, Marshal Lynch and Lieut. E. Myhre.

For Opposition: Alexander Rosenthal.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, H. Klorfein, Park Dep't and E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (286-45-A)

WHEREAS, Glenn Phelps for 341 Corporation, owner (J. A. Patterson Trucking Corp., lessee), filed May 10, 1945, an appeal from a decision of the borough superintendent and an order of the fire commissioner, affecting premises 329-335 Stanton street and 337-341 Stanton street, southwest corner Mangin street (ground and 2nd floors); (Block 324, Lots 15 and 21), Borough of Manhattan; and

WHEREAS, Order 40821-LC, issued by the fire commissioner March 14, 1945, reads:

"Before a permit may be issued for the storage of small arms ammunition, the following must be done:

1. Submit evidence showing that the Department of Housing and Buildings has approved the change in occupancy from garage to a warehouse, including the storage of ammunition.

2. Discontinue the storage of .50 caliber cartridges in excess of 10,000 rounds. C19.38.C.

3. Submit evidence that the provisions of the Workmen's Compensation Law have been complied with."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dater May 2, 1945; and

WHEREAS, the decision of the borough superintendent, dated April 10, 1945, on amendment to Alt. Applic. 165-44, reads:

"3. Repeat. Two means of egress should be provided from second floor, as per Sec. 6.1.2.2.3. B.C. Note that area of second floor exceeds 4,000 sq. ft., maximum distance of travel to exit exceeds 100 ft. and pitch of ramp exceeds 1 ft. in 8 ft.

4. Repeat. Floor construction should be provided, adequate to support specific liveload. Note that construction shown on Alt. 1778-20 is weak."

and

WHEREAS, the applicant states that 329-335 Stanton street is 2 stories (28 ft.) in height, 79 ft. 4 in. by 49 ft. and 81 ft. 4 in. in area, of class 3 construction, erected prior to 1902, located in a residence use, D area and class 1 height district, altered in 1920 and used and occupied since 1920, for storage of war naval materials; that 337-341 Stanton street is 2 stories (30 ft. 6 in.) in height, 50 ft. by 55 ft. 5 in. in area, of class 2 construction, erected in 1928, located in a residence use, D area, and class 1 height district and used and occupied since 1928 for the storage of war naval materials; that 329-335 Stanton street is equipped with one 3 ft. 8 in. stair of wood construction, enclosed in 1 in. cement plaster on metal lath and wood studs, equipped with fireproof, self-closing doors and is also provided with one 10 ft. wide ramp; that 337-341 Stanton street is equipped with one 3 ft. 8 in. stair of fireproof construction, leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that this is a war emergency measure and asks for a temporary change in use until May 31, 1946, from the use permitted by the Certificates of Occupancy, namely, storage of motor vehicles, to the use of storage of naval war materials; that such materials are now stored in the premises by the Royal Norwegian Navy, furnished them by lend-lease; that these stores include cordage, rope and cables, ships' parts of various kinds and a minor proportion of arms and ammunition, because of the proximity of these materials to their docks and ships; that to move them now would incur a hardship on their already over-burdened manpower and would impede and interrupt the war effort; that from the applicant's point of view, the premises are one building, although the two building portions originated under two separate building operations at different times and are listed under two separate street numbers; that in 1920, the 329-335 Stanton street building, which was originally a four story structure erected prior to 1920 for dwelling purposes was cut down and altered to two stories and converted to garage and motor vehicle storage use; that until 1939, the district was zoned unrestricted and in 1939 was changed to residence; that the floors in this alteration were reconstructed of concrete on the ground floor and of steel columns and girders supporting heavy wood joists, a heavy wood sub-flooring covered with 2½ in. thick wire reinforced concrete surface for the second floor; that a fire-retarded 3 ft. 8 in. wide stair reaches the 2nd floor and a 10 ft. steel and concrete ramp, both leading directly to the street, with doors swinging outwardly; that in 1928, 337-341 Stanton street, a two story structure, was constructed adjacent to and joining 329-335 Stanton street on the east, constructed of brick, steel and reinforced concrete and would normally come under the heading of a fireproof building, except for the fact that both the old and the new buildings are internally connected with a 12 ft. wide unprotected horizontal opening on both the ground and 2nd floors; that the new building has a fireproof stair 3 ft. 8 in. wide and also, a motor car elevator, and thus the two combined buildings have four possible means of egress; it is therefore requested that the Board grant permanent legal status to at least three of these means of egress, namely, the two sets of stairs and the ramp; that the ramp is 10 ft. wide and rises 14 ft. in a horizontal distance of 66 ft. or slightly less than 1 to 5 instead of 1 to 8 as required by the Administrative Code; that in walking up or down this ramp, no excessive steepness is experienced and in case of fire, would afford a speedy means of egress with less danger of one's falling or stumbling than on a stair; that as to the strength of the second floor construction mentioned in Item 4 (Alt. 165-44), the floor beams are shown on the plans filed for the alteration of 329-335 Stanton street as 3 in. by 12 in. long leaf yellow pine, 12 in. on centers; that with an allowable working stress of 1600 lbs. per sq. in. for such timbers, they calculate to sustain 145 lbs. per sq. ft. including both dead and live loads; that the dead load, because of the 2½ in. concrete surfacing totals 41.5 lbs. per sq. ft.; that this leaves 103.5 lbs. per sq. ft. for a workable live load; that regardless of the figures, however, the floor for several months has been sustaining the maximum load that will be necessary to be imposed and without signs of strain and undue deflection; that it is not the intention of the present occupants to impose still greater loads on this floor; concerning Order 40821-LC, Item 1, it is requested that permission be granted for temporary change in occupancy from garage use to warehouse including storage of arms and ammunition until May 31, 1946; as to Item 2, the lessee can get along on 10,000 rounds of .50 caliber cartridges, but requests a maximum of 25,000 rounds; as to Item 3, that all employees are naval personnel of the Norwegian Navy, except one civilian, who is covered by the Norwegian Government Disability Service, which would provide compensation in case of illness or accident and it is hoped that this will clarify and satisfy the requirements of the Workman's Compensation Law; that in view of the war emergency, it is requested that this appeal be granted.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 165-44, affecting premises 329-335 Stanton street, Objections 3 and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing means of exit from the second story to the street, shall be maintained, as indicated on plans filed with this appeal marked "Received May 10, 1945", showing the buildings at 329 to 335 Stanton street and 337 to 341 Stanton street, including the opening between buildings on the first and second floors; as to Objection 4, that the floor load on the 2nd story shall be not less than 100 lbs. per superficial foot; that this building shall be occupied in accordance with the temporary variance granted by the Board under Cal. 285-45-BZ, for a temporary term as therein stated and for the type of storage as set forth, provided the building is not increased in height or area and the floor loads are not exceeded; that such floor loads shall be posted; and

Resolved further, that the order 40821-LC, of the fire commissioner, affecting both buildings, as reissued on May 2, 1945, is hereby *modified, on condition* that the amount of ammunition stored in the premises within shall not exceed a total of 215,000 rounds of small arms ammunition not exceeding .50 caliber, as applied for on application filed with the fire commissioner under date of February 16, 1945, in Folder 79R329.22, provided such ammunition is brought to the building, stored and removed from the building in the original metal lined packing cases and is stored in such a manner as will be to the satisfaction of the fire commissioner; that this modification from the order of the fire commissioner shall be only for the term of the temporary permit as herein granted; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 285-45-BZ; that approved fireproof, self-closing fire wall doors, as required for walls between buildings, shall be installed and maintained at the openings between buildings on the 1st and 2nd floors; that the existing ramp may be continued, but shall not be included as a permitted exit; that the number of persons occupying the building during this temporary variance shall not exceed the number as stated; that such signs shall be posted within the building or on the exterior of the building as the fire commissioner shall direct, calling attention to the storage of ammunition; that such portable fire fighting appliances shall be maintained as the fire commissioner, shall direct.

372-45-A

APPLICANT—Sidney Katz, d/b/a Day Cleaners, for Frances E. Holahan, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1215 Nostrand avenue, east side, 60 ft. south of Hawthorne street (1st floor); (Block 4819, Lot 106), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Katz.

For Administration: George Sklenarik, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (372-45-A)

WHEREAS, Sidney Katz, d/b/a Day Cleaners, for Frances E. Holahan, owner, filed June 18, 1945, an appeal from an order of the fire commissioner, affecting premises 1215 Nostrand avenue, east side, 60 ft. south of Hawthorne street (1st floor); (Block 4819, Lot 106), Borough of Brooklyn; and

WHEREAS, order 99832-LC, issued by the fire commissioner, May 29, 1945, reads:

> "You are hereby notified that an inspection of the above premises, used to store and use petroleum solvent, shows that the following must be done before the permit requested by you can be issued:

MINUTES

FORTHWITH

"1. You are directed not to install and use the Mercury Cleaning Unit which contains and uses petroleum solvent flashing at 140 deg. F., until a Certificate of Approval from the Fire Department, is obtained for the use of this unit in the City of New York, or an approval is obtained for the use of said unit in this city."

and

WHEREAS, the applicant states that the building is 2 stories (24 ft.) in height, 19 ft. 10 in. by 63 ft. 6 in. in area, of Class 3 construction, erected in 1930, located in a business use, C area and Class 1¼ height district and used and occupied pursuant to Certificate of Occupancy 62176, issued on Permit No. 4020-30, as follows: cellar, heating apparatus and storage; 1st floor, tailor shop, 3 persons; 2nd floor, multiple dwelling, two families; proposed to be used and occupied: cellar, same; 1st floor, tailor shop and dry cleaning as accessory use to tailor shop which is the principal use on 1st floor, 3 persons; 2nd floor, dwelling, two families; that the building is equipped with one 3 ft. wide wood stairway, enclosed in partitions of wood studs, lath and plaster, leading from the 2nd floor, directly to the street, equipped with wood doors which are not self-closing and that a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that it is proposed to install and use a Mercury Cleaning Unit, using 140 deg. F. flashpoint petroleum solvent and it is requested that the Board inspect and pass on the operation of this machine; and

WHEREAS, the appliance proposed to be installed—the Mercury Cleaning Unit—is subject to an application for test and approval filed by the Manufacturers, Calendar Number 422-1942-S.A., which is now under consideration, but not as yet recommended for approval; and

WHEREAS, the Board deemed that the dry cleaning proposed, was not as an accessory use to a tailor shop, within the provisions of the zoning resolution.

Resolved, that Order 99832-LC issued by the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

Adjourned: 2:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 10, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

338-44-A

APPLICANT—William J. Minogue, for Mary C. Condon, owner.

SUBJECT—Application reopened—July 3, 1945 re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx.

APPEARANCES—

For Applicant: William J. Minogue.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (338-44-A)

WHEREA., this appeal from a decision of the borough superintendent, affecting premises 1972 Benedict avenue, southwest corner of Pugsley avenue (Block 3930, Lot 45), Borough of The Bronx, was granted by the Board on June 13, 1944, on certain conditions; and

WHEREAS, the resolution was amended on July 25, 1944 and the applicant requested a further amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on July 3, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated June 14, 1945, on Alt. Applic. 352-45, reads:

"1. As the use of 2nd floor and attic is to be changed, the approval of the Board of Standards and Appeals is required. Obtain amendment to resolution of said Board, under Cal. 338-44-A."

and

WHEREAS, the applicant states the building is two stories, cellar and attic (26 ft.) in height; 52 ft. by 29 ft. in area, Class 3 construction, located on a lot 93.04 ft. by 50.03 ft. in area, in a residence use, B area and Class 1¼ height district, erected 1930 and used and occupied since 1940 as follows: cellar, playroom, owner's room, boiler room, 20 persons; 1st floor, nursery room, kitchen and office, 41 persons; 2nd floor, two classrooms and owner's chamber, 35 persons; attic, vacant, proposed to be used and occupied as follows: cellar, same; 1st floor, same; 2nd floor, two classrooms, 35 persons; attic, owner's chambers, 2 persons; and

WHEREAS, Certificate of Occupancy 1903 was issued January 26, 1945 on Alt. Applic. 236-44, permitting the present use and occupancy; and

WHEREAS, the applicant contends that in order to provide better facilities for the children on the 2nd story it is proposed to remove the partition between the classroom on the southwest corner of the building and the chamber (used by the owners), making a larger classroom, but maintaining the same number of pupils; that because of the removal of the chamber, it is proposed to construct a new stair to the attic floor and erect partitions forming a new chamber on said floor; that this change is requested because it was found that these children being small, require play space in the classroom, and the children in the small classroom had to be taken down stairs to the playroom to obtain this play; by enlarging this classroom as proposed, space will be provided for proper indoor play; that further, the occupants of the attic will be the two women who operate the school, and who will use the new room only for sleeping.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 13, 1944, as amended on July 25, 1944, by adding the following:

"that the decision of the borough superintendent, acting on Alt. Applic. 352-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the enlargement of the classroom on the 2nd floor west as indicated on revised plans marked "Received June 22, 1945," (two sheets) and to permit the occupancy of the westerly portion of the attic story by two persons in charge of the operation of the school, provided that no part of the attic shall be used for cooking; that there is a second means of exit from a window in such attic story to the rear iron stairs and that the number of children as hereinbefore permitted is not increased, provided that in all other respects, the resolution adopted on June 13, 1944, as amended on July 25, 1944, shall be complied with."

636-44-A

APPLICANT—Max Horn, for Goldwein Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent under Section 35, General City Law re bed of mapped street (previously withdrawn and reopened and restored to calendar May 8, 1945.)

MINUTES

PREMISES AFFECTED—93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn and Hyman Goldberg.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

THE RESOLUTION (636-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 93-02 150th street, southwest corner of Archer avenue (Block 9998, Lot 124), Jamaica, Borough of Queens (under Section 35, General City Law, re bed of mapped street—150th street), was withdrawn after discussion, on March 13, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on May 8, 1945, and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent dated April 11, 1945, on Alt. Applic. 1117-44, reads:

"1. Two interior stairways enclosed by fire-proof partitions, and leading directly to the street, are required in the 2nd story. Sec. 270-3 Labor Law.

2. The exit door at the front of the interior stairway, and the exit door in the sidewall of the 1st story, must be 3 ft. 8 in. wide. Sec. 270 Labor Law.

3. Wood stairs are not permitted. Sec. 270-4 Labor Law.

4. The partitions enclosing a stairway, must extend 3 ft. above the main roof. Sec. 270-4 Labor Law.

5. The roof of each stairway enclosure must be a 4 in. concrete slab. Sec. 270-4 Labor Law.

6. Alterations to the part of a building that is in the bed of a mapped street, are contrary to Sec. 35 of the General City Law."

and

WHEREAS, the applicant states that this appeal was withdrawn and a revised plan with an amendment, submitted to the borough superintendent; that this revised plan shows the stair construction located outside of the portion of the building, which is in the bed of a mapped street, as indicated on plans filed with this appeal marked "Received April 27, 1945"; and

WHEREAS, the applicant states the building is two stories (27 ft.) in height, 25.14 ft. by 79 ft. in area; Class 3 construction; erected in 1920; located in an unrestricted use, A area, Class 1 height district, used and occupied as follows: cellar, heating and storage; 1st floor, factory, now vacant; 2nd floor, factory, now vacant, for which no certificate of occupancy has been issued; and proposed to be used and occupied as follows: cellar, same; 1st floor, factory, 20 persons; 2nd floor, factory, 25 persons; that the building is equipped with one 3 ft. 3 in. wide wood stairs from the 2nd story to the street; proposed to be enclosed in partitions constructed of steel channels, metal lath and portland cement plaster, equipped with one-hour test self-closing doors and one fire escape at the rear of the second floor, leading to the street by a 3 ft. wide counterbalanced stair; that windows and door openings on the course of fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends as to Objection 1, that it is not practicable to provide two interior stairways from the 2nd floor leading directly to the street, as the building is surrounded on all sides except the front, by buildings or by gasoline service station; that the floor area is too small to warrant any reduction in size on both floors by the erection of a new stair enclosure; that the small number of occupants does not warrant the sacrifice of space entailed in the construction of additional stairs; that the proposed enclosure meets the requirements of the inter department Memorandum dated March 7, 1944, interpretating Section 270 of the Labor Law and Section 10.4.3.1 of the Building Code, for a factory building less than 4 stories or 40 ft. in height; that the 2nd means of egress proposed is a 3 ft. 8 in. wide self-closing platform or walkway over the roof of the one story fruit storage building in the same ownership and leading from Archer avenue and thence by counter-balanced stair 3 ft. wide to the sidewalk; contends as to Objection 2, that in view of the fact that the front portion of the building is in the bed of a mapped street, it is requested that the door at the foot of the stairs remain 3 ft. wide, so as not to involve any additional cost in construction; that the Board is also requested to permit a 3 ft. wide door from the 1st floor to the side passage, in view of the small occupancy and the 3 ft. 8 in. door provided at the front; and contends as to Objection 3, the Board is requested to permit wood stairs, because of the cost involved and the advisability of saving steel and in view of the small occupancy, which will later be reduced further, when the building is reduced in size after the street is widened; and contends as to Objection 4, the Board is requested to waive the requirements to extend the stair enclosure above the roof, as it would involve cutting out and reframing the roof area within stair enclosure and building new roof over the area, thus involving considerable expense; and contends as to Objection 5, the Board is requested to waive the requirements for concrete slab over the stair, as it is impossible to build such a slab over the one hour fireproof partitions shown on plans; and contends as to Objection 6, that the alterations to the portion of the building in the bed of a mapped street as now shown on plans, are the absolute minimum that would comply with the objections and remove the violation; that as a measure of economy to the owner and to the city, it is requested that the Board waive all requirements for any alteration to the front portion of the building, if the owner installs rear exit from the 2nd floor and the side entrance from the 1st floor as indicated on plans, and it is agreed that the alteration to the front of the building be undertaken and completed immediately after the street widening is started; and

WHEREAS, the Board is in receipt of a communication from the President of the Borough of Queens, wherein it is stated that a portion of the premises involved between the old and the new lines of 150th street will be taken by condemnation and that the proceeding to acquire this property was authorized by the Board of Estimate December 11, 1936 and amended October 8, 1942; that the physical improvement of 150th street is included in the State Aid Post-War program, making this one of the first projects to be undertaken at the end of the war.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, on Alt. Applic. 1117-44, Objections 1, 2, 3, 4, and 5, and that the appeal be and it hereby is *granted on condition* that the two means of exit from the second story as indicated on revised plans marked "Received April 27, 1945", consisting of an enclosed stair leading to 150th street and a counterbalanced stairway leading from a passage in the rear over the second story extension at the rear, shall be maintained and a gooseneck ladder to the roof leading to such passageway at the rear, shall be provided as a secondary means of exit from the roof; that the doors to the stairway shall be not less than 3 ft. in width; that such primary means of exit may consist of a wood stairway, provided it is enclosed with a one hour test partition and all doors leading thereto are fireproof and self-enclosing; that in lieu of an extension of the stairs to the roof, there shall be a double rung iron ladder within the stairway enclosure, leading to a roof scuttle, which shall be equipped with an easy opening device; that the building shall not be increased in height or area; that the number of persons permitted to be at work for factory on the 2nd story shall not exceed the number permitted for the primary means of exit with the door width reduced to 3 ft.; as to Objection 6, *granted*, under the powers vested in the Board in Section 35 of the General City Law, permitting

the existing portion of the building within the proposed bed of 150th street to be continued until such time as the City of New York acquires the land and the premises which is the bed of such street; that at that time, no claim shall be made for the portion of the building taken, except the fair value of same based on its age, amortized at a reasonable rate and for the fair cost of the construction of a new front wall, all as may be determined by the Court; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

172-45-A

APPLICANT—Samuel Rosenblum, for Shelton Holding Corporation, owner.

SUBJECT—Appeal from a decision re orders of the fire commissioner.

PREMISES AFFECTED—25-33 West 45th street, north side, 325 ft. west of Fifth avenue (Block 1261, Lot 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and J. J. Friedman.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

THE RESOLUTION (172-45-A)

WHEREAS, Samuel Rosenblum, for Shelton Holding Corporation, owner, filed March 16, 1945, an appeal from orders of the fire commissioner, affecting premises 25-33 West 45th street, north side, 325 ft. west of Fifth avenue (Block 1261, Lot 21), Borough of Manhattan; and

WHEREAS, order 32038-LF issued by the fire commissioner, September 15, 1944, reads:

"An inspection of the premises 25-33 West 45th street, Borough of Manhattan, shows that a fire drill should be established and maintained therein, according to the requirements of Section 279 of the Labor Law. The Labor Law specifically charges the Fire Commissioner with the duty of enforcing the provisions of the law, as to fire drills.

This law also holds the owner of such permises responsible for the proper supervision and maintenance of fire drills. It is therefore your duty to organize and maintain a fire drill in the above premises, in accordance with the rules and regulations of the Board of Standards and Appeals.

A record of such drills, including the name and number of each certified drill conductor engaged in conducting each drill, the date of each drill, and the number of persons taking part in each drill, shall be transmitted by you or your representative to this office semi-annually.

All forms necessary will be furnished to your authorized representative when he calls at this office for a Certificate of Fitness as drill conductor."

and

WHEREAS, Order 32039-LF issued by the fire commissioner, September 15, 1944, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order to:

1. Install an adequate electric closed circuit interior fire alarm system of an approved type in accordance with the Interior Fire Alarm Rules of the Board of Standards and Appeals.

Note: Plans and specifications in duplicate shall be filed with and approved by this department prior to the installation of the fire alarm system. Section 279 of the Labor Law."

and

WHEREAS, the decision of the fire commissioner dated February 28, 1945, relating to Orders 32038-LF and 32039-LF reads:

"You are herewith notified that your request for reconsideration of our requirements for the installation of an interior fire alarm and the institution of a fire drill in the above premises must be denied, for the reason, that contrary to your belief, the law is not alone concerned with the number of persons actually engaged in factory work in the premises, but with the number of persons in the building *engaged in work for a factory.*

Your are therefore referred to the definition of a factory given in Section 9 of Article 1 of the Labor Law, and reading as follows:

"Factory" includes a mill, workshop, or other manufacturing establishment and all buildings, sheds, structures or other places used for or in connection therewith, where *one or more persons* are employed at manufacturing, including making, altering, repairing, finishing, bottling, canning, cleaning or laundering any article or thing, in whole or in part, . . . etc.,"

and also are referred to—Section 10 of Article 1, reading:

"Factory building" means a building, shed, or structure, which, or any part of which, is occupied or used as a factory, and in which at least one-tenth or more than twenty-five of all the persons employed in the building *are engaged in work for a factory* . . . etc."

and

WHEREAS, the applicant states that the building is 16 stories (209 ft.) in height, 100 ft. by 100 ft. in area at 1st floor, 100 ft. by 90 ft. in area at typical floor, of Class 1 construction, erected in 1906, located in a retail use, B area and class 1½ height district and used and occupied generally as an office building; and

WHEREAS, the applicant contends that this appeal is made from orders of the fire commissioner who has classified the building as a factory building; that the Fire Department claims that there are 184 persons engaged in work for a factory, but it is to be noted that they state "it is conceded that only twenty of them are actually doing work, which should be regarded as manufacturing;" that, in one concern, there are a group of artists employed who draw pictures for ultimate use in animated films; that these people are artists, similar to a draughtsman working in an architect's office, who sketches on tracing paper or cloth; that the draughtsman is not considered doing factory work, nor can the artists be so considered; that the Appellate Division in June 1931, acting on premises 675 Fifth avenue, where there were processes wherein employees touched up photographs with pencils or added a touch of color, ruled that this was no different than an artist making a motion picture or canvas, and the artist was not considered doing factory work; and

WHEREAS, the Fire Commissioner holds that the classification of the building itself is dependent upon the definition of a "factory building" given in Sec. 10, Art. 1, of the Labor Law; that in view of this definition, even if the debatable and purely technical factory work done in the building were eliminated from the calculations, the building would still have to be classified as a factory building, as there are not only more than 25 persons, but more than one-tenth of all the persons employed in the building are engaged at work for a factory; that this would remain so if we only counted as factories, the 6th, 5th, 1st and cellar stories, and the number of persons employed thereon, as without question there is bonafide factory work being performed on these stories; and

WHEREAS, the applicant states that certain of the factory occupancies have been eliminated; and

WHEREAS, the premises and the operations involved were inspected by a committee of the Board; and

WHEREAS, in the opinion of the Board, the work of producing drawings for animated films, as now being carried on in the building, should not be classified as work for a factory.

Resolved, that the decision of the fire commissioner as to Orders 32038-LF and 32039-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*

that a fire alarm system and fire drills shall be installed if at any time the building is found to be occupied as a factory building, with one-tenth or more than twenty-five of all the occupants of the building above the first story engaged in work for a factory.

329-45-A

APPLICANT—Martyn Weinstein, for Jemrod Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Martyn Weinstein.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

THE RESOLUTION (329-45-A)

WHEREAS, Martyn Weinstein, for Jemrod Corporation, owner, filed May 31, 1945, an appeal from a decision of the borough superintendent affecting premises 252-254 Emerson place, east side, 160 ft. north of Lafayette avenue (Block 1936, Lot 38), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 25, 1945, on Alt. Applic. 910-45, reads:

"The superintendent is without authority to issue a temporary certificate of occupancy for this structure. This proposal to maintain the previous use as a public garage for more than five cars must be submitted to the Board of Standards and Appeals for approval."

and

WHEREAS, the applicant states that the building is one story (14 ft.) in height, 50 ft. by 100 ft. in area, of class 3 construction, erected in 1918, located in an unrestricted use, B area and class 1½ height district and used and occupied since 1944 as a public garage; proposed to be used and occupied for the storage of metal parts and equipment—2 persons; that Certificate of Occupancy 3894, issued August 2, 1918, on N.B. 624-18, permits the use of the first floor as a public garage; and

WHEREAS, the applicant contends that in May 1934, the owner purchased this building and leased it to the Federal Manufacturing and Engineering Corporation on July 1, 1944 to expire June 30, 1947; that the lessee proposes to use the premises for the storage of steel and aluminum material and brass parts used in connection with the manufacture of radio and signalling apparatus for the Army and Navy; that the lessee's present plant is one block from these premises and is ideally located, because of the close proximity to the building in question; that the lessee estimates that he will require the use of the building for storage purposes for two years, after which time, the building may revert back to its former use as a public garage; that there will be no permanent occupancy on these premises, other than the actual time it takes two men to load and unload parts and equipment; it is therefore requested that the Board grant permission to use this building for storage purposes for two years without forfeiting the right to reconvert to a public garage at the expiration of the proposed temporary use.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 910-45 be and it hereby is *modified* and that the appeal be and hereby is *granted,* to permit the building to be occupied temporarily during the present emergency and for not more than six months thereafter as proposed, with the privilege thereafter of restoring the building to the permitted use as a garage.

388-45-A

APPLICANT—Bethelship Norwegian Methodist Church, lessee, for Colgan Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—827-837 56th street, north side, 220 ft. east of 8th avenue (Block 5679, Lots 65 and 67), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. R. Dobson, B. M. Nelson, A. C. Anderson, I. Thompson and G. Johansen.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage..... 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (388-45-A)

WHEREAS, Bethelship Norwegian Methodist Church, lessee, for Colgan Realty Corporation, owner, filed June 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 827-837 56th street, north side, 220 ft. east of 8th avenue (Block 5679, Lots 65 and 67), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on B.N. Applic. 606-43, dated June 6, 1945, reads:

"Proposed canvas tent for religious services is contrary to 4.2.1 of the Code."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. by 100 ft. in area, located in a residence use, C area and Class 1 height district, upon which it is proposed to erect a one-story (24 ft. maximum height) tent, 70 ft. by 70 ft. in area, to be used for religious services with an occupancy of 600 persons; and

WHEREAS, the applicant contends that this appeal is for temporary use for the summer months only; that lessee has actually used these premises for these purposes for the summer months for the past ten years; that the tent is treated with both flameproofing and waterproofing agents; that relying upon experience for the past ten years, preachers have already been engaged to conduct services for the current season.

Resolved, that the decision of the borough superintendent on B.N. Applic. 606-43 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

389-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—Block bounded by Park avenue, east side, to Third avenue between East 112th and 115th streets (Blocks 1640, 1641 and 1642), Borough of Manhattan (James Weldon Johnson Houses).

APPEARANCES—

For Applicant: John P. Riley and Harry M. Prince.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (389-45-A)

WHEREAS, New York City Housing Authority, owner, filed June 15, 1945, an appeal from a decision of the borough superintendent, affecting premises bounded by East 112th street, Park avenue, East 115th street and Third

avenue (Blocks 1640, 1641 and 1642), Borough of Manhattan (James Weldon Johnson Houses); and

WHEREAS, the decision of the borough superintendent, dated April 16, 1945, on N.B. Applications 75 to 79-45, inc. and 81-45, reads:

"13. Specify on the plans the complete net area of every floor. Subdivide areas in excess of 10,000 sq. ft. with fire partitions and 1½ hour doors.

"30. Provide a four-hour cut-off wall between 6- and 14-story buildings. 3-hour doors shall be provided in said fire walls as per Sec. 10.4.1.1 of the Building Code."

and

WHEREAS, reconsideration of these objections was denied by the borough superintendent, on May 23, 1945; and

WHEREAS, the decision of the borough superintendent, dated May 28, 1945, reads:

"This refers to your letter of May 10, 1945, in which you ask whether this department will approve the omission of a standpipe fire line in the six-story unit of each of several buildings which are a combination of a six-story unit and a fourteen-story unit, but which are not separated by a fire wall.

"While we concur with you that a standpipe fire line system in the six-story unit of less than 75 ft. height would undoubtedly meet the spirit and intent of the Administrative Code, we may not legally approve the omission of a standpipe fire line riser in the six-story section, as the combination of the two units is a single building from the standpoint of fire area.

"The Board of Standards and Appeals may be appealed to from the decision of the borough superintendent in this matter."

and

WHEREAS, the applicant states that the buildings will be 6, 10 and 14 stories in height; of Class 1 construction, and used as multiple dwellings; that each six-story unit will be equipped with a single stairway and each unit over 6 stories in height will be equipped with a double stairway of fireproof construction from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that Section C26-1381.0 provides in part, that buildings over 75 ft. in height shall be provided with a standpipe system; that the 6-story units involved in this appeal (Buildings Nos. 3, 4, 5, 6, 7 and 9) are only 54 ft. in height and although each 6-story and 14-story unit are in effect, part of a single building and although the total area of any floor will be less than 10,000 sq. ft., it is proposed to provide a one hour fireproof partition to separate the apartment in the 6-story unit from those in the 14-story unit, such partitions to be constructed with no openings therein; that the installation of the standpipe in the 6-story unit would serve no purpose, as the Fire Department has agreed that the probabilities of their use in case of fire would be remote; that the omission of standpipes in the 6-story portions would not be contrary to the intent of the Code; and

WHEREAS, the Board deemed that no basis was presented to justify waiving or varying the requirements of the Administrative Building Code, which requires under Section C26-1381.0, standpipes in all new buildings exceeding 75 feet in height and also for new buildings more than one story in height having ten thousand square feet in net floor area and in Section C26-1387.0, prescribes size of risers in structures or parts of structures one hundred fifty feet or less in height.

Resolved, that the decision of the borough superintendent acting on N.B. Applications 75 to 79-45, inc. and 81-45 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

401-45-A

APPLICANT—H. Herbert Lilien, for Berkley Associates, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—256-258 West 36th street, south side, 197 ft. 7¼ in. east of 8th avenue (Block 785, Lot 73), Borough of Manhattan.

APPEARANCES—

For Applicant: H. Herbert Lilien.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (401-45-A)

WHEREAS, H. Herbert Lilien, for Berkley Associates, Inc., owner, filed June 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 256-258 West 36th street, south side, 197 ft. 7¼ in. east of 8th avenue (Block 785, Lot 73), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 21, 1945, on amendment to Alt. Applic. 917-45, reads:

"2. a. Records show building erected after 1913. Provide 2 fireproof enclosed stairways 3 ft. 8 in. wide to lead directly to the street, Section 270-4 Labor Law.

Note: Plans on record show exterior iron stairs leading to 1st floor also fireproof passage from cellar to street.

"b. Doors to stairs to be fireproof, self-closing and 3 ft. 8 in. wide, 270 L.L.

"c. Stairways to mezzanine, 1st floor, to be 3 ft. 8 in. wide and to be enclosed as required by Labor Law. Winders not permitted by Section 274 Labor Law."

and

WHEREAS, the applicant states that the building is 6 stories (78 ft.) in height, 35 ft. 7 in. by 98 ft. 9 in. in area, at 1st floor, 35 ft. 7 in. by 88 ft. 9 in. in area at typical floor, of Class 1 construction, erected in 1916, located in an unrestricted use district and used and occupied as a non-storage garage for more than five motor vehicles and proposed to be used and occupied throughout as a factory, with an occupancy of 40 persons per floor; that the building is equipped with one 3 ft. 8 in. fireproof stairs from the roof bulkhead, directly to the street and one exterior stairs in the yard, leading to the roof by stair and to the yard by stair, with egress through a masonry enclosed fire passage to the street; that windows and doors on the course of the exterior stairs are fireproof, self-closing; and

WHEREAS, the applicant contends that the number of occupants proposed is figured on the basis of the primary means of egress only and no occupancy is requested for the exterior stair; it is therefore requested that the Board permit the present exterior stair and the stair from the mezzanine to the 1st floor to remain.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, acting on amendment to Alt. Applic. 917-45, Objections 2a, b and c, and that the appeal be and it hereby is *granted on condition* that the stairway as indicated on plans filed with this appeal, marked "Received June 26, 1945" shall be maintained; that the iron stairway in the rear shall have a fire passage through the cellar, with a stairway directly to the street, as shown; that doors to such stairway may be 3 ft. in width, provided they are fire proof and self-closing and provided the number of occupants in the building shall be restricted to the capacity of the primary means of exit and based on the 3 ft width of the door to such stair; that the existing open stair from 1st floor to the mezzanine office may be continued, unenclosed; that the building shall not be increased in height or area; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MINUTES

163-44-A

APPLICANT—Joseph Lau, for Eugene Higgins, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—217 West 80th street, north side, 172 ft. 10 in. east of Broadway (Block 1228, Lot 22), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry Hurwit.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (163-44-A)

WHEREAS, this appeal form a decision of the borough superintendent, affecting premises 217 West 80th street, north side, 172 ft. 10 in. east of Broadway (Block 1228, Lot 22), Borough of Manhattan, was granted by the Board on June 13, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 13, 1944, by adding thereto:

"that in the event permission cannot be obtained for passage over the adjoining premises in the rear as an exit from the proposed rear fire escape, that a labor law fire escape, complying with the requirements of the labor law, may be constructed on the front of the building, and that the number of occupants in the building shall not be greater than what is permitted for the primary means of exit; that in all other respects, the requirements of the resolution adopted June 13, 1944, shall be complied with."

586-44-A

APPLICANT—Edwin W. Kleinert, for Wheeler Shipyard, Inc., and the City of New York, owners.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—2973-3011 Cropsey avenue, northeast corner of Coney Island creek (ground floor); (Block 6951, Lot 16, Block 6952, Lot 22, Block 6997, Lots 300, 252, 325), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

374-45-A

APPLICANT—Henry George Greene, for Three Hundred Four Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

128-45-A

APPLICANT—Ervin Palmer, for Palace Properties Inc., owner.
SUBJECT—Appeal from an order of the borough superintendent.
PREMISES AFFECTED—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan.
APPEARANCES—
For Applicant: Ervin Palmer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P.M. at request of applicant.

163-45-A

APPLICANT—Kalvid Realty Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—54-31 to 54-37 Mytrle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.
APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 24, 1945 at 2 P.M. for an inspection by a committee of the Board.

241-45-A

APPLICANT—Jack Z. Cohen, for Raygot Realty Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1530-1536 Pitkin avenue, southside, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn.
APPEARANCES—
For Applicant: Jack Z. Cohen and William Krimko.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P.M., for an inspection by a committee of the Board.

281-45-A

APPLICANT—Henry George Greene, for 608 East 133rd Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to July 17, 1945 at 2 P.M., for an inspection by a committee of the Board.

(Remaining minutes of the meeting of July 10, 1945 will be printed in the Bulletin of July 24, 1945.)

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 15, 1945, as they appeared in Bulletin No. 21, Vol. 30, are hereby corrected to read as follows:

227-44-A

APPLICANT—Weinberg and Weinberg, for Sam Reisner, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—421-423 Classon avenue, east side, 60 ft. south of Lexington avenue (Block 1970, Lot 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: Reuben Weinberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (227-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 421-423 Classon avenue, east side, 60 ft. south of Lexington avenue (Block 1970, Lot 7), Borough of Brooklyn, was granted by the Board on May 9, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 9, 1944, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 652-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the building shall be maintained as proposed; that the exits shall be maintained as proposed and in addition, the rear fire escape shall be extended by a gooseneck ladder to the roof; that in the primary means of exit, there shall be a steel ladder within the stairhall, leading to a scuttle in the roof, which shall be equipped with an easy-opening device; that the front fire escape shall be constructed and maintained as proposed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that the fire escape proposed to be erected on the front of the building in accordance with the resolution adopted May 9, 1944, may be from the 2nd window from the north on the *third* floor, instead of the 1st window from the north, as indicated on plans filed with this appeal marked 'Received April 17, 1944'; that otherwise, it shall comply with the requirements of this resolution and with all requirements therefor."

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* Correction—The words "second floor" changed to "*third* floor" in line 29 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 5, 1945, as they appeared in Bulletin No. 24, Vol. 30, are hereby corrected to read as follows:

324-45-A

APPLICANT—Reuben Siskin, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: David Toplitz and Reuben Siskin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (324-45-A)

WHEREAS, Reuben Siskin, owner, filed May 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 1256-1262 Bedford avenue, northwest corner Fulton street (Block 2000, Lot 35), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated May 16, 1945, on Alt. Applic. 2675-44, reads:

"2. Existing floor load capacity of 100 lbs. does not comply with Section 7.3.2.3, Bldg. Code."

and

WHEREAS, the applicant states the building is 3 stories (45 ft.) in height; 88 ft. 11 in. by 118 ft. 4 in. irregular in area, of Class 3 construction, erected prior to 1914; located in a business use, B area, Class 1¼ height district and used and occupied: cellar, boiler room; 1st floor, stores, 10 persons; 2nd floor, manufacturing dresses, 105 persons; 3rd floor, vacant; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, same; 3rd floor, manufacturing dresses, 75 persons; that the building is not equipped with an interior fire alarm system, but fire drills are maintained; that the building is equipped with one 7 ft. wide wood stairs, enclosed in fire retarded partitions, equipped with metal covered self-closing doors and leading directly to the street and a ladder and scuttle to the roof is provided; that there are two fire escapes, one of which leads to the roof by a stair and the other by a ladder and one to the street by counter-balanced stair and the other to the street by a sliding drop ladder; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant requested the Board to accept 100 lb. live load in lieu of 120 lbs. as required by Section 7.3.2.3 of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2675-44, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the capacity of the third floor, proposed to be occupied for factory purposes, shall not be less than 100 lbs. per superficial foot and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 46-45-BZ; and that the requirements of the Labor Law shall be complied with as to the exterior fire *escapes;* that the partition on the third floor, shown on plans filed with the zoning application (Cal. 46-45-BZ) marked "Received February 1, 1945" and separating the space marked "dress factory" from space marked "showroom", shall have an additional door therein located to the east, complying with the requirements, to provide an easier means of access to the fire escape on the Fulton street side; that the floor loads shall be posted and that a certificate of occupancy shall be obtained prior to occupancy.

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* Correction—The word "escape" changed to "escapes" in line 43 of the resolution.

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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The Hearing Calendar.

Continuation of Minutes of Regular Meeting of July 10, 1945, Affecting Calendar Numbers 725-24-BZ, 436-25-BZ, 459-37-BZ, 1184-38-BZ, 836-42-BZ, 82-43-BZ, 91-43-BZ, 52-38-BZ and 660-44-BZ.

Minutes of Regular Meeting July 17, 1945 at 10 A.M., Affecting Calendar Numbers 108-45-BZ, 796-23-BZ, 280-31-BZ, 191-34-BZ, 872-39-BZ, 420-43-BZ, 730-44-BZ, 101-45-BZ, 227-45-BZ, 244-45-BZ, 254-45-BZ, 262-45-BZ, 274-45-BZ, 384-45-BZ, 270-45-A, 379-45-A, 380-45-A, 381-45-A, 245-45-A, 350-45-A, 637-44-A, 192-45-A, 259-45-A, 365-45-A, 216-34-A, 316-43-SM and 710-44-SM.

Minutes of Regular Meeting July 17, 1945 at 2 P.M., Affecting Calendar Numbers 447-44-A, 592-44-A, 733-44-A, 90-45-A, 128-45-A, 196-45-A, 241-45-A, 247-45-A, 257-45-A, 264-45-A, 272-45-A, 291-45-A, 294-45-A, 304-45-A, 305-45-A, 326-45-A, 357-45-A, 366-45-A, 376-45-A, 404-45-A, 415-45-A, 434-45-A, 1438-39-S, 348-43-A, 651-44-A, 375-45-A, 505-44-A, 519-44-A, 3-45-A, 29-45-A, 73-45-A, 185-45-A, 528-44-A, 553-44-A, 572-44-A, 573-44-A, 740-44-A, 79-45-A, 88-45-A, 268-45-A, 269-45-A, 288-45-A, 289-45-A, 307-45-A, 383-45-A, 394-45-A, 431-45-A, 135-45-A, 140-45-A, 281-45-A, 302-45-A, 303-45-A, 341-27-BZ, 372-29-BZ, 510-39-BZ, 915-40-BZ, 1192-40-BZ, 1205-40-BZ, 150-41-BZ, 592-41-BZ, 31-43-BZ, 86-43-BZ, 246-44-BZ, 433-41-BZ and 146-45-BZ.

PETITION FOR CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On July 23, 1945, copy of petition and order of certiorari was served on the Board by Allin, Riggs & Shaughnessy, attorneys, in behalf of petitioner, Hotel Taft Corporation, owner, in re decision of the Board on June 26, 1945, denying appeal from decision of the Borough Superintendent, refusing permission for addition to pent-house; Cal. No. 314-45-A; premises 761-779 Seventh Avenue, E.S., from West 50th Street to West 51st Street, Borough of Manhattan.

The applicant claimed that General Order 71-45 of the Commissioner incorrectly interprets the provision of the Zoning Resolution as to the date when the Zoning Resolution, as amended from time to time, became effective. The Board upheld the Order of the Commissioner, as applied by the Borough Superintendent, that the Zoning Resolution became effective July 25, 1916, and that as amended from time to time, such Resolution has not been superceded by a new resolution at any time, despite the provision in Section 26 of the Zoning Resolution as published by the City Planning Commission.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 17, 1945.

Cal. No. *Dept.* *Premises Affected.*

431-45-A—H.B.M—34-40 East 35th street, south side, 63 ft. west of Park avenue (Block 864, Lot 47), Borough of Manhattan, Decision re N.B. 187-39 and Certificate of Occupancy.

432-45-SM—Alpha Mortar Cement, manufactured by Alpha Portland Cement Co., Material.

433-45-A—H.B.Bx—785-789 East 144th street and 428 Wales avenue, northeast corner (1st and 2nd floors); (Block 2576, Lot 1), Borough of The Bronx, Alt. 275-45.

434-45-A—H.B.Q—40-20 and 40-22 23rd street, west side, 175.16 ft. south of 40th avenue (2nd floor); (Block 409, Lots 33 and 34), Long Island City, Borough of Queens, Alt. 648-45.

435-45-BZ—H.B.M—1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan, Amendment to Alt. 440-45.

436-45-A—H.B.B—409 Hancock street, north side, 349 ft. west of Sumner avenue (basement and 1st floors); (Block 1836, Lot 69), Borough of Brooklyn, Alt. 842-45.

437-45-SM—Bethlehem Open Web Welded Steel Joists, manufactured by Bethlehem Steel Co., Material.

438-45-A—H.B.Q—141 Beach 97th street, northwest corner of Shore Front parkway (Block 636, Lot 11), Rockaway Beach, Borough of Queens, Alt. 897-45.

439-45-A—H.B.M.—49-51 Downing street, north side, 122 ft. 3 in. west of Bedford street (1st floor); (Block 528, Lot 82), Borough of Manhattan, Alt. 1052-45.

440-45-BZ—H.B.B—243-247 Ashford street, east side, 150 ft. north of Liberty avenue (Block 3968, Lot 3), Borough of Brooklyn, Alt. 1930-45.

441-45-A—H.B.M—51 Madison avenue, east side, from East 26th to East 27th streets and from Madison to 4th avenues (1st floor); (Block 956, Lot 24), Borough of Manhattan, Alt. 1074-45.

442-45-BZ—H.B.Bx—2327 Grand Concourse, west side, 150 ft. south of Field place (Block 3164, Lot 25), Borough of The Bronx, Amendment to Alt. 263-45.

443-45-BZ—H.B.Bx—2331 Grand Concourse, west side, 100 ft. south of Field place (Block 3164, Lot 23), Borough of The Bronx, Amendment to Alt. 262-45.

444-45-A—Marine and Aviation—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3-15 inclusive), Long Island City, Borough of Queens, Decision.

445-45-A—H.B.Q—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens, N.B. 497-45.

446-45-A—H.B.Q—35-03 159th street, southeast corner of 35th avenue (Block 5279, Lot 45), Flushing, Borough of Queens, N.B. 679-45.

447-45-A—F.D.—1270 47th street, south side, 60 ft. west of 13th avenue (1st floor); (Block 5628, Lot 35), Borough of Brooklyn, 15287-LF and 15288-LF.

Restored to Calendar.

135-45-A—H.B.B.—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn, Alt. 1372-45.

375-45-A—H.B.M—500-528 West 17th street, 97-111 10th avenue, southwest corner and 501-521 West 16th street (Block 688, Lot 21), Borough of Manhattan, D.C. 950-45.

146-45-BZ—H.B.R—126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond, Decision.

1205-40-BZ—421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan, Alt. 3153-40.

433-41-BZ—H.B.B.—1135-1137 Eastern parkway (1129 displayed), north side, 80 ft. east of Utica avenue (Block 1391, Lot 76), Borough of Brooklyn, N.B. 251-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....May	15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of ....Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc. ....Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of ....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for ....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules ....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection ....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules ....June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...Feb.	6, 1945—Vol. 30, No. 6
Oil Burner Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of ....June	12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules ....May	29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules ....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply).Mar.	13, 1945—Vol. 30, No. 11

CALENDAR

	Last Publication in Bulletin
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C..	May 29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for...	Mar. 27, 1945—Vol. 30, No. 13
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

JULY 24, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, July* 24, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

575-44-BZ—Application, October 10, 1944, under section 7e of the zoning resolution, of Martyn N. Weinstein, applicant, on behalf of Cardinal Mfg. Co., Inc., owner (Joseph Cardinal, lessee, d/b/a Cardinal Engineering Co.), to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years; premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

1236-27-BZ—Application of Archie H. Samuels, applicant, on behalf of Dorothy Rehder, owner, reopened June 26, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the erection and maintenance of a gasoline service station; premises southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens.

382-45-BZ—Application, June 20, 1945, under section 21 of the zoning resolution, of Herman E. Horwood, applicant, on behalf of Anne Posner, owner, to permit in a G area district, the erection of a porch on an existing building 15 ft. 3 in. from the street line instead of 20 ft. as required by the zoning resolution; premises 108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens.

302-44-BZ—Application, May 22, 1945, under section 21 of the zoning resolution, of Italo Nicolai, applicant, on behalf of Xavier Kirchoffer, owner, to permit in a residence use E area district, the erection of an extension to a greenhouse potting room without providing the rear yard required by the zoning resolution; premises 2286 Richmond road, south side, 122 ft. east of Otis avenue (Block 3618, Lots 7 and 16), New Dorp, Borough of Richmond.

343-45-BZ—Application, June 5, 1945, under section 21 of the zoning resolution, of Allen A. Blaustein, applicant, on behalf of Jack W. Edson, owner, to permit in a residence use E area district, the erection of a one car private garage in an embankment, the face of the garage being located on the street line; premises 124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn.

55-45-BZ—Application, February 6, 1945, under section 7f of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Estate of Bertha Schurz (Robert Schurz and Marie Goetz, Executors), owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn.

96-45-BZ—Application, February 23, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Lorberg Realty Co., Inc., owner, to permit in a residence use C area district, the extension of a woodworking factory occupying in excess of the permitted area in a C area district and omitting required rear yard; premises 1552-1564 Bergen street, south side, 177 ft. west of Utica avenue (Block 1354, Lots 30, 33 and 35), Borough of Brooklyn.

175-45-BZ—Application, March 19, 1945, under sections 7c and 21 of the zoning resolution, of Joseph M. Lonergan, applicant, on behalf of William Stroh, owner, to permit in a residence use district, the extension of a business use now existing on the 1st story, to the 2nd story; premises 403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lots 10 and 11), Borough of Manhattan.

377-45-BZ—Application, June 19, 1945, under sections 7c and 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Herman J. Klinck, owner, to permit the extension from a business use into a residence use district, and the coverage in a C area district in excess of 60% of the lot area of a proposed extension to an existing store; premises 990 Flatbush avenue, west side, 58 ft. 3 in. south of Albemarle road (Block 5125, Lot 14), Borough of Brooklyn.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

403-45-BZ—Application, June 25, 1945, under sections 7c and 21 of the zoning resolution, of George Alexander, Jr., applicant, on behalf of Mock, Grossarth and Ott, owners, to permit in a residence use district, the extension of an existing factory building with the omission of the required rear yard; premises 761-783 Rutland road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn.

407-45-BZ—Application, June 29, 1945, under sections 7a and 7c of the zoning resolution, of Alfred H. Eccles, applicant, on behalf of Victor Wallboard Co., Inc., owner, to permit in a residence use district, the erection of an office and warehouse building; premises 87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

419-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Edgar J. Moeller, applicant, on behalf of Rogers Peet Company, owner, to permit in a retail use B area district, the extension of an existing building, the building now exceeding 80% of lot area permitted for corner lots; premises 479-485 5th avenue and 5-7 East 41st street, northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan.

593-30-BZ—Application of Joseph B. Lynch, applicant, on behalf of Hauben Investing Corp., owner, reopened June 5, 1945, under sections 7f and 21 of the zoning resolution, to permit in a business use district, the erection of a gasoline service station, a gasoline service station having previously been granted by the Board for a

portion of these premises but not erected; premises 219-02 Horace Harding boulevard and 61-01 219th street, southeast corner (Block 7609, Lot 1), Bayside, Borough of Queens.

248-45-BZ—Application, April 27, 1945, under section 7f of the zoning resolution, of Max Horn, applicant, on behalf of Robert Bresnick, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a stated term of years; premises 171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street, southwest corner (Block 9827, Lots 31, 32, 33 and 34), Jamaica, Borough of Queens.

341-45-BZ—Application, June 1, 1945, under section 7h of the zoning resolution, of George Boochever, applicant, on behalf of Frank J. Borrello, owner, to permit partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five motor vehicles; premises 630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn.

430-45-BZ—Application, July 9, 1945, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Arnold Kramer, owner, to permit in a business use district, the parking and storage of more than five motor vehicles for a temporary period; premises 218-224 East 3rd street, south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14-17 inclusive), Borough of Manhattan.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

223-45-BZ—Application, April 12, 1945, under section 7e of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Henrietta Dobin, owner, to permit in a residence use district, a day nursery school conducted as a business; premises 523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grasmere Terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

224-45-A—523 Briar place, north side, 82 ft. east of Hanson court and 562 Grasmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

445-45-A—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

137-45-A—51-55 Nassau avenue and 78-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

677-44-A—34-44 Hubert street and 398-408 Washington street, northwest corner (6th floor); (Block 217, Lot 1), Borough of Manhattan.

Appliance and Materials for Approval.

254-42-SA—Haughton Type "F" Elevator Interlock.

190-45-SA—Pan-Tex Safety Dry Cleaning System, Models CB-1 to CB-8, inclusive and Models M-1 to M-8, inclusive.

437-45-SM—Bethlehem Open Web Welded Steel Joists.

717-44-SM—The Z-D System of Reinforced Concrete Shell Construction.

HARRIS H. MURDOCK, *Chairman.*

JULY 24, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, July* 24, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood. Borough of Queens.

402-45-A—17 Clinton Walk, west side 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without frontage on mapped street—Clinton Walk).

701-44-A—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49 Lot 1), Far Rockaway, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 20th street); (reopened July 3, 1945).

744-44-A—2592 Bruckner boulevard (Eastern boulevard), south side, 447.84 ft. east of Brush avenue (1st floor); (Block 5541, Lot 61), Borough of The Bronx.

45-45-A—211-249 Lombardy street, north side, 188 ft. east of Stewart avenue (2nd floor, penthouse); (Block 2822, Lot 1) Borough of Brooklyn.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

228-45-A—1921 Colden avenue, west side, 215 ft. north of Rhinelander avenue (cellar); (Block 4267, Lot 53), Borough of The Bronx.

433-45-A—785-789 East 144th street and 428 Wales avenue, northeast corner (1st and 2nd floors); (Block 2576. Lot 1), Borough of The Bronx.

369-45-A—840-848 60th street, south side, 320 ft. east of 8th avenue (Block 5714, Lots 23 and 25), Borough of Brooklyn.

427-45-A—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion (Barrett) street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn.

436-45-A—409 Hancock street, north side, 349 ft. west of Sumner avenue (basement and 1st floors); (Block 1836, Lot 69) Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 27, 1945, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning, July 27,* 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Appeals from Administrative Decisions

270-45-A—534-552 11th avenue, east side, from West 41st to West 42nd streets, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan.

379-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

380-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

381-45-A—Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering tank Trucks).

281-45-A—608 East 133rd street, south side, 328.56 ft. east of St. Ann s avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.

302-45-A—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens.

303-45-A—6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

340-45-A—1004 Westchester avenue, south side, 122.82 ft. west of Simpson street (basement, street and 1st floors); (Block 2724, part of Lot 32), Borough of The Bronx.

395-45-A—53-55 Fifth avenue and 1 East 12th street, northeast corner (basement); (Block 570, Lot 1), Borough of Manhattan.

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

246-38-A—52-08 Grand avenue, south side, 431 ft. 9 in. west of 53rd (Sophie) street (1st floor, Building 3); (Block 2616 (2317), Lot 1), Maspeth, Borough of Queens.

455-45-A—382-418 7th avenue, entire block from 7th to 8th avenues and West 31st to West 33rd streets (Milk Bar, north end, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan.

456-45-A—382-418 7th avenue, entire block from 7th to 8th avenues and West 31st to West 33rd streets (Storeroom, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan.

465-45-A—192 Wallabout street, south side, 450 ft. east of Bedford avenue (Block 2263, Lot 29), Borough of Brooklyn.

364-45-A—400-404 West 25th street and 241-243 9th avenue, southwest corner (Block 722, Lot 43), Borough of Manhattan.

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

417-45-A—160-30 Northern boulevard, south side, 509.8 ft. east of 159th street (basement); (Block 5335, Lots 61 and 62), Flushing, Borough of Queens.

447-45-A—1270 47th street, south side, 70 ft. west of 13th avenue (1st floor); (Block 5628, part of Lot 35), Borough of Brooklyn.

182-42-A—242 West 41st street, south side, 300 ft. east of 8th avenue (Block 1012, Lot 49), Borough of Manhattan (reopened and restored to calendar, June 12, 1945; previously withdrawn).

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan.

391-44-A—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan.

466-45-A—61-67 North 11th street, north side, 125 ft. west of Wythe avenue and 74-88 Wythe avenue (2nd floor); (Block 2288, Lot 13), Borough of Brooklyn.

444-45-A—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lot 3-15), Long Island City, Borough of Queens.

438-45-A—141 Beach 97th street, northwest corner of Shore Front parkway (Block 636, Lot 11), Rockaway Beach, Borough of Queens.

414-45-A—32-02 Borden avenue and 51-03 Van Dam street, southeast corner (1st floor); (Block 305, Lot 17), Long Island City, Borough of Queens.

721-44-A—168-21 169th street, northwest corner of 107th avenue (Block 1220, Lot 26), Jamaica, Borough of Queens.

418-45-A—104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 36), Jamaica, Borough of Queens.

450-45-A—208-20 Cross Island parkway (rear), south side, 300 ft. east of Roe place (Block 5844, Lot 1), Bayside, Borough of Queens.

448-45-A—34-47 10th street, east side, 145.37 ft. north of 35th avenue (1st floor); (Block 325, Lot 7), Long Island City, Borough of Queens.

593-44-A—221-223 West 64th street, north side, 300 ft. west of Amsterdam avenue (1st, 2nd and 3rd floors); (Block 1156, Lot 19), Borough of Manhattan.

204-45-A—115-119 West 52nd street, north side, 200 ft. west of 6th avenue (Block 1005, Lots 22, 23 and 24), Borough of Manhattan.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

406-45-A—3835 9th avenue, east side, from West 205th to West 206th streets (basement and 1st floors); (Block 2186, Lot 1), Borough of Manhattan.

420-45-A—Block bounded by Park avenue to 5th avenue and between East 132nd and East 135th streets (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan (Abraham Lincoln Houses).

439-45-A—49-51 Downing street, north side, 122 ft. 3 in. west of Bedford street (1st floor); (Block 528, Lot 82), Borough of Manhattan.

CALENDAR

441-45-A—51 Madison avenue, east side, from East 26th to East 27th streets and from Madison avenue to 4th avenue (1st floor); (Block 956, Lot 24), Borough of Manhattan.

449-45-A—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan.

621-44-A—107-109 West 13th street, north side, 105 ft. west of 6th avenue (Block 609, Lot 49), Borough of Manhattan (reopened June 26, 1945).

451-45-A—137-141 Varick street and 269 Spring street, northwest corner (Block 579, Lot 70), Borough of Manhattan.

452-45-A—30 West 12th street, south side, 325 ft. west of 5th avenue (1st floor); (Block 575, Lot 38), Borough of Manhattan.

346-38-A—2473-2475 Broadway and 292 West 92nd street, southwest corner (2nd floor); (Block 1239, Lot 55), Borough of Manhattan (reopened July 24, 1945).

467-45-A—105-111 East 106th street, north side, 55 ft. east of Park avenue and 104 East 107th street (Block 1634, Lots 3 and 69), Borough of Manhattan.

468-45-A—1646-1650 York avenue, east side, 118 ft. 9 in. north of East 86th street (Block 1583, Lots 3 and 152), Borough of Manhattan.

687-44-A—4553 Arthur Kill road, west side, 120 ft. south of Kreischer street (cellar); (Block 7596, Lot 250), Charleston, Borough of Richmond.

422-45-A—5080 Waldo avenue and east side of Fieldston road, 308.68 ft. north of West 250th street (Block 3415Q, Lot 27), Borough of The Bronx.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx.

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

875-41-A—134 Sterling street, south side, 143 ft. east of Bedford avenue (1st and 2nd floors); (Block 1319, Lot 13), Borough of Brooklyn.

387-45-A—422-438 Fulton street, south side, 93 ft. west of Hoyt street, 14-30 Hoyt street, 177 Livingston street and 15 Gallatin place (2nd, 3rd, 4th, 5th, 7th and 8th floors); (Block 156, Lot 1), Borough of Brooklyn.

396-45-A—924-926 65th street, south side, 73 ft. 6 in. west of Fort Hamilton parkway and 6512-6518 Fort Hamilton parkway (1st and 2nd floors); (Block 5750, Lots 18-23-25), Borough of Brooklyn.

407-44-A—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn (reopened April 17, 1945).

645-44-A—534-538 Eastern parkway, southwest corner of Nostrand avenue (2nd floor); (Block 1268, part of Lot 38), Borough of Brooklyn (reopened and restored to calendar, April 24, 1945; previously withdrawn).

421-45-A—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

454-45-A—313-323 Berry street, southeast corner of 3rd street (street floor); (Block 2430, Lot 2), Borough of Brooklyn.

446-45-A—35-03 159th street, southeast corner of 35th avenue (Block 5270, Lot 45), Flushing, Borough of Queens.

428-45-A—235-245 Lynch street, north side, 224 ft. east of Harrison avenue (cellar); (Block 2234, Lot 43), Borough of Brooklyn.

462-45-A—180-188 (184 displayed) North 14th street, south side, 100 ft. east of Wythe avenue (Block 2270, part of Lot 9), Borough of Brooklyn.

474-45-A—311 Madison street, north side, 111 ft. 5½ in. west of Gouverneur street (1st floor); (Block 268, Lot 42), Borough of Manhattan.

Materials for Approval

112-45-SM—Lastik Precast Channel Slabs.

113-45-SM—Lastik Featherweight Nailing Concrete Roof Slabs.

114-45-SM—Lastik Red Interlocking Roof Slabs.

General Resolution

464-45-GR—Re classification of Portland Cement—A.S.T.M-D, C-9-38 and A.S.T.M-D, C-74-38 to be superceded by A.S.T.M.C150-44, under Authority vested in Board under C26-189.0,c., Administrative Code.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

CALENDAR

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars); premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

CALENDAR

Zoning Application

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike: south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of July 10, 1945.)

ZONING APPLICATIONS

725-24-BZ

APPLICANT—Max Siegel, for Marlon Confections Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under Sections 7c and 21 of the zoning resolution, permitting in a residence use district, the conversion of occupancy from garage for more than five motor vehicles and motor vehicle repair shop (previously granted by Board) to a confectionery factory for a term of two years.

PREMISES AFFECTED—321-343 West 54th street, north side, 275 ft. east of 9th avenue (Block 1045, Lots 12-15), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel, Harry Lax and Bernard Lax.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (725-24-BZ)

WHEREAS, this application, permitting in a business use district, the alteration and extension of an existing garage for more than five motor vehicles and a motor vehicle repair shop, affecting premises 321-343 West 54th street, north side, 275 ft. east of 9th avenue (Block 1045, Lots 12-15), Borough of Manhattan, was granted by the Board on July 29, 1924, on certain conditions; and

WHEREAS, Max Siegel, for Marlon Confections Corporation, present owner, filed on August 31, 1944, an application under Sections 7c and 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of a garage for more than five motor vehicles and a motor vehicle repair shop, previously granted by the Board, to a confectionery factory; and

WHEREAS, this application was granted by the Board on October 17, 1944, on certain conditions, for a term of two years; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend the* resolution adopted on October 17, 1944, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7e for a term of ten (10) years from the date of this *amended* resolution, to permit the premises as permitted by the Board under Cal. 1432-18-BZ and 725-24-BZ as a garage and repair shop, to be occupied substantially as proposed as a candy factory and in accordance with the statement filed by the applicant dated October 11, 1944, and revised plans showing the basement floor, 1st floor, horizontal section and front elevation marked "Received October 13, 1944," *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of October 17, 1944, shall be complied with."

436-25-BZ

APPLICANT—Peggy Cooney, for Cormenita Solzone, new owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted under Section 7g of the zoning resolution, permitting in a residence use district, the alteration and extension of a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—117-119 Carroll street, north side, 130 ft. 6 in. east of Hicks street (Block 349, Lot 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peggy Cooney and E. J. Snackenberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (436-25-BZ)

WHEREAS, this application under Section 7g of the zoning resolution, permitting in a residence use district, the alteration and extension of a garage for the storage of more than five motor vehicles, affecting premises 117-119 Carroll street, north side, 130 ft. 6 in. east of Hicks street (Block 349, Lot 36), Borough of Brooklyn, was granted, by the Board on December 1, 1925, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution relative to the erection of a sign on the facade of the building.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted, on December 1, 1925, by adding thereto:

"... that a brand sign attached to a bracket on the face of the building may be constructed, provided such sign advertises only the brand of gasoline on sale, and that such brand sign may be illuminated and that other that as *amended* herein, the conditions of the resolution of December 1, 1925, shall be complied with."

459-37-BZ

APPLICANT—Harry Yahr, for Municipal Parking Stations, Inc., lessee, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under Section 7h of the zoning resolution, permitting partly in a business use, partly in a retail use and partly in a restricted retail district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—886 Seventh avenue and 201-209 West 56th street, northwest corner (Block 1028, Lots 25, 27, 29 and 29½), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry Yahr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (459-37-BZ)

WHEREAS, this application, under Section 7h of the zoning resolution, permitting partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a term of two years, the parking and storage of more than five motor vehicles; affecting premises 886 Seventh avenue and 201-209 West 56th street, northwest corner (Block 1028, Lots 25, 27, 29 and 29½), Borough of Manhattan, was granted by the Board November 9, 1938, on certain conditions; and

WHEREAS, the permit was extended on July 22, 1941 and July 27, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 9, 1938, as amended through July 27, 1943, only so far is it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises within the business and retail use districts to be used for parking and storage of more than five motor vehicles of the pleasure car type, *on condition* ... that other than as herein *amended*, the conditions of the resolution of November 9, 1938 shall be complied with and that a Certificate of Occupancy shall be obtained."

1184-38-BZ

APPLICANT—Jesse Donella, for Owl Garage, owner.

SUBJECT—Application for consideration—reopening and extension of permit re Application (decision of the borough superintendent) previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, the conversion of occupancy of part of an existing building to a motor vehicle repair shop for a term of two years.

PREMISES AFFECTED—217 and rear of 219 West 58th street, north side, 275 feet west of Seventh avenue (Block 1030, Lot 22), Borough of Manhattan.

APPEARANCES—
For Applicant: Jesse Donella.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (1184-38-BZ)

WHEREAS, this application under section 7i of the zoning resolution, permitting in a business use district, the conversion of occupancy of part of an existing building to a motor vehicle repair shop, premises 217 and rear of 219 West 58th street, north side, 275 ft. west of Seventh avenue (Block 1030, Lot 22), Borough of Manhattan, was granted by the Board on March 28, 1939, on certain conditions; and

WHEREAS, the permit was extended on March 25, 1941 and June 8, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 28, 1939, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7i for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be used as a motor vehicle repair shop, *on condition* ... that other than as herein *amended*, the conditions of the resolution of March 28, 1939, shall be complied with, and that a certificate of occupancy shall be obtained."

835-42-BZ

APPLICANT—Harry Yahr (lessee), for The Gerry Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a retail-1 use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—108-112 West 41st street, south side, 125 ft. west of Sixth avenue (Block 993, Lot 38), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry Yahr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (836-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, to permit in a retail-1 use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 108-112 West 41st street, south side, 125 ft. west of Sixth avenue (Block 993, Lot 38), Borough of Manhattan, was granted by the Board on July 20, 1943, on cretain conditions; and

WHEREAS, the applicant requested an extention of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 20, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the

premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . that other than as herein *amended,* the conditions of the resolution of July 20, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

82-43-BZ

APPLICANT—Ferdinand Savignano, for Louis L. Ahlers and Mary Fromer, owners (Celtic Circle, Inc., Sheepshead Bay Unit No. 1, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting partly in a residence use and partly in a business use district, the erection of a grandstand for an athletic field, the use of which is primarily for business purposes.

PREMISES AFFECTED—1232-1254 Avenue Z and 2602-2644 East 13th street, southwest corner and 2601-2649 Homecrest avenue (Block 7457, Lots 1 and 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank J. Meehan and Peter L. Siciliano.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (82-43-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a residence use and partly in a business use district, the erection of a grandstand for an athletic field, the use of which is primarily for business purposes, affecting premises 1232-1254 Avenue Z and 2602-2644 East 13th street, southwest corner and 2601-2649 Homecrest avenue (Block 7457, Lots 1 and 15), Borough of Brooklyn, was granted by the Board on October 5, 1943, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on April 4, 1944, October 31, 1944 and May 1, 1945; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 5, 1943 as amended through May 1, 1945, only so far as it has reference to otaining permits and completion of work, so as amended, this portion of the resolution shall read:

"*. . .* that all permits shall be obtained and all work completed within two months from the date of this *amended* resolution, except that any plumbing work shall be completed within six months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of October 5, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

91-43-BZ

APPLICANT—Vincent J. Bensi, for Cono Innamorato, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a junk shop.

PREMISES AFFECTED—279 (287 displayed) Frost street, north side, 190 ft. west of Debevoise avenue (Block 2858, part of Lots 29 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent J. Bensi.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (91-43-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, for a term of two years, the conversion of occupancy of an existing building to a junk shop, affecting premises 279 (287 displayed) Frost street, north side, 190 ft. west of Debevoise avenue (Block 2858, part of Lots 29 and 33), Borough of Brooklyn, was granted by the Board on July 13, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 13, 1943, only so far as it has reference to the term of the permit, so that as amended, this resolution shall read:

"*Granted* under section 7e for a temporary term of five (5) years from the date of this *amended* resolution, *on condition* . . . that other than as herein *amended,* the conditions of the resolution of July 13, 1943, shall be complied with, and that a certificate of occupancy shall be obtained."

52-38-BZ

APPLICANT—George S. Kingsley, for Lincoln Warehouse Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a one-story extension to an existing business building; proposed extension to be used as a loading platform and truck space.

PREMISES AFFECTED—1187-1201 Third avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street, (Block 1424, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: F. C. Coughlan, James J. O'Neill and T. K. Cooper.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on September 11, 1945, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

660-44-BZ

APPLICANT—Henry Nordheim, for Doris Gordon, owner.

SUBJECT—Application for consideration—reopening and rehearing on a proposal to construct store—Application (decision of the borough superintendent) under sections 7a and 21 of the zoning resolution, to permit in a residence use district, the change of occupancy on first story of a store and office and residence building from store, apartment and garage to stores.

MINUTES

PREMISES AFFECTED—200 East Tremont avenue and 1884 Monroe avenue, southeast corner (Block 2804, Lot 7), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Request to reopening denied.
THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners.. Savage and Blum and Deputy Chief Gunn.. 4

Adjourned: 4:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY MORNING, JULY 17, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, July 10, 1945, and on Tuesday afternoon, July 10, 1945, were approved as printed in Bulletin No. 29, Volume 30.

ZONING APPLICATIONS

108-45-BZ

APPLICANT—Lama & Proskauer, for Building Management Corp., owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution.
PREMISES AFFECTED—94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama, L. W. Schloss.
For Opposition: Lawrence F. Sherman and Frederick Reiner.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to September 18, 1945 at 10 A.M. pending action of Board of Estimate.

796-23-BZ

APPLICANT—Lama & Proskauer, for 1507-1535 Coney Island Corporation, owner.
SUBJECT—Application reopened June 12, 1945—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the inclusion of an additional use, minor motor vehicle repairs in a showroom, in a garage and gasoline service station, previously granted by the Board.
PREMISES AFFECTED: 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. Lama and I. Tepper.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (796-23-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1507-1537 Coney Island avenue and 1101-1111 Avenue L, northeast corner (Block 6722, Lot 49), Borough of Brooklyn, was granted by the Board on July 24, 1923, on certain conditions; and

WHEREAS, on November 18, 1932, the resolution was amended, to permit the inclusion of a gasoline service station; and

WHEREAS, on April 24, 1945, the resolution was further amended, to permit the inclusion of a room for the display and sale of new and used cars; and

WHEREAS, the applicant requested a further amendment of the resolution, to minor motor vehicle repairs in a showroom; and

WHEREAS, this case was reopened by vote of the Board on June 12, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompaying the zoning resolution show that Coney Island avenue is in a business use, C area and Class 1¼ times height district; East 10th street and East 12th street are in a residence use, C area and Class 1¼ height district; and Avenue L is in a residence and business use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated May 28, 1945, on Alt. Applic. 2478-44, reads:

"2. Additional use (minor automobile repairing) must be considered by the Board of Standards and Appeals—Cal. 796-23-BZ. Denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 275 ft. frontage by 100 ft. in depth, on which is located a one-story Class 3 constructed building, 110 ft. by 225 ft. irregular in area, occupied as a garage for more than five motor vehicles, with one half of the front at the Avenue L end of plot occupied as a gasoline service station and the central portion of the garage as a showroom and that it is proposed to use a portion of the garage for minor alterations and repairs to cars; and

WHEREAS, the applicant contends that the premises are presently improved with a one-story masonry building, used as a public garage and gasoline service station, which uses were granted by the Board of Standards and Appeals under Cal. 796-23-BZ; that the owners desire to construct an automobile showroom and minor automobile repairing in the present building, approximately 34 ft. by 56 ft.; also to remove a portion of the brick wall facing Coney Island avenue, for show windows and to enlarge the present toilet facilities; that it is also proposed to construct a tower at the entrance of the showroom of glass brick, remove the present parapet of the northerly portion of the existing building and construct same as shown on plans filed with this application; that the additional uses will in no way affect the general surroundings; that an automobile showroom is a permitted use in a business zone; that the repairing will be restricted to hand tools and car adjusting, such as required for an automobile dealer and no forges or open flames will be used; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 24, 1923 as amended through April 24, 1945 by adding thereto:

"that a portion within the building, toward the north at the rear not exceeding 1,000 sq. ft. in area, may be used as a repair shop for minor repairs, including electric or acetylene welding and minor painting, in connection with cars owned and dealt in by the owner, as indicated on plans filed with this application marked "Received July 3, 1945," except that the repair shop shall

be located as herein required, *on condition* that such repairs shall be by hand tools only; that no heavy work or collision work shall be carried on; that the repair room shop space shall be separated from the balance of the garage by a wire mesh grille from the floor to the ceiling; that in all other respects, the resolution, as originally adopted and amended through this date, shall be complied with and such additional permits in connection with such repair shop, shall be obtained; that this variance is granted only so long as the showroom use previously granted is continued; that all work shall be completed within six (6) months from the date of this *amended* resolution."

280-31-BZ

APPLICANT—Harry H. Goebel, for Grace Locicero, owner.

SUBJECT—Application reopened June 26, 1945 for consideration as to extension of permit—expired by limitation—Application (decision of the borough superintendent), previously granted on condition, under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the maintenance of a gasoline service station.

PREMISES AFFECTED—162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: H. H. Goebel.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (280-31-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the erection and maintenance of a gasoline service station, affecting premises 162-02 to 162-06 Cross Bay boulevard, southwest corner of 162nd street (Block 4046, Lot 5), Howard Beach, Borough of Queens, was granted by the Board on November 12, 1931, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on March 10, 1942; and

WHEREAS, the applicant requested a further extension of the permit, which expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on June 26, 1945, restored to the calendar and set for hearing on July 17, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the applicant states that the excessive signs and the repairing work that has been unlawfully carried on, will be discontinued and that the premises will be occupied only as permitted under the variance granted by the Board by resolution of November 12, 1931, as amended to date.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 12, 1931, as amended through March 10, 1942, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section, 7, subdivision f, for a term of two (2) years from the date of this *amended* resolution, *on condition* . . . that other than as herein *amended*, the conditions of the resolution of November 12, 1931, shall be complied with and that a certificate of occupancy shall be obtained (N.B. 2817-31)."

191-34-BZ

APPLICANT—Herman Kron, for 180th Street and Boston Road, Inc., owner.

SUBJECT—Application reopened March 27, 1945—Application (decision of the borough superintendent) under Section 7h of the zoning resolution, to permit in the business portion of a plot located in a business and residence use district, the erection and maintenance of a gasoline service station and the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2087 Boston road, north side, 91.96 ft. east of East 179th street (Block 3137, Lot 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Bertha Mapes, H. Klorfein, Dep't of Parks, and Norma Lurie.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (191-34-BZ)

WHEREAS, this application, under Section 21 of the zoning resolution, to permit on a plot of ground located in a business use district and extending into a residence use district, the use of the premises as a parking space for more than five motor vehicles, affecting premises 2087 Boston road, west side, 91.96 ft. north of East 179th street (Block 3137, Lot 20), Borough of The Bronx, was denied by the Board on November 27, 1934; and

WHEREAS, on June 30, 1936, the Board denied a similar application, predicated under Section 7h of the zoning resolution, for a term of two years; and

WHEREAS, on March 25, 1941, the Board again denied a similar application, predicated under Sections 7h and 21 of the zoning resolution; and

WHEREAS, on February 2, 1943, the Board dismissed an application, to permit under Sections 7f and 21 of the zoning resolution, the erection and maintenance of a gasoline service station; and

WHEREAS, the applicant requested a reopening and reconsideration of the application, on a new proposal, under Sections 7h and 21 of the zoning resolution, to permit the erection and maintenance of a gasoline service station and the parking and storage of more than five motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on March 27, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Boston road and East 180th street are in a business use, B area and Class 2 height district; Bryant avenue and East 179th street are in a residence use, B area and Class 2 height district and Bronx street is in an unrestricted use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated March 1, 1945, re N.B. Applic. 703-41, reads:

"1. The use of these premises for a gasoline service station and the parking and storage of more than five motor vehicles in a partly business and partly residence use district, is contrary to Art. II. Sec. 3 and 4 Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 118 ft. frontage by 100 ft. in depth, now vacant, on which it is proposed to erect a 10 ft. by 10 ft., one-story Class 3 construction office, and tanks and pumps for a gaso-

line service station and to occupy the balance of plot for parking and storage of more than five motor vehicles, the area used being confined to the business use district; and

WHEREAS, the applicant contends that at present, there is no other use to which this property may be put until such time as material and labor will be available to put these premises into a conforming use; it is requested that permission be granted to use the premises as a gasoline service station and the parking and storage of more than five motor vehicles for a temporary period of five years, under Sections 7h and 21 of the zoning resolution; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, at the hearing, the applicant amended the application to omit the proposal for a gasoline service station; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant under Section 7, subdivision h, of the zoning resolution, and that the applicant failed to substantiate basis to warrant exercise of discretion to grant under Section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 703-41, Objection 1 be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

872-39-BZ

APPLICANT—Herman Kron, for Paramount Filling Stations, Inc., owner.

SUBJECT—Application reopened March 20, 1945—Application (decision of the borough superintendent) under Sections 7c and 21 of the zoning recolution, to permit in a business use district, the erection of a lubritorium and office building over present lifts on an existing gasoline service station.

PREMISES AFFECTED——7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O (Block 6574, Lot 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Murray Rosen, Henry Gotlin, Philip Heller, William D'Antonio, Sam Saritel, S. Levitas, Harry Tromberg and Ben Kushel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Chief Deputy Gunn... 4

THE RESOLUTION (872-39-BZ)

WHEREAS, this application under sections 7h and 21 of the zoning resolution, to permit in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, on part of a lot used as a gasoline service station, affecting premises 7001-7019 Bay parkway, southwest corner of West 10th street and 1-23 Avenue O (Block 6574, Lot 6), Borough of Brooklyn, was withdrawn on February 6, 1940; and

WHEREAS, on May 19, 1942, an application was again withdrawn which was predicated under Sections 7a and 7h of the zoning resolution, to permit the extension of an accessory building and also the parking and storage of more than five motor vehicles; and

WHEREAS, on March 7, 1944, an application was again withdrawn, which was predicated under sections 7h and 21 of the zoning resolution, to permit the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant requested a reopening and reconsideration of the application on a new proposal, under sections 7c and 21 of the zoning resolution, to permit the extension of an existing gasoline service station and the erection of an office and lubritorium; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subect to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bay parkway and Avenue O are in a business use, C area and Class 1½ height district; West 10th street, between Bay parkway and Avenue O is in a business use, C area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated February 26, 1945, re N.B. Applic. 262-45, reads:

> "4. Proposed extension of the area of the present gasoline service station and the erection of an office and lubritorium in a business use district, is contrary to Art. II, Sec. 4(a) 46 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 175.32 ft. by 102.97 ft. frontage, by 235.14 ft. irregular in area, on which is located a one story concrete block 2 car garage, 19.1 ft. by 29.11 ft. office, a one family dwelling, 26.2 ft. by 48.2 ft. and a one story concrete block building, 14.9 ft. by 28.4 ft. and tanks and pumps of a gasoline service station and that it is proposed to erect a one story lubritorium and office of Class 3 construction, 26 ft. by 50 ft., the office being a circular section 25 ft. radius and to change present office buildings to brake service; and

WHEREAS, the applicant contends that it is proposed to alter the present office to brake-service and enclose the present open grease pits with a new building, because the pits cannot be used in bad weather; that the building will comply with the Building Code and all laws governing such structures; that it will be constructed of face brick or brick and white cement plaster, and part of the windows will have glass blocks; that it will beautify the premises, in view of the fact that the greasing of the cars at present is being done in the open air; it is therefore respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision c, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulties and unnecessary hardships.

Resolved, that the decision of the borough superintendent dated February 26, 1945 re N.B. Applic. 262-45, Objection 4, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

420-43-BZ

APPLICANT—John E. Cahill, for National Fabricating Co., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use, F area district, a one story extension to an existing factory build-in, and not complying with F area district requirements.

PREMISES AFFECTED—129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: A. Paul Loshen and E. Tykets.

For Opposition: Harold Klorfein, Dept. of Parks.

For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

Negative 0

MINUTES

THE RESOLUTION (420-43-BZ)

WHEREAS, John E. Cahill, for National Fabricating Company, owner, filed August 30, 1943, an application under sections 7c and 21 of the zoning resolution, to permit in a residence use, F area district, a one story extension to an existing factory building and not complying with F area district requirements, affecting premises: 129-01 North Conduit avenue and 135-41 129th street, northeast corner (Block 11863, Lot 12), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that North Conduit avenue, 128th, 129th and 130th streets are in a residence use, F area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 3, 1944, re Alt. Applic. 322-44, reads:

"1. The use of an existing building of which the department has no record and its extension for factory use in residence use district is contrary to Article 2, Section 3 of the Zoning Resolution.

"2. Setback of 15 ft. not provided, as per Sec. 16a and rear yard as per Sect. 16b. Zoning Resolution.

"3. Side yard not as per Sect 16c, Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 120.5 ft. frontage by 40.68 ft. in depth, on which is located a one story, Class 3 constructed building, 32 ft. 8 in. by 38 ft. 7 in. occupied as a shop for light manufacturing; that it is proposed to erect a one story extension to this building, of Class 3 construction; the extension to be 32 ft. 8 in. by 30 ft.; that the building is to be occupied as shop, office and light manufacturing; and

WHEREAS, it is contended that the applicant herein is entitled to a variation of the provisions of Sections 3 and 16 of the zoning resolution under the powers vested in the Board under sections 7c and 21 of the zoning resolution; that the question involved is the erection of a small shop and office for light manufacturing work; that the building is 30 ft. wide, 32 ft. 8 in. in depth, and a height of 10 ft.; that the owner engaged the applicant as architect, to file the plans for the shop building and in due course, the objection now appealed was issued on such plans; that meanwhile, the owner engaged a contractor, who began finishing work on the building until a violation was issued; that the present building at the rear of the same lot has always been used as a machine shop since 1927; that while there is no excuse for the owner's ignorance of the provisions of Sec. 3 of the zoning resolution, it is urged that the Board take judicial notice of the fact that the area district regulations in this district were changed from business to residential use, F area on November 28, 1938 and it is only practical to assume that the owner logically felt that he could erect the same type of building as he and others now have in the neighborhood; that the neighborhood at present is extensively used for business and manufacturing; that in view of these circumstances, it is requested that the Board grant a variation under section 7c of the zoning resolution, to permit the construction of the shop as proposed of class 3 construction, surfaced on the exterior with cement plaster (white) and roof surfaced with 5 ply ruberoid roofing, flat type with parapet as shown on plans filed with the Borough Superintendent under N.B. Applic. 105-43 and also as shown on plans filed with this application; that only about one-half of the plot is built upon, and to set back the new extension 15 ft., would cut down its area, and render it useless for the work necessary to be done; that the owner feels that as he has a non-conforming use, and is engaged in emergency war work, it would be a hardship to be compelled to comply with the F area district requirements; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution as to extension of use, and that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under sections 7c and 21 thereof, to permit the extension of the existing building as proposed as to use and as to area, *on condition* that the building shall not be further increased in height or area; that this variance shall be for a term of not more than two (2) years from the date of this resolution; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that in all other respects, the building shall comply with the requirements for the residential zone; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that no signs shall be erected on the premises; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

730-44-BZ

APPLICANT—Kobie Klinghoffer, for Lotli, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoing resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Pokorny and Thomas Bress.

For Opposition: Priscilla Peters, Rose Walcott, Henry Rosenthal.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (730-44-BZ)

WHEREAS, Kobie Klinghoffer, for Lotli, Inc., owner, filed December 15, 1944, an application under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; affecting premises: 47 Brevoort place, northwest corner of Bedford avenue (Block 2017, Lot 39), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bedford avenue, Fulton street and Brevoort place are in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated November 17, 1944, re N.B. App. 305-44, reads:

"1. Proposed gasoline filling station in a business use district, is contrary to Art. II, Sec. 4a 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 79⅔ ft. frontage by 104¼ ft. in depth and that it is proposed to erect a gasoline service station, consisting of a store, car washing and lubrication building, 57 ft. by 30 ft., irregular in area and to install the necessary tanks and pumps as shown on plans filed with this application; and

WHEREAS, the applicant contends that nothing can be built on the site to make it yield a reasonable return, if compelled to comply with the permitted uses in a business use district; that the property is in a neighborhood which has greatly deteriorated and where property values are very low; that no new improvements have been built in this area for a long time; that the use of the premises for a gasoline station will not alter the essential character of the neighborhood; that Fulton street, since the removal of the elevated transit system, has become a main traffic thoroughfare, with considerable increase in transient vehicular traffic, so much so, that this location is one of the important cross motor arteries in Brooklyn; that most of the property in vicinity is boarded up, apartments are empty and stores are closed; that there is no demand for new stores or buildings; that to put up new stores would only be a non-paying proposition, but would be detrimental to other stores in the neighborhood; that the plight of the owner is due to unique circumstances and not to general conditions existing therein; that there is no market for this property and it cannot be disposed of; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant under section 7, subdivision f of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 305-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

101-45-BZ

APPLICANT—John H. Knubel, for 795 Eighth Avenue Corp., owner (Ida Ballocci, d/b/a Du Midi Restaurant, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the extension of a basement restaurant, by the erection of a one story addition at the rear.

PREMISES AFFECTED—311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan.

APPEARANCES—

For Applicant: John Knubel and Patrick Burke.
For Opposition: None.
For Administration: Fred Dahlem, Dept. Housing & Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (101-45-BZ)

WHEREAS, John H. Knubel, for 795 Eighth Avenue Corp. owner (Du Midi Restaurant, lessee), filed February 28, 1945, an application under section 7e of the zoning resolution, to permit in a residence use district, the extension of a basement restaurant, by the erection of a one-story addition at the rear; affecting premises—311 West 48th street, north side, 150 ft. west of 8th avenue (Block 1039, Lot 26), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that West 47th street, West 48th street and West 49th street are in a residence use, B area and Class 1½ height district; 8th avenue is in a Retail-1 use district, B area and Class 1½ height district; and 9th avenue is in a retail use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated February 26, 1945, re Alt. App. 1139-44, reads:

"4A. Records do not show an extension at the rear of basement story. New extension at basement story for business purposes, is contrary to Art. 2 and 7 of the Zoning Resolution.

Note: Residence District.

C1. Repeat. The extension of the building within a residence district, is contrary to Art. II sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 20 ft. frontage by 100 ft. in depth, on which is located a 3 story and basement, Class 3 constructed building, 20 ft. by 50 ft. in area, occupied: basement restaurant; 1st, 2nd and 3rd stories, multiple dwelling, and that it is proposed to erect an extension at the rear of the basement, 20 ft. by 11 ft. 3 in. for kitchen and toilets; and

WHEREAS, the applicant contends that the building is now occupied as a restaurant on the basement floor and the three upper floors are used as single room occupancy, being furnished rooms; that an extension existed at the rear of the basement, approximately 8 by 10 ft. in size, being 1 story in height, which contained toilet accommodations, stockroom and an entrance to the yard; that the said existing extension was of frame construction and in a dilapidated condition; that the new or rebuilt extension is to be used for toilet accommodations, kitchen and an entrance to the yard; that the extension will be of fireproof material throughout, including the roof; that the kitchen had heretofore existed at the rear of the basement in the main building; that by moving it to the new proposed fireproof extension, the fire hazard will be materially reduced; that as the extension is situated at the rear, none of the adjoining or adjacent property owners will suffer any ill effects or depreciation by the granting of this appeal; that a ventilating system is to be installed, with ducts extending above the roof of main building, thus no odors or smoke will cause nuisance to the adjoining owners, as well as no unsightly appearance at the rear of the building; that the lessee of the upper portion of the building has filed with this application, an affidavit showing the conditions as formerly existed; that additional affidavits have been filed with the Dept. of Housing and Buildings with Alt. Applic. 1139-1944; that the section in which the site under appeal is located, was rezoned from business use to residence use, on November 13, 1936; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 7e thereof, to permit extension of the building at the rear of the existing building on the basement story only, substantially as indicated on plans filed with this application marked "Received February 28, 1945"; that such extension may be used as proposed as a kitchen and toilets, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the existing business use within the building shall not be extended beyond the basement story; that all permits shall be obtained and all work completed within 3 months from the date of this resolution.

227-45-BZ

APPLICANT—Charles S. Ward, for Francis J. Meyer, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use, C area district, the extension in area of a store and factory building, covering at the curb level, more than 60% of the area of the plot.

PREMISES AFFECTED—146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: C. Ward and A. Renander.
For Opposition: E. von Sutten.
For Administration: Fred Dahlem, Dept. of Housing & Buildings.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

THE RESOLUTION (227-45-BZ)

WHEREAS, Charles S. Ward, for Francis J. Meyer, owner, filed April 16, 1945 an application under section 21 of the zoning resolution, to permit in a C area district, the extension in area of a store and factory building covering at the curb level, more than 60% of the area of the plot, affecting premises 146-06 to 146-10 Hillside avenue, south side, 40 ft. east of 146th street (Block 9690, Lots 3, 4 and 5), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hillside avenue and Sutphin boulevard are in a business use, C area and class 1½ height district and 146th street is in a residence use, C area and class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated December 2, 1944, on Alt. Applic. 938-44, reads:

"This Department's approval of the subject application given on October 4th, 1944 is hereby revoked, as the proposed construction does not comply with the requirements of the amendment to the Zoning Resolution which became effective December 2nd, 1944."

and

WHEREAS, the decision of the borough superintendent, dated June 11, 1945, re Alt. Applic. 938-44, reads:

"1. In a C district, no building shall occupy at the curb level more than 60% of the area of the lot, sec. 13 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 60 ft. frontage by 100 ft. in depth, on which is located a two story building at the front, 60 ft. by 54 ft. 6 in. in area, and a one story building at the rear, 60 ft. by 18 ft. 8 in. in area, with an open space 26 ft. 10 in. in depth; that it is proposed to roof over a portion of this space and reconstruct the rear portion as an extension of the machine shop, the 2nd story front to be occupied by home and offices, 1st story—stores; and

WHEREAS, the applicant contends that the owner of the premises in question is doing business as the Meyer Motor Parts Company; that it has suffered substantial damages and business has been disrupted, due to the disapproval by the borough superintendent of the proposed alteration to the present buildings; that this is not a case where plans were filed to evade the law; that the applicant is the owner of buildings 148-06 and 148-08 Hillside avenue where he carried on his business of motor parts for sale, and machining of same for the public, Ranger Aircraft Co. and other companies; that his buildings consisted of stores, fronting on Hillside avenue and in the rear yard, he was using converted garages to do his machine work on these parts: that this space was inadequate for his war work contracts and in order to handle this work, he was compelled to enlarge these buildings in order to obtain space suitable for the placing of new machines to carry on his work; that in addition the owner bought the building at 146-10 Hillside avenue adjoining the other two, in order to obtain more space; that in buying this extra parcel, the owner got the right to close up the right-of-way that exists in the rear of the buildings and then proceeded to have plans made to cover this space, so as to connect up with all the buildings which would systematize his business; that the approval of the plans and applications for this work was then obtained; that the applicant had a search made in order to find out what rights he had to close over the right-of-way, which showed that he would have to acquire the additional property to build, as the approved plans show; that the new building was then purchased on September 1, 1944; that plans were then prepared and the approval was obtained on October 4, 1944; that on November 7, 1944, the contract for this work was awarded; that during this time, the contractor was assembling the various materials for the job and had difficulty in obtaining some of the material and had not made a start on the premises to actually building, even though he had some of the material on hand; that on December 2, 1944, the applicant received a notice from the borough superintendent that the approval had been revoked, due to the amendment in the zoning resolution which became effective December 2, 1944; that because of this revocation, the applicant has suffered substantial loss, such as search fees of $200, purchase of an additional piece of property, filing fees, etc.; that this alteration involves the erection of a one story extension at the rear of the building and the altering and repairing of the present buildings, to meet the requirements of law and the approved plans; that no parking problems are involved; that the applicant is involved in an essential business, which is much needed at the present time; that the W.P.B. has refused to grant any priority until a permit is obtained; that the applicant is engaged in the distribution of motor parts and the machining of the same for Inter-State and Intra-State operators of truck fleets, railroads, meat processors, baking companies, City of New York, car dealers; that the industries which the applicant supplies and the applicant enjoy AA1 priorities, because they are listed as essential in the prosecution of the war effort; that the applicant has prime contracts with the U. S. Army and U. S. Navy and it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 938-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

244-45-BZ

APPLICANT—Abraham Davis, for 133-135 Roosevelt Avenue Corporation, Kapp Trading Corporation and Jacob Burgheimer, owners (Fisher Beer Co., lessee).
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a C area district, the extension in area of a building to occupy 100% of lot area in the 1st story and to omit required loading space.
PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Opposition: None.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

THE RESOLUTION (244-45-BZ)

WHEREAS, Abraham Davis, for 133-135 Roosevelt Avenue Corporation, Kapp Trading Corporation and Jacob Burgheimer, owners (Fisher-Beer Company, lessee), filed April

18, 1945, an application under section 21 of the zoning resolution, to permit in a C area district, the extension in area of a building to occupy 100% of the lot area and to omit required loading space, affecting premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Price street and Roosevelt avenue are in a business and unrestricted use, C area and class 1½ height district and Main street is in a business use, C area and class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated March 20, 1945, on Alt. Applic. 1347-44, reads:

"2. Loading space must be provided in compliance with requirements of Sec. 19-b of building zone resolution. Note: Aggregate area is excessive.

3. Proposed increase in size of existing building by:

a. occupying previous unoccupied space.

b. by demolition of frame structures and extending of building, to include such space, is contrary to Sec. 13-c-b of building zone resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 64½ ft. frontage on Main street with a frontage of 75 ft. on Roosevelt avenue, 200 ft. in depth, irregular in area, on which are located 1 and 3 story, class 3 and 4 constructed buildings, occupied as stores and offices, with a small yard, 19 ft. 10 in. by 20 ft. and that it is proposed to alter and rebuild these buildings for the same occupancy covering the present yard; and

WHEREAS, the applicant contends that there is an existing 3 story and cellar frame building with a 1 story extension on 39-16 Main street; that there is a yard 14 ft. 10 in. long by 20 ft. 10 in. wide in the rear of this building; that this structure will be demolished and replaced with a 1 story building connected to 39-12 Main street; that on 136-37 Roosevelt avenue, there is a 2 story and cellar brick building with a 1 story extension; that there is a yard on one side of the 1 story extension 4 ft. 2 in. wide by 15 ft. 8 in. long, and a yard in the rear 2 ft. 2 in. wide by 20 ft. 10 in. long; that this structure will be altered and connected to present 1 story building 135-33 to 35 Roosevelt avenue; that the building located at 39-16 Main street is a fire hazard, being frame construction, is obsolete and depreciates the value of the neighboring buildings; that by the demolition of this structure and the erection of a brick building, it will automatically improve the neighborhood, removing the fire hazard and eye-sore of the existing building; that the building at 135-37 Roosevelt avenue has a yard in the side and rear; that the total area of these yards is approximately 120 sq. ft. and is filled with rubbish and dirt; that it is proposed to alter and extend the building as indicated on plans filed with this application; that the plans have been completed long before the amendment to the zoning resolution by the City Planning Commission and were filed with the Department of Housing and Buildings some time previous to the amendment of the zoning resolution; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and was therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship as to area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 of the zoning resolution, as to Alt. Applic. 1347-44, objection 3, to permit the extension of area as proposed, by removing the buildings now substantially covering the entire plot and replacing with new buildings as proposed, not over one story and cellar in height, except for a portion 2 stories in height, and to permit such building to be joined with the existing building occupied by the applicant, *on condition* that the enlarged building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all stairs shall be carried to roof; that all permits shall be obtained and all work completed within one year from the date of this resolution, and *denied* as to objection 2, without prejudice to request for rehearing after investigation as to acquisition of additional space adjacent to the existing right-of-way for loading and unloading.

254-45-BZ

APPLICANT—Lama & Proskauer, for Joseph Ledogar and James Pond, owners.

SUBJECT—Application (decision of the borough superintendent) under sections 7A and 7i of the zoning resolution, to permit in a business use district, the erection of a building to be occupied as a showroom and conducting minor motor vehicle repairs with a business entrance more than 25 ft. from the intersection of the business and residential streets.

PREMISES AFFECTED—186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: A. Lama and David Jackofsky.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (254-45-BZ)

WHEREAS, Lama & Proskauer, for Joseph Ledogar and James Pond, owners, filed May 1, 1945, an application under sections 7A and 7i of the zoning resolution, to permit on a plot in a business and residence use district, the erection of a building to be occupied as a show room and the conduct of minor motor vehicle repairs with a business entrance more than 25 ft. from the intersection of the business and residential streets, affecting premises 186-35 to 186-49 Merrick boulevard, and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Merrick boulevard and Springfield boulevard are in a business use, C area and Class 1 height district; Ridgedale street and Defoe street are in a residence use, C area, and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1945, re N.B. Applic. 143-45, reads:

"1. The above premises located within a business and residence district used as an automobile repair shop, is contrary to Art. 2, Sec. 3 & 4 of the B.Z.R.

2. Business entrances more than 25 ft. back from Merrick road on Ridgedale avenue, is contrary to Section 7A of the B.Z.R."

and

WHEREAS, the applicant states the premises consist of a plot, 163.66 ft. frontage by 139.94 ft. in depth, located partly in a business use and partly in a residence use district and that it is proposed to erect a one story, Class 3 constructed

building 100 ft. by 100 ft. in area to be occupied as automobile show room, motor vehicle repair shop with an entrance to the building 55 ft. from the intersection of Merrick boulevard and Ridgedale street; and

WHEREAS, the applicant contends that at the present time the plot is vacant; that it is proposed to construct thereon an automobile showroom, 100 ft. frontage by 100 ft. in depth, one story in height, that it also proposed to construct a brick wall on the unbuilt portion along Ridgedale avenue, and also on Merrick boulevard; that permission is requested to permit minor motor vehicle repairing in the premises; that this use is synonomous with the sale of automobiles; that the building will be constructed entirely within the business district; that surrounding the immediate area, there is a gasoline service station on the corner of Merrick boulevard and Springfield boulevard, Block 12956, Lot 1; that Lot 72 of Block 13009 is improved with an automobile showroom; that this use is in conformance with the general uses along Merrick boulevard and will in no way affect the adjoining property owners; that the unbuilt portion of the plot will be tarvia paved and the same will be maintained in good condition; that in view of the foregoing facts, it is respectfully requested that the Board grant this application; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under sections 7i and 7A of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under Section 7i thereof, to permit minor repairs only to motor vehicles dealt in by the proposed sales agency, within the building erected entirely within the business use district, substantially as indicated on plans marked "Received July 17, 1945," *on condition* that no portion of the area to the rear in the residential district shall be occupied in connection with such building; that the repair work shall be done mainly by hand tools, except that motor drill and grinder may be permitted, provided such machines are driven by a motor not exceeding ½ h.p. each, and permitting acetylene or electric welding and painting in connection with such motor vehicle repair work, provided such work is subject to lawful permits; that no forge or anvil shall be maintained at the premises and no collision or other heavy repair work shall be carried on; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all openings in the rear wall of the building shall be filled with approved glass block and no other openings shall be permitted in such rear wall; that a suitable fence shall be erected from the rear of the building, westerly, to the side lot line on the line of the business and residence district and *granted* under section 7A, to permit one entrance from Ridgedale avenue, substantially as shown on such plans, at a distance back from Merrick boulevard, not exceeding 50 ft.; that a curb cut opposite such entrance may be permitted, provided same is not over 15 ft. in width; that all permits shall be obtained and all work completed within one year from the date of this action.

262-45-BZ

APPLICANT—Alden B. MacNeil, for Albert Zoller, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the alteration and change of occupancy of a garage for more than five motor vehicles to a factory (knitting mill).

PREMISES AFFECTED—16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Alden B. MacNeil and Victor Maillard.

For Opposition: Samuel Y. Gitkin, Nick Aler, H. Kreiselmeier, Sophie Erbacher, Catherine Stegle, Mary Sciortino, Marie Raessler, Freda Duelke, Jacob Rollender and George Bankert.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (262-45-BZ)

WHEREAS, Alden B. MacNeil, for Albert Zoller, owner, filed May 4, 1945 an application under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the alteration and change of occupancy of a garage for more than five motor vehicles to a factory (knitting mill), affecting premises 16-38 Hancock street, southeast side, 365.30 ft. northeast of Wyckoff avenue (Block 3549, Lots 30 and 31), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Jefferson and Hancock streets are in a residence use, C area and class 1 height district; Wyckoff avenue and Cypress avenue are in a business use, C area and class 1 hight district and Weirfield street is in an unrestricted use, C area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, on Alt. Applic. 409-45, reads:

"1. The change in use and the reconstruction of the building from a public garage to a factory in a residence district, is contrary to sections 6 and 3 of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 ft. frontage by 100 ft. in depth, on which is located a one story 50 ft. by 100 ft. garage for more than five motor vehicles and that it is proposed to change the occupancy to light manufacturing (knitting mill); and

WHEREAS, the applicant contends that the zoning was originally unrestricted and was changed to residential use and C area under amendment of December 15, 1927; that under the unrestricted zoning, the public garage in question was approved and built in 1923 and has continued as such to the present time; that the street on which the public garage fronts is an 800 ft. block, and is used for business in the residential portion to the extent that there is a knitting mill at 16-25 Hancock street, a public garage at 16-27 Hancock street, a public garage at 16-38 Hancock street, a store at 16-52 Hancock street, a knitting mill at 16-47 Hancock street, and a brewery from 16-62 Hancock street, to within one hundred feet of the corner of Cypress avenue; that the rear property line borders on an unrestricted use district; that the present use of the building requires an all night and day operation with the resultant noises and odors of cars passing in and out of the large doorway, and the noises of the manipulation of the doors themselves; that the new use of the building would contain itself behind a new attractive glass block and panel and small doorway in place of the large doors now existing and would in every respect be a cleaner, less odorous, and quieter occupation of the premises, resulting in a benefit rather than a detriment to the residential occupants of the street; that the adjacent twenty-five by one hundred foot vacant propery would be used as a means of egress and for the handling of light merchandise and would be kept clean; that the owner contemplates at some future time, to erect his own residence on this plot; that in view of the foregoing facts, it is requested that permission be granted to change the use of this

building to a kniting mill, and to permit the necessary contingent alterations as shown on the plans filed with this application; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision c, which section is inapplicable, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulties and unnecessary hardships.

Resolved, that the decision of the borough superintendent dated May 2, 1945, on Alt. Applic. 409-45 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

274-45-BZ

APPLICANT—Lama and Proskauer, for Dora F. Kraut, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot, now used as cow stable.

PREMISES AFFECTED—6502-6542 79th street (6502-6544 displayed) and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: John Julwye, James A. Phillips, Gertrude P. Fritsch and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

THE RESOLUTION (274-45-BZ)

WHEREAS, Lama and Proskauer for Dora F. Kraut, owner, filed May 8, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the extension of an existing milk bottling establishment to another building on the same plot, now used as a cow stable; affecting premises 6502-6542 (6502-6544 displayed) 79th street and 7812-7820 Furmanville avenue, southwest corner (Block 3040, Lot 2), Middle Village, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Juniper Valley Road, Furmanville avenue, 78th and 79th streets are in a residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, re Alt. Applic. 643-45, reads:

> "1. As premises are located within a residence district, proposed use as a factory is contrary to Article 2, Section 3 of B.Z.R."

and

WHEREAS, the applicant states the premises consist of a plot, 432.83 ft. frontage by 150.12 ft. in depth, on which is located several buildings occupied as garages, offices, pasteurizing plant, etc. and the building in question, which is one and two stories, brick, 82 ft. by 146 ft., occupied as cow stable; that it is proposed to change the use of this cow stable to a pasteurizing and milk bottling plant; and

WHEREAS, the applicant contends that the premises consist of a plot having a frontage of 432 ft. 8.3 in. long 79th street, 150.12 ft. on the southerly lot line, 300 ft. on the westerly lot line 100.75 ft. on northerly lot line; that the premises have been used as a dairy farm since 1890; that there are several buildings on the property, their uses noted on the plan showing existing conditions; that the building in question is a two story brick building 82 ft. by 146 ft., used as a stable for 160 cows and hay loft; that it is the intention of the owners to discontinue all cow stables on the premises and alter the building in question into a pasteurizing and milk bottling plant; that at the present time, this use is permitted on the premises, as noted in the Certificate of Occupancy 177, issued on June 29, 1920, which calls for cow barns, milk bottling and distribution station, classified as a factory; that it is the intention of the owners to discontinue all cow stables and confine the use solely to milk bottling and distributing station; that in view of the fact that all stables will be removed from the premises and that bottling is now permitted on the premises, this proposed extension will in no way affect the general character of the community and it is respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the premises do not constitute a farm, but a lawful non-conforming use established before 1916, as a city dairy; and

WHEREAS, the Board deemed that such use can be continued, provided no milk produced elsewhere, is brought to the premises; and

WHEREAS, the Board deemed that the proposal could not be considered as an extension of a factory use, as none existed, except in so far as it was an accessory use—i.e. the bottling of milk produced on the premises; and

WHEREAS, the Board was of the opinion that what constitutes a new and enlarged use would not be permitted; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 643-45, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

384-45-BZ

APPLICANT—A. Joseph Geist, for Rockaway Park Series Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of a building in the 1st and 2nd story to the street line, the building as extended, exceeding in the 2nd story, the lot area permitted in a B area district.

PREMISES AFFECTED—54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (384-45-BZ)

WHEREAS, A. Joseph Geist, for Rockaway Park Series Corporation, owner, filed June 21, 1945, an application under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of a building in the 1st and 2nd stories to the street line, the building as extended in the 2nd story, exceeding the lot area permitted in a B area district; affecting premises 54 West 56th street, south side, 193 ft. east of 6th avenue (Block 1271, Lot 66), Borough of Manhattan; and

MINUTES

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 17, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Sixth avenue is in a retail use, B area and Class 1½ height district; West 55th street and West 56th street are in a retail use, B area and Class 1½ height district and West 57th street is in a restricted retail use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent dated June 6, 1945, re Alt. Applic. 771-45, reads:

"This amendment disapproved as follows:

A-1. Repeat. Extension of building at 2nd story which will occupy 73% of the lot above curb level, is contrary to amended Sec. 12B of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 20 ft. frontage by 100 ft. 5 in. in depth, on which is located a 5-story, Class 3 constructed building, 20 ft. by 61 ft. 4 in. by 82 ft. 10 in. in area in the 1st story and 20 ft. by 55 ft. 6 in. and 77 ft. in area above occupied as a dwelling and that it is proposed to extend the building to the street line and occupy the building as a retail store, showroom and dwelling; and

WHEREAS, the applicant contends that the existing building is 5 stories in height, 20 ft. front by 55 ft. 6 in. in depth with a 3 story extension at rear, 9 ft. 5 in. by 21 ft. 6 in. in size; that the front of the building is now set back 5 ft. 5 in. from the building line at the street level, and 5 ft. 11 in. at the upper stories; that the building is located in a retail use, "B" area district; that the lot is less than 5,000 sq. ft. in area, and does not adjoin a residence district; that it is proposed to build a two story brick extension at the front of the building, so that the front wall of this extension will be at the building line and flush with the front walls of the adjoining buildings at both sides; that it is desirable to have the front extended out to the building line, as the 1st floor is to be used as a retail store, and the 2nd floor is to be used as office and showroom; that the existing building at the 2nd floor level is 1,352 sq. ft. in area; that the proposed extension is 20 ft. by 5 ft. 11 in. in size, 118 sq. ft. in area; that the building with extension at this floor, will be 1,470 sq. ft. in area and will occupy 73% of the lot and the area is restricted to 65% of the lot; that all of the buildings on the south side of the street between 5th and 6th avenues have been extended and built out to the building line, with the exception of the buildings at 20 and 64 West 56th street, which buildings have frontages of 25 ft. and 20 ft. respectively; that approximately 80% of the buildings on the north side of the street between 5th and 6th avenue have been extended and built out to the building line; that with a few exceptions, practically all of the buildings on this street are used for business purposes; than on June 12, 1931, the use of this plot was changed from business to retail, no other changes have been made; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and was therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the extension of use as proposed, restricted to the portion at the front for not over two stories in height and not exceeding 23 ft. from the curb to the top of the parapet, as indicated on plans filed with this appeal marked "Received June 21, 1945," *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

270-45-A

APPLICANT—International Harvester Co., lessee, for Frederick Hussey Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—534-552 11th avenue, east side, from West 41st to West 42nd street, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Ortman.

For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Laid over to July 27, 1945 at 10 a. m. for letter of authorization of owner.

379-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Laid over to July 27, 1945 at 10 a. m. for further consideration.

380-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in coformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Laid over to July 27, 1945 at 10 a. m. for further consideration.

381-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Laid over to July 27, 1945 at 10 a. m. for further consideration.

245-45 A

APPLICANT—Abraham Davis, for Kapp Trading Corp., 133-135 Roosevelt Avenue Corp., and Jacob Burgheimer, owners (Fisher-Beer Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4967, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD — Appeal withdrawn in view of action taken as to loading platform, under Cal. 244-45-BZ.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

350-45-A

APPLICANT—Brooklyn Varnish Manufacturing Co., Inc., lessee, for New York City Housing Authority, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—35-37 Nostrand avenue and 1-15 Hopkins street, northeast corner (yard area); (Block 1719, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Dean C. Anderson.
For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

637-44-A

APPLICANT—Abraham Davis, for Kapp Realty Corp., Jacob Berheimer and Harry Benheim, owners (Fisher-Beer Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Otis and A. Davis.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (637-44-A)

WHEREAS, Abraham Davis, for Kapp Realty Corp., Jacob Bergheimer and Harry Benheim, owners (Fisher-Beer Company, lessee), filed November 10, 1944, an appeal from a decision of the borough superintendent, affecting premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue, north side, 100.18 ft. west of Main street (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 8, 1944, on Alt. Applic. 1347-44, reads:

"6. Building is of excessive area for class 3 construction. Building must be of fireproof construction or sprinkler system provided. See requirements of 4.2.1 B.C."

and

WHEREAS, the applicant stated that a sprinkler system would be installed throughout the premises as enlarged and as permitted under Cal. 244-45-BZ.

Resolved, that the appeal be and it hereby is withdrawn, to comply.

192-45-A

APPLICANT—Henry George Greene, for The Houston Theatre Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan.

APPEARANCES—
For Applicant: H. G. Greene.
For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (192-45-A)

WHEREAS, Henry George Greene, The Houston Theatre Corporation, owner, filed March 28, 1945, an appeal from a decision and order of the fire commissioner, affecting premises 111-117 East Houston street and 229 Chrystie street, southwest corner (Block 427, Lot 27), Borough of Manhattan; and

WHEREAS, Order 40051-C issued by the Fire Commissioner, December 26, 1944, and quoted in a decision of the fire commissioner, dated March 28, 1945, reads:

"Surrender to bearer Fire Dept. permit 183178 dated to expire March 16, 1945, which is hereby revoked.

REASON: A recent inspection made December 4th, 1944, by Inspector of Combustibles shows that there are (water coolers) refrigerating units located in the halls of building located on 2nd, 3rd, 4th and 5th floors and not proper ventilation for same.

NOTE: Applies to F-11, F-12, F-114 used as a refrigerant as per C19.96.0.1.4 Admin. Code.

NOTE: Applies to an irritant or inflammable refrigerant as per C19.98-0.F.1. Admin. Code, C. of N.Y."

and

WHEREAS, the applicant states that the building is eight stories (98 ft.) in height, 86 ft. by 154 ft. 9 in. in area, Class 1 construction, erected in 1911; located in an unrestricted use, B area, Class 2 height district; used and occupied as follows: Cellar, boiler room and storage; 1st floor, stores and theatre, 1400 persons; 2nd to 8th floors, inclusive, meeting rooms and theatre, 146 persons on the 2nd floor, 161 persons on the 3rd floor; 129 persons on the 4th floor; 118 persons on the 5th floor; 156 persons on the 6th floor; 138 persons on the 7th floor and 106 persons on the 8th floor; that the building is equipped with an approved sprinkler system and an interior fire alarm system; that there are five interior fireproof stairs, leading directly to the street, one of which leads to the roof and three exterior fire escapes leading to the street by stairs and to the yard by stairs, with egress through a court from the yard to the street; that windows and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that this appeal is brought to maintain the existing coolers in their present locations as shown on the plans filed with this appeal; that the owner will provide metal exhaust hoods over each cooler with a flue leading to the outer air; that the coolers are completely sealed units, stationed out of the general exit area and do not interfere with traffic; that it would be impossible to relocate these coolers in any other position that would be accessible to all occupants of the building; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, acting on Order 40051-c, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

MINUTES

259-45-A

APPLICANT—Quinn Engineering Co., Inc., for Hudson and Manhattan Railroad Co., owner (Mid-Hudson Lunch Corp., Borden's Lunch Corp., Hanscom Baking Corp., John Davis, Nicholas Collins, Norman Drinks, Rand Tea and Coffee Stores, J. Gorman and Acadia Nature Foods Centers, lessees).

SUBJECT—Appeal from orders and a decision of the fire commissioner.

PREMISES AFFECTED—30 and 50 Church street, west side, from Cortlandt street to Fulton street (Concourse level and ramps); (Block 61, Lot 1 and Block 81, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Rodney Edwards and T. Weillen.

For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (259-45-A)

WHEREAS, Quinn Engineering Company, Incorporated, for Hudson and Manhattan Railroad Company, owner (Mid-Hudson Lunch Corporation, Borden's Lunch Corporation, Hanscom Baking Corporation, John Davis, Nicholas Collins, Norman Drinks, Rand Tea and Coffee Stores, J. Gorman and Acadia Nature Food Centers, lessees), filed on May 1, 1945, an appeal from orders and decision of the fire commissioner, affecting premises 30 Church street (Block 61, Lot 1) and 50 Church street (Block 81, Lot 1), Borough of Manhattan; and

WHEREAS, Order 39787-LC, issued by the fire commissioner November 20, 1944, to Mid-Hudson Lunch Corporation, reads:

"Note: Applies to the three refrigerating machines located in Hudson Terminal (Concourse) near Dey Street stairway.

2. Provide adequate window area or mechanical means of ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code."

and

WHEREAS, Order 39785-LC, issued by the fire commissioner November 20, 1944, to Mid-Hudson Lunch Corporation, applying to frigidaire unit located in discharging room at I R T entrance on Concourse level, reads:

"3. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code."

and

WHEREAS, Order 39783-LC, issued by the fire commissioner on November 20, 1944, to Borden's Milk Bar, applying to four refrigerating units located in Concourse basement reads:

"1. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code."

and

WHEREAS, Order 39790-LC, issued by the fire commissioner November 20, 1944, to Hanscom Baking Corporation, relating to 3 Class C refrigerating machines, reads:

"1. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code."

and

WHEREAS, Order 39864-LC, issued by the fire commissioner November 29, 1944, to John Davis, applying to Brunner refrigerating machines located on 1st floor, reads:

"2. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code. NOTE: Inspection shows no direct ventilating from refrigerating machinery room to the outer air."

and

WHEREAS, Order 39894-LC, issued December 1, 1944, to Nicholas Collins, reads:

"1. Provide a hood and independent mechanical ventilation, so arranged as to convey all the products of combustion to the outside of the building.

NOTE: Applies to where open flames are in use as per Sec. C19-96.0.8 Administrative Code of the City of New York.

Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code."

and

WHEREAS, Order 37701-LC, issued by the fire commissioner March 16, 1944, to Norman Drinks, reads:

"1. Provide a hood and independent mechanical ventilation for open flame (coffee urn), so arranged as to convey all the products of combustion to the outside of the building. Applies to the 4 lbs. Freon machine as per Sec. C19-96.0.8, Administrative Code of the City of New York.

2. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the Administrative Code.

NOTE: Applies to refrigerating machinery room containing 6 lbs. of methyl chloride."

and

WHEREAS, Order 37586-LC, issued by the fire commissioner March 8, 1944, to J. Gorman Company (Faith Food Shops, Incorporated) reads:

"1. Provide a hood over the open flame (coffee urn) and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building, as per Section C19-96.0-8 Administrative Code of the City of New York.

NOTE: Applies to the Frigidaire machine containing 5 lbs. Freon."

and

WHEREAS, Order 40086-LC, issued by the fire comissioner December 29, 1944, to Rand Tea and Coffee Stores, Incorporated, reads:

"2. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room, in accordance with the requirements of the administrative Code. Note: Applies to 3 refrigerating units."

and

WHEREAS, Order 39900-LC, issued by the fire commissioner December 1, 1944, to Acadia Nature Foods, reads:

"Remove or cut off the refrigerating system containing 3 lbs. of methyl chloride located on 1st ramp from the building or parts of the building by unpierecd fireproof construction, as per section C19-98.O.F.4, Administrative Code of the City of New York."

and

WHEREAS, these orders were repeated in a decision of the fire commissioner dated April 19, 1945 for the purpose of filing appeals; and

WHEREAS, the applicant states that 30 Church street is 214 ft. by 186 ft. in area; 22 stories (280 ft.) in height: of Class 1 construction and that 50 Church street is 155 ft. by 161 ft. in area, 22 stories (280 ft.) in height; of Class 1 construction; that both buildings are used as follows: subcellar, maintenance crews, 75 persons; cellar, train platform level; 1st floor, concourse, booths and waiting room; mez-

zanine, boths and lobby; 3rd to 22nd stories, offices, 300 persons per floor; that the building is equipped with a one source sprinkler system in the basement, storage rooms and in 7 storage rooms on platform 6 and certain of the concessions on the concourse level and the building is equipped with a standpipe system and an approved interior alarm system on the 3rd to 20th floors in 30 Church street and on the 2nd to 20th floors at 50 Church street; and

WHEREAS, the applicant contends that this appeal relates to the ventilating of open gas flames, the ventilating refrigerating equipment for refrigeration room and the enclosing or removing the refrigerating equipment; that no real need exists for the remedies proposed in the Fire Department orders; that undue expense and hardship would be caused in complying with the orders; that the part of the premises under consideration, are located on or near the Concourse level of the Hudson Terminal Building, being the first level below the sidewalk elevation and extending north from the north side of Cortlandt street, under Dey street, and to the south side of Fulton street, an area of about 53,000 sq. ft.; that broad ramps or stairways lead from this Concourse level to Cortlandt, Dey and Fulton streets, each terminating in door and window facades (four in number), through which exit is afforded to the street sidewalks; that the premises of the tenants are located either on the Concourse floor or open upon the ramps or stairways just described; that refrigeration machines operated by the several tenants concerned, number approximately 18, all of fractional horsepower size and each contains from 3 to not more than 10 lbs. of Freon 12 (dichlorodifluoromethane), a total of about 80 lbs.; that it should be noted that where the Fire Dept. order refers to methyl chloride refrigerant, the tenants have already changed or will change promptly to the use of Freon 12 refrigerant gas in their equipment; that the machines are used to cool ice cream cabinets, milk boxes, refrigerators, etc.; that the open flame apparatus referred to in the Fire Department orders, are gas burners for coffee urns, grills, and the like; that the volume of the space in which this equipment is located, i.e., the concourse floor and ramps, is approximately 918,000 cu. ft.; that Freon 12 is a universally used refrigerant gas and it is classified in Chapter C19-96.0 of the Administrative Code as non-flammable and non-irritant; that the Code imposes no restrictions on similar applications located in business premises; that such safeguarding provisions as set up in the Code, are directed to insuring that any escaping refrigerant gas would not be trapped or pocketed in confined space and would not come in contact with any flame which would have the effect of breaking down the refrigerant gas into products dangerous to public safety; that it is to overcome either of these possibilities, that the provisions of the code have been drawn to effect a purge of any gas escaping, its dilution to minimum concentration, and the removal from the premises of any breakdown products, should the gas be exposed to flame; that it is submitted, the physical characteristics of the subject premises provide inherently, the safeguards sought to be insured by the Code provisions, to wit: large volume of the space compared to the small volume of gas; diversification of the refrigerant gas charges among several small machines; fireproof construction of the building (Class 1); sprinkler and fire alarm system as noted; numerous stairways and connections to the outside and to other areas; that notice should be taken that there are 26 stairways alone between the Concourse level and platform level; that the space containing refrigeration equipment could not be constructed as a confined area and that any refrigerant escaping from a machine would, being approximately 4½ times heavier than air, not come in contact with flame, but would be carried out through one or more of the various appertures and become diffused and diluted to an innocuous concentration.

Resolved, that Order Nos. 39787-LC, 39785-LC, 39783-LC, 39790-LC, 39864-LC, 39894-LC, 37701-LC, 37586-LC, 40086-LC and 39900-LC issued by the fire commissioner be and hereby are *affirmed* and that the appeal be and it hereby is *denied*.

365-45-A

APPLICANT—Capitol Paint and Varnish Works, Inc., lessee, for 47-55 Rodney Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—47-55 Rodney street, north side, 75 ft. east of Wythe street (yard); (Block 2185, Lot 21), Borough of Brooklyn.

APPEARANCES—
For Applicant: Philip Gordon.
For Administration: Vincent Matteis, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (365-45-A)

WHEREAS, Capitol Paint and Varnish Works, Inc., lessee, for 47-55 Rodney Street Corporation, owner, filed June 1, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 47-55 Rodney street, north side, 75 ft. east of Wythe avenue (yard); (Block 2185, Lot 21), Borough of Brooklyn; and

WHEREAS, Order 98660-LC issued by the fire commissioner, January 11, 1945, reads:

> "You are hereby notified that an inspection of the above premises, used to store and use Varnish, Alcohol, etc., shows that the following must be done before the permit requested by you can be issued:
>
> FORTHWITH
>
> 1. Discontinue the storage above ground of Sovasol #1 and 3, Solvesso #2 and Zylol in total quantity exceeding 5 gallons. Or
>
> Provide an approved buried storage system for storage of same. Plans and specifications in duplicate must be filed with and approved by Department of Housing and Buildings, before the above work may be commenced. C19-51.0, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated May 21, 1945; and

WHEREAS, the applicant states that the building is 5 stories (70 ft.) in height, 100 ft. by 110 ft. in area, of class 1 construction, erected in 1917, located in an unrestricted use, B area and class 1½ and class 1 height district and used and occupied for the manufacture, shipping and receiving of paint and varnish products, for which Certificate of Occupancy 3433 was issued January 24, 1918, permitting the manufacture and storage of essential oils; and

WHEREAS, the applicant contends that permission is requested to store a maximum of three drums each of Zylol, Solvesso #2 or Sovasol #3 in the yard of the premises in question; that lack of adequate space prevents the installation of the required buried tanks for these solvents and that the need for these solvents is very infrequent.

Resolved, that Order 98660-LC issued by the fire commissioner and dated January 11, 1945, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

216-34-A

APPLICANT—Haeuser Shellac Company, Inc., lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner (granted on condition for temporary term of one year).

PREMISES AFFECTED—52-64 Warren street, south side, 214 ft. west of Columbia street (Block 303, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Arthur Hafner.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (216-34-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block 303, Lot 1), Borough of Brooklyn, was granted by the Board June 18, 1935, on certain conditions; the term of the permit extended from time to time; resolution amended November 12, 1941, permit last extended July 11, 1944, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 18, 1935, as amended through July 11, 1944, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of one (1) year from the date of this *amended* resolution, to permit the use of liquefied chloride, in accordance with plans and application previously approved under plan filed with the fire commissioner, No. 1967-32, *on condition* . . . and that other than as herein *amended*, the conditions of the resolution of June 18, 1935, as *amended* through July 11, 1944, shall be complied with."

MATERIALS SUBMITTED FOR APPROVAL

316-43-SM

APPLICANT—Gallagher Brothers Sand and Gravel Corporation, owner.

SUBJECT—Sand (fine aggregate) manufactured by Gallagher Brothers Sand and Gravel Corporation, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (316-43-SM)

WHEREAS, Gallagher Brothers Sand and Gravel Corporation, owner, filed on June 26, 1943, an application with the Board of Standards and Appeals for approval of the material known as Gallagher Brother's Sand (fine aggregate); and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 26, 1945.

Re: Cal. 316-43-SM

Subject: Gallagher Brothers Sand (fine aggregate), Approval of.

Gallagher Brothers Sand and Gravel Corporation, filed an application with the Board of Standards and Appeals under the requirements of C26-178.0,b for approval of their sand for use under C26-312.0,e, C26-312.0,g and C26-315.0 as a fine aggregate for construction purposes.

DESCRIPTION AND PROCESSING

The sand is produced by a dredge owned and operated by the United States Dredging Corporation. The material is excavated, processed and loaded from the leased land under water in the West Harbor of Oyster Bay, Nassau County, New York. The dredge is of the ladder type, diesel electric powered by a 550 H.P. Worthington engine. The hull is anchored by means of spuds on the stern and is moved while operating by anchor lines from the bow. The dredging operation consists of a continuous line of 60-7½ cu. ft. manganese steel buckets, capable of excavating at the rate of 500 cu. yds. of material per hour. This material is passed through a single roll primary crusher which reduces all materials to 4 in. in size. It is then elevated to the top of the dredge by means of inboard buckets and dumped in a revolving screen, 26 ft. long and 10 ft. in diameter where wash water is added in sufficient quantities to insure thorough scrubbing and washing.

The material is screened into six different sizes. The first size (A) being (minus) 3/16 in. which is plaster and brick sand. The second size (B) is plus 3/16 in. to minus ¼ in. which is fine grit. All of this size or any part of which can be recombined with the first size to meet all concrete specifications. The sand meets Department of Purchase specifications 24-5-35:425 in all respects except it does not meet No. 16 sieve requirements.

After the sand is sized, it is sluiced to two large settling tanks from which bucket elevators dewater and deposit the finished sand on an adjustable chute, which can place the sand in five places across a scow without any drop, to prevent segregation of the material. The barge itself is pulled fore and aft by deck winches for loading. The wash water, after leaving the settling tanks, is sluiced overboard, but in the sluiceway is a sand trap for reclaiming additional fine sand when it is needed for other requirements. This fine sand is thus returned to the system for mixing with the regular sands.

The finished sand is loaded on a scow on the starboard side of the dredge, by means of the adjustable chute.

TESTS

Samples of this sand were selected by the Committee on Tests and submitted to the Haller Laboratories. Report is filed with the application with results as follows:

Aggregate for Masonry Mortar—ASTM C144-42T

Sieve Size	Gradation Per cent Passing	Required Per cent Passing
No. 4	100.0	100
" 8	99.4	95-100
" 16	88.6	60-100
" 30	64.9	35-70
" 50	28.3	15-35
" 100	3.1	0-15

	Deleterious Substances Found Percent	Required Max. Permissible % By Weight
Coal & lignite	0.0	0.25
Clay Lumps	0.0	1.0
Shale, alkali, coated grains soft or flaky particles	0.0	1.0

Colorimetric Chart	Passing Fig. 2	ASTM C40-33 Required passing Fig. 1 or Fig. 2

Mortar Strength Test

Mix Proportions		ASTM C144-42T	
Ottawa Sand	Oyster Bay Sand	Required not less than 95% of that developed by a mortar of same w/c ratio and consistency made with same cement and graded Ottawa sand having a F.M. of 2.40 = 0.10	
Cement 600 gms		Cement 600 gms	
Sand 1872 gms		Sand 1607 gms	
Water 360 gms		Water 360 gms	
Flow 105 gms		Flow 102 gms	

Comparative Compressive Strength
2″ x 2″ x 2″ cubes
7 days

Ottawa Sand Lbs. per sq. in.	Oyster Bay Sand Lbs. per sq. in.
1200	1850
1350	2100
1300	1925
Aver. 1283	Aver. 1958

Ottawa Ratio 152%
28 days

2600	3050
2800	3300
3025	3700
Aver. 2808	Aver. 3350

Ottawa Ratio 119%
Specific Gravity and Absorption ASTM C128-42 Requirements

Bulk specific gravity (saturated surface dry)	2.627	Duplicate determinations should check to within 0.02 in case of spec. gr. & 0.05 per cent in case of absorption
Absorption, percentage	1.42	

Unit Weight of Aggregate		C29-42 Requirement
Dry Rodded (lb. per cu. ft)	104.0	Results with the same Sample should check within 1 per cent.
Dry Loose (lb. per cu. ft)	95.0	

Voids in Aggregate for Concrete ASTM C30-37

Percent of voids dry rodded	36.2
Percent of voids dry loose	41.7

Fineness Modulus A.S.T.M. C125-39

Specified Sieve Size	Percent retained	Requirement
No. 100	95.6	Empirical factor obtained by adding total percentages of a sample of the aggregate retained in specified series of sieves and dividing the sum by 100
No. 50	64.3	
No. 30	30.8	
No. 16	10.0	
No. 8	.6	
No. 4	0.0	
⅜″ mesh	0.0	

Fineness Modulus equals 2.01

Uniformity Coefficient (Merriman 5th Edition pg. 132)	2.72
Effective size	.192 mm.

Organic Impurities in Sand	ASTM. C40-33
As Tested	Required Equaling
Fig. No. 2	Fig. 1 or Fig. 2

Sodium Sulphate Soundness Test A.S.T.M. C88-41T

Sieve Nos. Passing	Retained	Grding of Original Sample	Wgt. of Test Fractions before test in grams	% passing finer sieve after test (Actual % loss)	Weighted average (corrected per cent loss)
⅜″	No. 4	0.2 gms			
No. 4	No. 8	0.8			
No. 8	No. 16	12.8	100	2.6	.3328
No. 16	No. 30	17.4	100	3.3	.5742
No. 30	No. 50	48.0	100	8.0	3.84
No. 50	No. 100	16.6			4.7470
No. 100		4.2			

Briquettes to Determine Tensile Strength of Mortar
(In accordance with letter instructions)
Cement-Lime Mortar
1 Part Portland Cement
1 Part Hydrated Lime
6 Parts Sand
Tensile Results in Pounds

7 days	28 days
150	190
145	185
150	208
Ave. 148	Ave. 193

Cement-Mortar with 15% Lime
Proportions
0.85 Parts Portland Cement
0.15 Parts lime
3.00 Parts Sand
Tensile Results in Pounds

7 days	28 days
285	370
290	385
270	360
Ave. 282	Ave. 372

RECOMMENDATION

Based on the foregoing data the Committee on Tests recommends the sand (fine aggregate) as produced by the applicant from the West Harbor of Oyster Bay, Nassau County, New York, be approved for use in New York City as fine aggregate, pursuant to Section C26-315.0 of the Administrative Building Code as follows:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating in addition to the source of the material, the gradation, and it shall bear the following stamp or label thereon, "Approved for Use in New York City by the Board of Standards and Appeals under Cal. 316-43-SM," and that each truck delivery slip shall be similarly stamped by the dealer.
2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for gradation.
3. That at least once each month a composite report of tests made pursuant to the above requirements shall be forwarded to the Board and certified by the applicant's representative.
4. That when used these aggregates shall comply with the requirements of Paragraph C of Section C26-315.0 of the Administrative Building Code.

(Sgd). BERNARD A. SAVAGE
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved that the Board of Standards and Appeals does hereby *approve* the material known as Gallagher Brother's Sand (fine aggregate), *on condition* that the material be used and labelled in accordance with the above report.

710-44-SM

APPLICANT—United States Gypsum Co., owner.

SUBJECT—U. S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, Red Top and Samson Brands, approval of.

APPEARANCES—
For Applicant: Anthony J. Pracovy.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (710-44-SM)

WHEREAS, the United States Gypsum Co., owner, filed on December 7, 1944, an application with the Board of Standards and Appeals for approval of the material known as U. S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, Red Top and Samson Brands; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 28, 1945.

Re: Cal. 710-44-SM

Subject: U. S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, approval of.

The U. S. Gypsum Company of Chicago, Ill., filed an application with the Board of Standards and Appeals for the approval of their lime products under the requirements of C26-178.0,b for use under C26-312.0,b and C26-463.0 for the finishing lime and C26-313.0,a-1,2 for the masons hydrated lime.

DESCRIPTION OF MANUFACTURE

Red Top Hydrated Lime, and Red Top Finishing Hydrated Lime are obtained by slaking or hydrating ground high calcium quicklime produced at the plant of the United States Gypsum Company at Cheshire, Mass. Lime is produced by burning limestone in shaft kilns. The application of heat breaks up the limestone and drives off carbon dioxide gas, leaving a product known as quicklime. Hydrated lime, is ground quicklime slaked in special equipment at the plant. It consists of adding to the quicklime a correct quantity of water to form calcium hydroxide or hydrated lime. This operation, as well as subsequent air separation to required fineness, are accurately controlled. The applicant maintains an extensive research and laboratory staff, which conducts tests of their deposits and rock before it is burned, to insure uniformity of the finished product. The rock is carefully selected and sized before hydration, water carefully proportioned and every possible care exercised to insure uniform burning. Chemical and physical tests are continuously made during the entire manufacturing process until the product is put into bags.

TESTS

Samples of the applicant's materials were selected by representatives of the Committee on Tests on the open market and sent to Prof. H. H. Scofield, Cornell University, for analysis and test with results as follows:

Chemical Analysis: (According to Federal Specifications SS-L-351, Amendment 1 and SS-C-181b, F3h)

	Red Top Finishing Lime percent	Red Top Hydrated Lime percent
Moisture	0.00	0.19
Volatile Matter	25.51	26.07
Carbon Dioxide	2.48	2.18
Calcium Oxide	71.96	70.96
Magnesium Oxide	0.30	0.79
Sodium Oxide	0.013	0.033
Combined Water and Carbon Dioxide	25.51	25.88
Combined Water	23.03	23.70
Calcium Oxide Combined as Calcium Carbonate	3.16	2.78
Hydrated Calcium Oxide	68.65	68.18
Hydrated Magnesium Oxide	0.30	0.79
Free Magnesium Oxide.	0.00	0.00
Total Calcium and Magnesium Oxides on Non-Volatile Basis	97.01	97.05
Carbon Dioxide on Non-Volatile Basis	3.33	2.95

Both the Finishing Lime and the Hydrated Lime fulfill Federal Specifications SS-L-351, that

1. they shall not contain more than 5% of carbon dioxide on the non-volatile basis.
2. the total free calcium and magnesium oxide in the hydrated product shall not exceed 8% on the as-received basis.
3. they shall not contain less than 95% of calcium and magnesium oxides computed on the non-volatile basis.

The Finishing Lime fulfills Federal Specification SS-C-181b that it shall contain less than 0.03 percent soluble alkali but the Hydrated Lime contains slightly more than this amount of soluble alkali.

PHYSICAL TESTS:

FINISHING LIME:

I. Fineness Tests (SS-L-351)
Retained on No. 30 sieve ..... Trace
Retained on No. 200 sieve ..... 9.1 per cent
(Av. of two tests)

II. Soundness (SS-L-351)
Traces of shrinkage cracks in base:
Results: No pops or evidences of any disintegration in any specimen.

III. Plasticity (SS-L-351)
Test No. 1 Standard Plasticity 19 mm. with 400 C.C.
Test No. 2 Standard Plasticity 19.5 mm. with 385 C.C.
Emley Plasticimeter Figure:
Test No. 1 214
Test No. 2 242

MASONS HYDRATED LIME:

I. Compressive Strength (Fed. Spec. SS-C-181b)
Proportion: 1 to 1 to 6
Red Top Masons Hydrated Lime
Atlas (Reg.) P.C.
20-30 Standard Sand
Consistency: Flow was 102.
3-day strength 2" cubes (p.s.i.) 482
7-day " 2" " " 842
28-day " 2" " " 1194

II. Autoclave Expansion (U. S. Bureau of Standards Method 3 hr. at 150 p.s.i.)
Note: Same proportions in Strength tests but consistency was Flow equals 78.
Expansion (10" specimens .... .00204"
(Average of 8 specimens)
Expansion (per cent) ..... .0204

III. Soundness Test (SS-L-351)
Three separate specimens made and tested in stream at atmospheric pressure.
Results:
Traces of shrinkage cracks in base of specimens.
No pops or evidence of disintegration in any specimen.

IV. Fineness Tests (SS-L-351)
Retained on No. 30 sieve ..... trace
" on No. 200 " 6.2%
(Av. of two tests)

MINUTES

V. Water Repellency (SS-C-181b)

	Absorption Per cent
At 1 hour	17.27
At 24 hours	31.70
Ratio 1 hr. to 24 hrs.	0.545

Note: Results are averages of four specimens.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends the approval of U. S. Gypsum Company's Sampson and Red Top brands Finishing Lime and Masons Hydrated Lime, marketed under the names of Red Top and Sampson under C26-191.0,a, for use as a finishing lime under C26-312.0,b and C26-463.0 and as a Masons Hydrated Lime under C26-313.0-a,1,2, when manufactured and furnished according to the specifications contained herein and provided that monthly mill test reports certified by the applicant's chemist be filed with the Board, and that all bills of lading, bags and barrels be tagged, labeled or marked reading as follows:

"Approved for use in New York City by the Board of Standards and Appeals, when used in accordance with the requirements of Cal. 710-44-SM."

HYDRATED LIME FOR FINISH COAT

1. Add the lime to the water, not the water to the lime.

2. Put the required amount of water (5 to 6½ gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.

3. Store for at least 24 hours prior to using.

4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keene cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

HYDRATED LIME FOR MASONRY MORTAR

1. As this is already slaked, put required amount of water in water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as U.S. Gypsum Company's Masons Hydrated Lime and Hydrated Finishing Lime, Red Top and Sampson Brands, *on condition* that the material be manufactured, used and labelled in accordance with the above report.

Adjourned: 1:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 17, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

447-44-A

APPLICANT—Emil Koeppel, for Lizzie Lipman, owner.

SUBJECT—Application reopened and restored to calendar June 12, 1945—re Appeal from an order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn.

APPEARANCES—
For Applicant: Hal I. Mercatz.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (447-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 205 Concord street, north side, 98 ft. 2 in. east of Gold street (Block 110, Lot 58), Borough of Brooklyn, was withdrawn after discussion, on July 25, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on June 12, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, Order 12664-LF, issued by the fire commissioner April 21, 1944, reads:

"1. Arrange the non automatic sprinkler system to conform to approved Plan 641-19 and Article 15, Chapter 26, Administrative Code.

Among the defects noted are the following:

A. Ordinary sprinkler heads installed in place of Conron distributor type heads, therefore protection does not adequately cover floor area.

B. No automatic fire alarm system connected to an approved central fire alarm station provided. Section C19-161.0 Administrative Code."

and

WHEREAS, the applicant states the building is 3 stories, (40 ft.) in height; 25 ft. by 137 ft. in area at first floor; 25 ft. by 125 ft. in area at typical floor; of Class 3 construction; erected 1887; located in an unrestricted use, B area district and used for the storage of paper, with an occupancy of 2 persons throughout; that the building is equipped with a non automatic sprinkler system, one 4 ft. wide interior stairs and a scuttle to the roof; and

WHEREAS, the applicant contends that condemnation proceedings are now in progress to acquire this property for public use; that there is an existing sprinkler system on the premises and a fire alarm box in front of the building; that it is impossible at the present time to obtain priorities for the materials necessary to comply with the order; and

WHEREAS, the applicant now requests that the appeal be considered relative to Item B of Fire Department order, which directs the installation of a fire alarm system; and

WHEREAS, the applicant now states that Item A, requiring the installation of new sprinkler heads, has been complied with; and

WHEREAS, a communication dated May 31, 1945, from the fire commissioner, addressed to the Board, reads:

"In response to your inquiry of May 25th we are

pleased to advise you that item No. 1A of the order has been satisfactorily complied with.

In connection with item 1B, the rules of the Department require that all Orders which require changes to sprinkler systems be issued under Sec. C19-161.0. This is the authority of the Fire Commissioner for the issuance of the order. However, it is understood that all sprinkler systems must be installed in factory buildings in accordance with the rules of the Board of Standards and Appeals and in other occupancies with the provisions of the Administrative Code. Section C26-1339.0 would apply in this particular case.

A careful search of the records indicates that an order was issued by this Department in June 1918. This order was taken before the Board of Review of the Fire Department on October 30, 1919 and the following resolution was adopted:

'Whereas it appears that this building is a storage warehouse used for the storage of paper stock; and

WHEREAS, there is no heat in these premises at any time and that if a wet system was installed in these premises it would become inoperable in the cold weather by reason of freezing, and it was the opinion of the Board that if an automatic system with an automatic alarm connected with Fire Headquarters, and a siamese connection provided, this system would provide a better fire fighting equipment than the one originally ordered, the following was therefore adopted:

"Resolved, that item 2 of Order 19828-LC issued against premises 205 Concord Street, Brooklyn, N. Y. be again modified to read: 'Provide a non-automatic sprinkler system throughout the premises with an interior alarm connected to Fire Headquarters, and a siamese connection in connection therewith. This system also to be provided with a control at the street level so that each floor can be operated independently; this to be done in accordance with rules adopted by the Board of Standards and Appeals on April 5, 1917.' "

It appears from the records that the Order was dismissed by an Inspector of the Bureau of Fire Prevention on July 28, 1920 and that the letter which he forwarded to the contractor stated that the order was dismissed as satisfactorily complied with in accordance with letter of July 13, 1920 which stipulated that a dismissal would be issued provided a 10 in. or 12 in. gong be installed on the outside of the building pending the granting of a franchise to a supervisory fire alarm company when the station was erected in Brooklyn.

It appears that the case was not followed up and when our Inspector visited the premises subsequent to a fire the defect was noted and the order which is now pending was issued."

Resolved, that Order 12664-LF, of the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

592-44-A

APPLICANT—Cafiero and Lacerenza, for Chevra Machzika Harav, owner.

SUBJECT—Application reopened July 3, 1945—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—530 Ocean Parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn.

APPEARANCES—
For Applicant: William A. Lacerenza.
For Adminirstration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (592-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 530 Ocean parkway, west side, 280 ft. south of Ditmas avenue (Block 5399, Lot 24), Borough of Brooklyn, was granted by the Board on December 19, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on July 3, 1945, and restored to the calendar, subject to usual procedure; and

WHEREAS, the applicant requested an amendment of the resolution, to substitute the words "brick veneer" in lieu of "brick construction" on the first floor exterior walls; and

WHEREAS, the applicant contends that upon starting work, it was discovered that the statement to the Board as to brick construction of the first floor was erroneous; that the owner now finds himself in an extremely difficult predicament; that he has left the contract for the job and the contractor has let the order for the structural steel; that all partitions and the entire first floor ceiling have been removed; that should the owner be compelled to abandon this project, he will lose approximately $5,000; that it is now proposed to rip off all woodlath and plaster from studs in back of the brick veneer, all exterior first floor walls, and apply rock lath and ¾ in. cement plaster or any other practical form of fire retarding, satisfactory to the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 19, 1944, so that as *amended,* the resolution shall read:

"Resolved, that the decision of the borough superintendent on Alt. Applic. 2010-44, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the public assembly use shall be limited solely to the first story of the building of brick masonry construction; that the alterations as proposed, shall be substantially complied with to the satisfaction of the borough superintendent; that the ceilings of the cellar and first floor shall be fire-retarded throughout with fire-resistive construction approved for one hour rating; denied as to objection 2, which shall be complied with as herein required; that in all other respects, the premises and the building and occupancy shall comply with all laws and rules applicable thereto.

"Resolved further, that in the event the exterior wall on the first story is of brick veneer over wood studs, that such brick veneer shall remain and the space between the wood studs shall be filled with common brick, vermiculite concrete or cinder concrete for the full height of the first story and all exterior walls fire retarded on the interior with a rock lath or wire lath and cement plaster, in accordance with the rules of the Board, in place of the present wood lath and plaster, which shall be removed."

733-44-A

APPLICANT—Harry A. Yarish, for Mary Badzo, owner (Peter Muska, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—572 Wythe avenue, west side, 84 ft. 7 in. south of Rush street (cellar and 1st floor); (Block 2165, Lot 26), Borough of Brooklyn.

APPEARANCES—
For Applicant: Harry A. Yarish.
For Administration: Thomas A. Larkin, Fire Dep't.

MINUTES

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (733-44-A)

WHEREAS, Harry A. Yarish, for Mary Badzo, owner (Peter Muska, lessee), filed December 18, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 572 Wythe avenue, west side, 84 ft. 7 in. south of Rush street (cellar and 1st floor); (Block 2165, Lot 26), Borough of Brooklyn; and

WHEREAS, order 11713-LF, issued by the fire commissioner, December 8, 1943, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to:

1. Provide a fixed fire extinguishing system or other means for the extinguishing of fire satisfactory to the Fire Commissioner. C19-161.0 Admin. Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated November 30, 1944; and

WHEREAS, the applicant states that the building is 3 stories (34 ft.) in height; 21 ft. 5 in. by 85 ft. in area at first floor, 21 ft. 5 in. by 62 ft. in area at typical floor; Class 3 construction; erected in 1890; located in an unrestricted use, B area and Class 1½ height district; used and occupied since 1919: cellar, storage of broom corn; 1st floor, manufacture of brooms; 2nd and 3rd floors, storage of broom corn; proposed to be used and occupied as follows: Cellar, same 1st floor, same, 4 persons; 2nd and 3rd floors, vacant; that the building is equipped with one 2 ft. 6 in. wide wood stairs, enclosed in gypsum blocks, equipped with one-hour test self-closing doors and provided with a ladder and scuttle to the roof; that the present stairs do not lead to the street, but are inaccessible by reason of the existence of permanent fire-retarded partition on the lowest termination of the stairs, as indicated on filed plans, filed with this appeal; that the building is equipped with one fire escape at the front, which does not lead to the roof, but leads to the street by an counterbalanced ladder; that windows and doors on course of the fire escape are not fireproof or self-closing; and

WHEREAS, the applicant contends that the order is based on the fact the building is more than two stories in height; that for all intents and purposes it is one story in height, because the upper two floors remain vacant and have been sealed off from the first floor in a manner satisfactory to the Dept. of Housing and Buildings and to the Fire Department; that after the order was placed by the Fire Dept. and summons served, plans were filed with the Dept. of Housing and Buildings and examined by them and by the examiner for the Fire Department; that such plans were approved and work was done, pursuant to said plans at a cost of $900; that in addition to the approval of the Fire Department, a certificate of occupancy was issued and a permit issued by the Fire Department for the storage of more than 1 ton of broom corn; that thereafter a summons was issued by the Fire Dept. and a fine of $5 imposed on the owner; that the owner in good faith relied on the approved plans and now finds himself faced with unnecessary hardships and practical difficulties and

WHEREAS, Certificate of Occupancy 110590, issued June 13, 1944, permits the use of the first floor for factory, cellar for storage and 2nd and 3rd floors vacant and the certifiate contains a note that the storage of broom corn in the cellar is permitted as incidental to the manufacture of brooms; that the Fire Dept. approval was issued June 7, 1944; and

WHEREAS, an application was filed with the Fire Dept. for the storage of five (5) tons of combustible fibre.

Resolved, that order 11713-LF of the fire commissioner, Item 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

90-45-A

APPLICANT—Lama and Proskauer, for William Stake, owner (John Plump, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—745 Nostrand avenue, east side, 58 ft. 8 in. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (90-45-A)

WHEREAS, Lama and Proskauer, for William Stake, owner (John Plump, lessee), filed February 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 745 Nostrand avenue, east side, 58 ft. 8 in. north of St. Johns place (1st floor); (Block 1248, Lot 4), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated February 8, 1945, on P. A. Applic. 4-45, reads:

"1. Provide two means of exit, in accordance with 6.1.2.2.2 of the Building Code.

"2. Comply with 6.2.1 for minimum door width."

and

WHEREAS, the applicant states the building is 3 stories (30 ft.) in height; 19 ft. 4 in. by 80 ft. in area at 1st floor; 19 ft. 4 in. by 60 ft. in area at typical floor; of Class 3 construction; erected 1903; located in a business use, C area and Class 1 height district and used and occupied since 1925—cellar, ordinary and storage; no persons; 1st floor, luncheonette, ice cream parlor, 108 persons; 2nd floor, one family dwelling; 3rd floor, one family dwelling; that no change in use or occupancy is proposed; that the building is equipped with one 2 ft. 10 in. wide wood stairs at the front, enclosed in partitions of lath and plaster, equipped with wood doors which are not self-closing; that a ladder and scuttle to the roof is provided and the stair extends directly to the street; and

WHEREAS, the applicant contends the building covers the full area of the lot at the 1st floor; that the capacity for the 1st floor use is 100 persons; that the premises are never fully occupied; that there is a 2 ft. 10 in. door at the front and to the north, there is a similar building, with the extension at the same level as the premises in question and a ladder and scuttle is provided, leading to the roof of the extension of the premises in question; that in view of the fact that the premises have been continuously operated for this use, it is requested this appeal be granted; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on P.A. Applic. 4-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that the primary means of exit to Nostrand avenue and the secondary means of exit, consisting of a double rung stationary iron ladder leading to a counterbalanced scuttle in the rear extension roof, shall be maintained; that there shall be a baffle built around such opening to the roof, down from the ceiling for a distance of not less than 2 feet and approximately 3 feet square; that the number of seating shall not be increased; as to objection 2, that the door at the front shall be maintained substantially 3 feet in width as shown, and opening outwardly; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MINUTES

128-45-A

APPLICANT—Ervin Palmer, for Palace Properties, Inc., owner.

SUBJECT—Appeal from an order of the borough superintendent.

PREMISES AFFECTED—132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (128-45-A)

WHEREAS, Ervin Palmer, for Palace Properties, Inc., owner, filed March 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 132-134 West 45th street, south side, 364 ft. 11½ in. west of 6th avenue (2nd to 8th floors); (Block 997, Lot 47), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 8, 1944, in acting on Exit Order 13-45, reads:

"Relative to your letter of February 21, 1945, you are advised that same was received by this department and filed with Violation Exit Order 13-1945, affecting above stated premises."

and

WHEREAS, Exit Order No. 13-45, reads:

"You will please take notice that there exists a violation of Section 6.1.5 of the Building Code and C26-276.0 of the Administrative Code, at the premises described above, in that the exits consisting of unenclosed stairs and fire escapes are inadequate for safety of occupants.

1. Enclose stair in fireproof material from 2nd to 8th story.

2. Enclose elevator located in center of building in fireproof material from 2nd to 8th stories.

3. Inner front exit doors first story must swing outwardly.

You are hereby directed to comply with above items of violation at once or file alternative plans and have same approved by this department."

and

WHEREAS, the applicant states the building is 8 stories (95 ft.) in height; 35 ft. 1 in. by 90 ft. in area of Class 1 construction; erected 1899; located in a business use, B area, and Class 1½ height district, and used and occupied as a hotel, 20 persons per floor; that the building is equipped with a standpipe system, interior fire alarm system and fire drills are maintained; that there is one 40 in. wide interior steel stairs, with marble treads, enclosed in masonry block partitions, extending from the roof bulkhead, directly to the street and there are two fire escapes, one at the rear, leading to the roof by a ladder and to the yard by drop ladder and one at the front, leading to the street by a drop ladder; and

WHEREAS, the applicant states that the building has been occupied since erection as a transient hotel and contains 82 rentable rooms with a maximum occupancy of 150 persons; that the exit facilities consist of a stair from the entrance hall to the roof, constructed of iron with marble treads and fire escapes at the front and the rear of the building; that exit signs are provided above the doors leading to the rooms with direct access to the fire escapes; that these doors have one glass pane each, which if broken, permits the unlatching of the door; that a fire axe is mounted at each of these doors; that an elevator operator is in attendance 24 hours steady; that the elevator shaft is enclosed in substantial grille work throughout; that there is a standpipe system in the stair halls, with adequate hose at every story; that there is a fire alarm system, a transmitting station and two alarm bells at each floor and master box at the desk, with a clerk in attendance 24 hours a day; that telephones from every room can also notify the clerk in case of fire; that at every stair landing, there is a portable fire extinguisher and one pail of sand is located on each floor; that watchman service for all night duty is established with clock and proper stations; that the clock time cards are on file in the hotel office for the entire time, since the present owner operated the building; that all halls have tiled floors and no furniture; that at each floor level, the stair hall has two large double hung windows to the outer air; and

WHEREAS, the applicant contends that this appeal is based solely on the relevance of the ruling quoted in the order and upon the validity of the claim of the superintendent that he has the power to compel compliance with the order, even though no change has been made to the building, from its legally approved condition affecting stairs, fire escapes or elevator enclosures, in that no change of occupancy of any kind was made and that no new regulations or laws have been made which would affect this building with regard to exits and which would require the order to be issued at this time; that no claim is made by the superintendent as to insufficiency of stairs or fire escapes or other exit facilities; and

WHEREAS, the applicant contends further that the order is based on Section 6.1.5; that Section 6.1.5 is part of Article 6 entitled "Means of Egress" and Subarticle 1 "General Egress Requirements"; that the paragraph is headed "Inadequate Exits for Existing Structures"; that the intent of Section 6.1.5 is to provide for exits insufficient for the need that it permits the substitution of fire escapes for stairs, the fire protection being incidental to the provision of any exits; that the superintendent referred to in the section should be the one who was in office in 1938; that evidently that superintendent thought the exits adequate; that if each succeeding superintendent would have had a different opinion, the owner would have had to make at least six alterations so far; and

WHEREAS, the applicant contends as to enclosure of the elevator shaft, that Section 10.5.10.1 states in part ". . . elevator or wallhole not enclosed previous to January 1st, 1938 . . . shall have the opening thereof . . . protected by substantial guards or gates . . ."; that Sections 10.5.10.2 and 10.5.10.3 indicate it was not intended to require fireproof enclosures for buildings erected before 1938; that the general attitude of the superintendent in 1939, is revealed in a memorandum dated December 9th, even though it refers to Class A buildings; that it clearly shows that enclosures of shafts beyond existing grille work are not intended, if not then in existence; and

WHEREAS, it is further contended that since this building is a multiple dwelling, the Multiple Dwelling Law should govern; that Section 365 states in part—" . . . Ordinances and regulations of cities to which this chapter is or hereafter becomes applicable, so far as inconsistent with the provisions of this chapter . . . are hereby repealed;" that Section 12 states in part: "All the requirements of this chapter shall apply to all kinds and classes of multiple dwellings . . ."; that Section 13 states in part: ". . . except as otherwise expressly required in Sections 25 and 33 of this chapter, nothing in this chapter shall be construed to require any change in the construction or use or occupancy of any fireproof multiple dwelling or any non-fireproof hotel . . . heretofore erected, used and occupied as such;" and

WHEREAS, the applicant further contends that of the 40 odd exit orders issued since start of this year, 8 were dismissed, because these buildings had certificates of occupancy; that no certificate of occupancy is required for this building; that there is no distinction at law as to the privileges for one building having a certificate of occupancy against one not having it; that the order should have been dismissed, as if the building in question also had a certificate of occupancy; that the superintendent cannot possibly

have the opinion that the exit facilities in a building are inadequate, but when he discovers the existence of the certificate of occupancy the exits become sufficient, fire hazards disappear and the safety of occupants are cared for and that all of these are accomplished with a certificate of occupancy; and

WHEREAS, this appeal is solely to pass on the powers of the Borough Superintendent to issue the order; and

WHEREAS, the Board deemed that the Borough Superintendent was authorized by Section C26-276.0 to issue the order and that no other administrative official can do so; that there is no inconsistency in his action under this section and the provision of New York Charter Section 645b, inasmuch as the Deputy Commissioner of Housing is not empowered to apply the provisions of Section C26-276.0, but must enforce the order when issued under this section by the Borough Superintendent; that Section 9 of the Multiple Dwelling law specifically empowers a city to which that law applies, to enforce more restrictive regulations; that this appeal is readily distinguished from the matter of Lyons vs. Prince.

Resolved, that the decision of the borough superintendent, acting on Exit Order 13-45, objections 1, 2 and 3 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

196-45-A

APPLICANT—Richard Shutkind, for Albert J. Akin and Mildred A. Lynes, owners (Isidore Fine, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22) Borough of The Bronx.

APPEARANCES—

For Applicant: Richard Shutkind.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (196-45-A)

WHEREAS, Richard Shutkind, for Albert J. Akin and Mildred A. Lynes, owners (Isidore Fine, lessee), filed April 2, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 785-787 Westchester avenue, west side, 272.46 ft. north of Tinton avenue (cellar); (Block 2655, Lot 22), Borough of The Bronx; and

WHEREAS, Order 32775-LF, issued by the Fire Commissioner, December 13, 1944, reads:

"You are hereby ordered and required within 30 days of the date of the service of this order to:

1. Provide in the cellar, a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19-161.0 Adm. Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated March 7, 1945, reading:

"In reply to your request for reconsideration on item 1 of Order 32775-LF, requiring an automatic sprinkler system in the cellar, you are advised as follows:

As reinspection shows combustible material still stored in the cellar, your request is denied."

and

WHEREAS, the applicant states that the building is three stories (38 ft.) in height, 33 ft. by 88 ft. and 111 ft., irregular, in area; Class 3 construction; erected in 1910; located in a business use, B area and Class 1½ height district; used and occupied since 1943 as follows: Cellar, storage of furniture, no persons; 1st floor, store and upholstery repairs, 4 persons; 2nd floor, meeting rooms, 28 persons; 3rd floor, storage and living room sets, no persons; that no change in use or occupancy is proposed; that the building is equipped with one interior wood stairs 4 ft. wide, enclosed in partitions of stud, lath and paster, leading directly to the street; that stairs are equipped with fireproof and wood, self-closing doors and provided with a ladder and scuttle to the roof; that there is one exterior fire escape on the front wall, extending to the roof by stairs and to the street by counterbalanced stairs; that windows and doors on the course thereof are not fireproof, self-closing; and

WHEREAS, it is proposed to enclose the present interior stairs from the cellar to the first floor, with 3 in. gypsum blocks and fireproof, self-closing door at the foot; that a new 3 in. gypsum block partition will be erected across the front of the boiler room and the entrance to the boiler room will be provided with a fireproof self-closing door and that the walls and ceiling thereof are to be properly repaired; that the cellar ceiling is covered with stamped metal; that there are three windows in the rear wall of the cellar, one interior stair from the store to the cellar and one stair leading from the cellar, directly to the street; and

WHEREAS, the applicant contends that the storage of materials has been reduced, since issuance of the order; that there is access to the cellar, directly from the street; that ventilation is provided by present three rear wall windows, opening to the adjoining yard, which yard has access from the street through an open fire passage; that since the interior cellar stairs will be separated from 1st floor with a 2-hour enclosure, it is requested that the requirement for an automatic sprinkler system in cellar be reconsidered; and

WHEREAS, the premises were inspected by a committee of the Board; and the Committee found the conditions therein are hazardous and recommends that the appeal be denied.

Resolved, that the order of the fire commissioner, 32775-LF be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

241-45-A

APPLICANT—Jack Z. Cohen, for Raygot Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors) (Block 3515, Lot 29) Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Z. Cohen.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (241-45-A)

WHEREAS, Jack Z. Cohen, for Raygot Realty Corporation, owner, filed April 26, 1945, an appeal from a decision of the borough superintendent, affecting premises: 1530-1536 Pitkin avenue, south side, 30 ft. east of Saratoga avenue (2nd and 3rd floors); (Block 3515, Lot 29), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 557-45, dated April 13, 1945, reads:

"1. Changing occupancy from business to Public use in a Class #3 Bldg. over two stories in height, is contrary to Sects. 2.1.3.5 and 4.2.1 of Bldg. Code."

and

WHEREAS, the applicant states the building is two stories (36 ft. 6 in.) in height, 70 ft. by 92 ft. 11 in. at first floor; 70 ft. by 85 and 89 ft. 11 in. at second floor; Class 3 construction; erected in 1928; located in a business use, C area

and Class 1 height district; used and occupied since 1937: Cellar, boiler room, billiard room and bowling alley, 50 persons; 1st floor, retail stores; 2nd floor, restaurant and dance hall, 197 persons; balcony—restaurant, 128 persons; proposed to be used and occupied: Cellar, boiler room and storage, 1 person; 1st floor, retail stores; 2nd floor, private catering, 200 persons; balcony changed to 3rd floor and used and occupied for private catering or meeting rooms, 225 persons; that the building is equipped with two 5 ft. 6 in. wide iron stairs, enclosed in 8 in. brick with kalamein self-closing doors, leading directly to the street and one of which leads to the roof; and

WHEREAS, Violation 194-43, reads:

"The exit facilities from 2nd and 3rd floors on east side and from cellar are inadequate. On 1st floor at street front, a store has been installed in the exit. On the 2nd and 3rd floors, the stairs are encumbered with boxes, tables and other materials. The stairs to cellar inaccessible, there being no lights provided and the stairs are encumbered with auto tires and boxes."

and

WHEREAS, Violation 5715-43, reads:

"Occupying the 2nd and 3rd floors of the subject premises as a place of assembly, i.e., restaurant and hall with a capacity of 315 persons, without a permit."

and

WHEREAS, the occupant was convicted and fined in Magistrates Court and charged with violation of the Administrative Code, May 18, 1944; and

WHEREAS, the applicant contends that the building was erected in 1928 and occupied under Certificate of Occupancy 54195, as follows: Cellar, boiler room, billiard room and bowling alley, 50 persons; 1st floor—retail stores; 2nd floor—including balcony-restaurant and dance hall, 125 persons; that the cellar has never been rented to any tenant since the erection of the building; that the restaurant on the 2nd floor and balcony were originally occupied with dancing facilities, from 1928 to 1932; that the premises were vacant from 1932 to 1934; that the owner rented the building to a political club in 1934 and made certain alterations such as removing balcony, railing and enclosing well hole with a partition, thus changing balcony floor to a third story; that this occupancy remained for one year; that the premises have been vacant from 1935 to 1937; that the owners decided to function as a private catering establishment and meeting rooms and have been so occupying the premises since 1937; that the catering establishment functions only on weekends and holidays; that during the week, two rooms on the 3rd floor are rented for meetings; that the building exceeded the 5,000 sq. ft area when erected and was classified as a commercial Building, Class 3 construction and although it exceeded the area by 391 sq. ft. on upper floor, it was accepted by the Building Department; that the building has the floor loads required under the present Building Code for the occupancy; that the stairways are of sufficient width and all lead to the street, and the stair capacity, including landings and passageways, are good for 431 persons; that the proposed occupancy will be 425 persons on the upper floors; that all other conditions will comply with Local Law #29; therefore it is requested the Board grant a variance from the decision of the administrative official, in view of the foregoing conditions and in view of the fact that this new occupancy is synonymous with the present occupancy; that if the application is denied, the owner will suffer unnecessary hardship; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 557-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the existing exits as shown, shall be maintained, except that the stair to the east shall be carried to the roof; that in the existing stair enclosure to the west there shall be a doublerung ladder with a counterbalanced scuttle in the roof; that sprinkler heads shall be installed in the serving kitchens, dressing rooms and storage rooms on the 2nd and 3rd floors; that such sprinkler heads may be fed from the domestic water line of the building, provided such line is not less than 2 inches in diameter; that the building shall not be increased in height or area; that the occupancy per floor shall not exceed that permitted by the Code for the exits; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

247-45-A

APPLICANT—National Silver Co., lessee, for Ansonia Holding Corp., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—430-432 12th street, south side, 234 ft. east of 7th avenue (3rd floor, Building M); (Block 1098, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: James Pressman.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (247-45-A)

WHEREAS, National Silver Co., for Ansonia Holding Corp., owner, filed April 27, 1945, an appeal from a decision of the fire commissioner, affecting premises 430-432 12th street, south side, 234 ft. east of 7th avenue (3rd floor, Building M); (Block 1098, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated March 27, 1945, reads:

"This will acknowledge receipt of your letter of March 6th, wherein you request a permit to smoke in the executive offices on the third floor of your factory building located at the above mentioned premises.

You are advised that your request must be denied, for the reason that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 6 stories (75 ft.) in height, 64 ft. by 125 ft. in area; Class 1 construction; erected in 1901; located in an unrestricted use, C area and class 1½ height district; used and occupied since 1930 as follows: Cellar, boiler room; 1st floor, Press dept., 36 persons, 2nd floor, assembly and casting dept., 32 persons; 3rd floor, packing, 20 persons; 4th floor, machine shop, 32 persons; 5th floor, finishing and plating depts., 51 persons; 6th floor, polishing depts., 33 persons; that the building is equipped with a two source sprinkler system, two interior 3 ft. 6 in. wide steel stairs, brick enclosed, extending from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that permission was requested of the fire commissioner to allow smoking specifically on the 3d story office section of the 6th story fireproof building; that the office is separated by steel and glass partitions; that the entire floor is completely protected by sprinklers; that the only work performed on the 3rd floor is the packing of knives, forks and spoons of steel; that the granting of the permission requested will not create a fire hazard and will help solve a practical problem in a practical way.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated March 27, 1945 and that the appeal be and it hereby is *granted on condition* that there shall be no smoking throughout the building, except in the ten (10) offices on the third floor, as indicated on plans filed with this appeal, marked "Received April 27, 1945;" that such offices and adjacent corridors shall be separated from the balance of the floor,

by steel partition from the floor to the ceiling; that the double doors, indicated in the east wall of room 5, opening outwardly and existing on this third floor, shall be blocked up; that signs shall be posted in accordance with the instructions of the fire department, indicating where smoking is herein permitted; that in all other respects, the rules of the Board as to smoking in factories shall be complied with; that this variance is granted only so long as conditions are maintained as proposed and to the satisfaction of the fire commissioner and the two-source sprinkler system shall be maintained to his satisfaction, and in accordance with the requirements; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable, other than as modified by the Board under Cal. 592-43-A and 357-44-A.

257-45-A

APPLICANT—Harry Silverman, for American Bank Note Co., owner (A. Blank, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—74 Broad street and 2 Marketfield street, southwest corner (Block 11, Lot 17), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry Silverman.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (257-45-A)

WHEREAS, Harry Silverman, for the American Bank Note Company, owner (A Blank, Inc., lessee), filed May 1, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 74 Broad street and 2 Marketfield street, southwest corner (Block 11, Lot 17), Borough of Manhattan; and

WHEREAS, Order 15796-LF, issued by the Fire Commissioner September 1, 1942, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to:

1. Install an approved, wet automatic sprinkler system throughout the building having at least one source of water supply, arranged and equipped, as per Chap. 19-161.0 Adm. Code."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated April 4, 1945, reading:

"In reply to your request for reconsideration on item 1 of Order 15796-LF, which requires an approved wet sprinkler system throughout the building, you are advised that in view of the large amount of combustible material stored in the building, your request must be denied."

and

WHEREAS, the applicant states that the building is six stories (72 ft.) in height, 33 ft. 11 in. by 100 ft. 4½ in. at first floor, 33 ft. 11 in. by 95 ft. 4½ in. in area at typical floor; Class 3 construction; located in an unrestricted use, B area and Class 2½ height district; erected before 1893; used and occupied since 1937 as follows: Cellar, hot water stove; 1st floor, restaurant, 100 persons, mezzanine, office; 2nd floor, restaurant, 110 persons; 3rd floor, offices, lockers, storage, 10 persons; 4th, 5th and 6th floors—vacant; proposed to be used and occupied: Cellar, none; 1st floor, display and sales of office furniture, 2 persons; mezzanine, office, 2 persons; 2nd floor, display and sales of office furniture, 0 persons; 3rd floor, workroom, 2 persons; 4th, 5th and 6th floors, office furniture storage, no persons; that the building is equipped with two interior stairs of steel and concrete construction, enclosed in 4 in. terra cotta partitions, plastered on both sides, equipped with fireproof, self-closing doors; that one stair leads to the roof and both stairs lead directly to the street; that the front stair is 3 ft. 8 in. wide and the rear stair is 3 ft. 2 in. wide; there is also one fire escape at the rear, leading to the roof by a ladder and to the street by counter-balanced stairs; that windows on the course thereof are fireproof, self-closing; and

WHEREAS, the applicant contends that the building will be occupied entirely by one tenant; that the total occupancy above the first floor will be two persons; that the building is accessible on three sides, having two street fronts and the rear is accessible by windows on the rear and all windows on Marketfield street, except one corner window on the first and second floors, are metal with wire glass; that there is no boiler room or heating equipment and no cellar, except a small space 13 by 20 ft. in the rear which will not be used; that all floors have 2 in. cement finish and all ceilings are covered with metal lath and plaster; that all toilet room partitions are covered with metal lath and plaster, both sides and the work room on the 3rd floor will be used for repairs, which are small, since the use consists primarily of dealing in new furniture; that paint spraying will be on a very small scale and at intervals of several days; that the total amount of paint, varnish or combustible materials stored will not exceed twenty gallons; that the total amount used in any day will not exceed two gallons; that no materials will be stored within 15 feet of the spray booths; that lighting fixtures near the booth are rigid stem type, with vaporproof globes and an exhaust fan and duct are provided in addition to the natural ventilation by the windows; that exits consist of two steel and concrete stairs, enclosed in terra cotta partitions, enclosed both sides, one is 3 ft. 8 in. wide, to the roof and leads through a 5 ft. hallway to Broad street; that the other stair is 3 ft. 2 in. wide above the 1st floor and leads from Marketfield street to the 3rd floor; that all stair hall doors are fireproof, self-closing; that there is a 4 ft. wide Labor Law fire escape at the rear, with counter-balanced stair to Marketfield street and a gooseneck ladder to the roof; that ample aisle space will be maintained to all exits; it is therefore requested that the order be waived in view of the small occupancy, the accessibility to the building and the safe egress; that the furniture will be steel, hardwood or a combination of both and a small amount of leather covered furniture; that the occupancy will be reduced from 140 and 220 persons, the prior totals, to six persons; that fire extinguishers will be maintained on each floor; that furniture received wrapped in excelsior will be stored on a portion of the 6th floor; that this type of wrapping is only a temporary wartime condition and in normal times will not be used; and

WHEREAS, the owner was convicted and fined in the Magistrate's Court for failure to comply with Section C19-161.0 of the Administrative Code.

Resolved, that order 15796-LF of the fire commissioner, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

264-45-A

APPLICANT—Martyn N. Weinstein, for Mircol Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1052-1054 Greene avenue, south side, 51 ft. 8 in. west of Broadway (Block 1623, Lot 33), Borough of Brooklyn.

APPEARANCES—
For Applicant: Martyn N. Weinstein.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

MINUTES

THE RESOLUTION (264-45-A)

WHEREAS, Martyn N. Weinstein, for Mircol Corporation, owner, filed May 7, 1945, an appeal from a decision of the borough superintendent, affecting premises: 1052-1054 Greene avenue, south side, 51 feet. 8 in. west of Broadway (Block 1623, Lot 33), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 30, 1945, re Alt. Applic. 337-45, reads:

"1. Exits to comply with Section 270 of the Labor Law.

"2. Provide 2 ft. by 3 ft. hinged scuttle and double rung 18 in. iron ladder in stairhall."

and

WHEREAS, the applicant states that the building is 3 stories (39 ft.) in height, 40 ft. by 90 ft. in area; Class 1 construction; erected in 1895; located in an unrestricted and business use, C area and Class 1 height district; used and occupied since March, 1945, as follows: Cellar, boiler room and storage; 1st, 2nd and 3rd floors, telephone exchange; proposed to be used and occupied: cellar, boiler room and storage; 1st floor, shipping, showrooms and display, 10 persons; 2nd floor, mfg. of briar pipes, 25 persons; 3rd floor, offices, 10 persons; that the building is equipped with a standpipe, one 3 ft. wide fireproof stairs, leading directly to the street and one fire escape extending to the roof by a ladder and to the street by counterbalanced ladder; that windows on the course of fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the building was erected two stories in height in 1895, extended in 1903 and further extended in 1920, by adding a partial third story; that the third floor will be used for offices, toilet and locker room with a maximum occupancy of 10 persons; that the applicant contends that one interior fireproof enclosed stairway, varying from 3 ft. to 3 ft. 9 in. in width, leads directly to the street through a 4 ft. 10 in. entrance hall; that this stairway is more than adequate for the proposed number of occupants; that there exists an exterior fire escape on the Greene Avenue front, leading from the 3d floor and terminating at the street level, by means of counter-balanced stairs; that the main roof is reached by a stationary iron ladder located just outside the exit door on the 3rd floor, leading to the front extension roof; that the adjoining buildings are four stories in height and extend higher than the roof level of the building in question; that the structure is designed to support a liveload of 125 pounds and that it would be an undue hardship if the owner were forced to comply with the decision of the borough superintendent; that since the addition of the third floor which was added after 1913, is only 19% of entire cubical area of the building, and since the building is completely fireproof although not required by law to be so, it is requested the Board grant a variation, to permit the acceptance of the conditions as described herein

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 337-45, Objections 1 and 2, and that the appeal be and it hereby is *granted on condition* that the primary means of exit, consisting of an interior enclosed stair leading directly to the street and an exterior fire escape of the counter balanced type complying with the Labor Law requirements on the Greene avenue front of the building, all as indicated on plans filed with this appeal marked "Received May 7, 1945", shall be maintained; that the iron ladder, shown from the 2nd story roof at the front, to the roof of the third floor, shall be maintained; that in addition, a door shall be constructed in the enclosure of the primary means of exit, leading to the roof of the 3rd floor level; that in addition, a door leading directly out of the office or corridor to such roof, shall be maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the premises are maintained substantially as set forth; that this building shall not be increased in height or area; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct.

272-45-A

APPLICANT—F. P. Platt and Brother, for Nywest Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—814-838 Westchester avenue and 793-803 Prospect avenue, southwest corner (1st floor); (Block 2676, Lot 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles C. Platt.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (272-45-A)

WHEREAS, F. P. Platt and Brother, for Nywest Realty Corporation, owner, filed May 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 814-838 Westchester avenue, and 793-803 Prospect avenue, southwest corner (1st floor); (Block 2676, Lot 49), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 25, 1945, on amendment to Alt. Applic. 158-45, reads:

"1. The resolution of the Board of Standards and Appeals (Cal. 124-42-A) restricted manufacturing to the 2nd floor.

"2. Floors for manufacturing should be good for 120 lbs. live load. (Sec. 7.3.2.3, C26-345.) State in specification, the number of males and females in each factory. Reconsideration denied."

and

WHEREAS, the applicant states the building is two stories (28 ft.) in height; 294 ft., 259 ft., 88 ft., 20 ft. and 69 ft. in area; of Class 3 construction; erected 1904, located in a business use, B area, Class 1½ height district and used and occupied since 1943 as: cellar, storage and boiler room; 1st floor, stores and church with an occupancy of 45 persons in the church; 2nd floor, manufacturing dresses, 200 persons, and janitor's apartment; and proposed to be used and occupied as follows: cellar, storage and boiler room; 1st floor, stores with manufacturing in store Nos. 795A, 795B Prospect avenue, 26 persons combined, 795C Prospect avenue, 12 persons combined, 801 Prospect avenue, 14 persons, 803-811 Prospect avenue and 836 A and B Westchester avenue, 92 persons combined; 797-799 Prospect avenue, 43 persons combined (a total of 187 persons at factory work on the 1st floor); 2nd floor, no change in use or occupancy is proposed; that the building is equipped with two interior wood stairs, one 7 ft. and the other 4 ft. 6 in. wide; that the main entrance stair is enclosed in stud, lath and plaster and the rear stairs in stud, wire lath and cement plaster; that the doors to the stair enclosure of the main stairs are wood and to the rear enclosure are metal and that none of the doors are self-closing; and

WHEREAS, Violation No. 80 was issued January 11, 1945, for changing the occupancy of the building inconsistent with last issued certificate of occupancy to wit: store first story changed to factory, 24 employees and 24 motor driven machines; and

WHEREAS, Certificate of Occupancy 1225 issued January 30, 1943, permits the following use and occupancy: cellar, storage; 1st floor, stores, 75 lb. live load (number of persons not stated); 1st floor, church, 120 lb. live load, 45 persons; 2nd floor, light manufacturing, 75 lb. live load, 200 persons; 2nd floor, janitor's apartment; and

WHEREAS, the applicant contends that this is an appeal for variation to permit factory occupancy in 795 A, B and C, 801 and 803-811 Prospect avenue and 836A and B Westchester avenue; that the occupancy is of a light nature, using sewing machines and the live load imposed is well under 75 lbs. per superficial foot; that live load notices will be

posted, specifying the 75 lb. limit and the occupants instructed not to exceed that allowance; that any reinforcing for additional loads will be a waste of money and material, as the occupancy described would not utilize the excess construction; that the nature of the neighborhood has changed, so that to continue store occupancy is no longer feasible and it would be a hardship on the owner not to be permitted to rent the premises for the purposes proposed, particularly since the nature of the occupancy is permitted under the zoning resolution.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 158-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the resolution of the Board adopted May 19, 1942, under Cal. 124-42-A, shall be complied with; that a similar type of manufacturing as therein permitted, may be permitted on the first floor as proposed, *on condition* that in all other respects, the resolution adopted May 19, 1942 shall be complied with; that the building shall not be increased in height or area; that this variance shall continue only so long as the premises are used substantially as proposed and to the satisfaction of the borough superintendent; that such portable fire fighting appliances are maintained as the fire commissioner shall require; that the floor loading shall be posted on the 1st and 2nd floor; as to the sentence in Objection 2, this information shall be furnished to the borough superintendent; that in all other respects, all laws, rules and regulations applicable to the building and occupancy shall be complied with, including the requirements of the Labor Law and the requirements of the zoning resolution, as to the amount of space permitted to be occupied in a business use district for factory purposes.

291-45-A

APPLICANT—John Burke, for Bennett Box Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—5101-5111 2nd avenue and 214-216 51st street, southeast corner (Block 797, Lots 5-11), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Burke and Rippey T. Sadler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (291-45-A)

WHEREAS, John Burke, for Bennett Box Corp., owner, filed May 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 5101-5111 2nd avenue and 214-216 51st street, southeast corner (Block 797, Lots 5-11), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 16, 1945, on Alt. Applic. 384-41, reads:

"1. Provide two means of egress from the 2nd floor, complying with the requirements of Sec. 270 of the Labor Law. Denied."

and

WHEREAS, the applicant states that the building is one story (15 ft.) in height, 100 by 100 ft. in area; Class 3 construction; erected in 1918; located in an unrestricted use, A area and Class 2 height district; erected in 1918; used and occupied since 1941 as follows: Cellar, heating; 1st floor, wood box manufacturing, 50 persons; proposed to be used and occupied: Cellar, heating; 1st floor, wood box manufacturing, 50 persons; 2nd floor, office, 5 persons and that the building is equipped with a one-source sprinkler system; and

WHEREAS, Violation 4964-44 issued October 27, 1944, was for occupying first floor for manufacturing without a certificate of occupancy; and

WHEREAS, the applicant contends that it is proposed to extend the building by adding the second story, 17 ft. 6 in. by 40 ft. 6 in., to be used as an office with an occupancy of five persons; that there is not sufficient space to properly perform the business contracted; that there will be a 3 ft. clear stairway from the 2nd floor, directly to the street, enclosed with fire-retarded partitions on both sides and with soffits covered with metal lath and two coats of cement mortar; that a door will be provided in the new rear wall of second story to the roof, to form a passage to the easterly building, which is occupied by the same owner and which also has a door to the roof from the 2nd story; that there is a fire wall now existing between the east and west building, with a 3-hour test fireproof door; that the westerly building is equipped with an automatic sprinkler system.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 384-41, objection 1, and that the appeal be and it hereby is *granted on condition* that the primary means of exit shown on plans filed marked "Received May 16, 1945," within the 2nd floor addition, shall be maintained as proposed, leading directly to the street, and in addition, the stairway shall be constructed from the main roof on Second avenue toward the rear, with a door leading by stairs to the second story locker room; that such stairs shall at all times be available as a means of exit from the 2nd story of such locker and store room at the rear and the office portion at the front; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that this variance is granted only so long as the conditions are maintained substantially as proposed, and to the satisfaction of the borough superintendent and the fire commissioner.

294-45-A

APPLICANT—Sidney H. Frankfeldt, for 148-150 West 20th Street Corp., owner (Tel-Mor Garage, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—148-150 West 20th street, south side, 196 ft. east of 7th avenue (basement); (Block 795, Lot 67), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob R. Heller.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (294-45-A)

WHEREAS, Sidney H. Frankfeldt and Lillian F. Heller d/b/a Tel-Mor Garage, lessee, for 148-150 West 20th Street Corporation, owner, filed May 18, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 148-150 West 20th street, south side, 196 ft. east of 7th avenue (basement); (Block 795, Lot 67), Borough of Manhattan; and

WHEREAS, Order 33086-LF, issued by the fire commissioner, January 30, 1945, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, CH. 26, Adm. Code. * * * C19-161.0 Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated May 7, 1945, which reads:

"In reply to your request to rescind Order 33086-LF, requiring an automatic sprinkler system in the cellar, you are advised that this order was reissued due to the

use of the cellar for the storage of cars, and your request is denied.

An appeal may be filed from this decision with the Board of Standards and Appeals within 30 days, at which time you may submit a request to allow the use of the cellar for the storage of dead cars."

and

WHEREAS, the applicant states that the building is 5 stories (approximately 65 ft.) in height, 43 ft. 6 in. by 90 ft. in area, of class 3 construction, erected in 1893, located in an unrestricted use B area and Class 2 height district and used and occupied since 1912 as a public storage garage and proposed to be used throughout as follows: cellar, storage of more than five motor vehicles, no persons; 1st floor, storage of more than five motor vehicles, 2 persons; 2nd floor to 5th floor, storage of more than five motor vehicles, no persons; that the building is equipped with one 3 ft. 6 in. wide wood stairs, enclosed in metal partitions, equipped with metal self-closing doors and leading from the top story, directly to the street; that a ladder and scuttle to the roof is provided; that there are two fire escapes leading to the roof by ladder and to the street and yard by ladder, with egress through areaway to an adjoining vacant lot; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the building has been used as a garage for more than 30 years; that the applicant has occupied the building for more than 7 years, operating it as a storage garage and sale of gasoline and oil at retail, on the main floor; that the order refers to the basement only and until 1938, the basement was used for the storage of pleasure cars; that in 1938, the Fire Department issued an order, directing the installation of a sprinkler system in the basement; that this order was taken up with the Department and it was agreed that the order would be rescinded, on condition that the applicant install a metal stairway from the street to the vault space and provided that no automobiles be stored in the basement; that such arrangement was complied with until 1944, when due to the pressure of business, the applicant stored several automobiles not exceeding six in number, in the basement which has a capacity for 20 cars; that the Department reissued the order, requiring the installation of a sprinkler system in the basement and the appeal is taken from this order; that the applicant requests the order be rescinded, as it appears from the diagrams filed with this appeal, that the building has a frontage of 44 ft. and a depth of 96 ft., is of brick construction and fire-retarded throughout; that the boiler room is completely separated from the basement by brick walls equipped with fireproof door opening to the vault space below the sidewalk; that the basement is readily accessible for fire-fighting; that access to the basement can be had through elevator shaftway opening on the street, which opening is 20 ft. by 11 ft. 6 in. in area; that there is a metal stairway from the street level to the vault space and leading through a fireproof door in the basement; there is also a window from the basement to the vault space and a stairway, metal enclosed, leading from the ground floor to the basement; there are rear windows opening to the areaway; there is a fire escape from the roof, leading down to one of the rear basement windows; that the areaway is readily accessible, by reason of the vacant lot immediately to the east, which is separated from the premises in question by a low wall leading to the rear windows; that no gasoline or oil or other inflammable material is stored in the basement; there are no employees stationed in the basement; that there are never more than two employees throughout the building; that there are sufficient fire hydrants in the immediate proximity of the premises from which adequate water can be drawn without delay, to fight any fire in the basement; that to deprive the applicant of the use of the basement for the very purpose for which the building is occupied, would constitute a serious financial loss.

Resolved, that Order 33086-LF, Item 1, of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the entrance to the basement as indicated on plans filed with this appeal, marked "Received May 18, 1945," shall be maintained and that the number of cars stored in the basement shall at no time exceed twelve (12) and that such cars shall be in dead storage only and all gasoline removed from the tanks and the plugs and filling caps of the tanks removed; that such portable fire fighting appliances shall be maintained in the cellar as the fire commissioner shall direct; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and maintained to the satisfaction of the fire commissioner.

304-45-A

APPLICANT—Louis B. Santangelo, for B.H.L. Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1613-1635 East 16th street, east side, 100 ft. south of Avenue P (2nd floor); (Block 6779, Lot 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis B. Santangelo and Henry Cash.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (304-45-A)

WHEREAS, Louis B. Santangelo, for B.H.L. Realty Corporation, owner, filed May 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 1613-1635 East 16th street, east side, 100 ft. south of Avenue P (2nd floor); (Block 6779, Lot 69), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1945, on Alt. Applic. 1109-45, reads:

"1. Means of egress from 1st and 2nd floors to comply with Section 270 of the Labor Law in all respects.

2. Comply with Section 7.3.2.3 as to required floor load capacity of 120 lbs. for factory use."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft.) in height, 192 ft. 5½ in. by 100 ft. in area at 1st floor, 46 ft. by 100 ft. in area at 2nd floor, of Class 3 construction, erected in 1921, located in an unrestricted use, D area and class 1¼ height district and used and occupied since 1943 as follows: cellar—boiler room; 1st floor—garage for more than five cars and repair shop—2 persons; 2nd floor—manufacturing plastic novelties—20 persons; no change in use or occupancy is proposed; that the building is equipped with one 3 ft. 8 in. wide wood stairs, enclosed in fire-resisting partitions, to be equipped with fireproof, self-closing doors and leading directly to the street; that there is one fire escape proposed at the front, to extend to the street by a drop ladder in guides; that windows and doors on the course of the fire escape will be made fireproof and self-closing; and

WHEREAS, the applicant contends that the existing certificate of occupancy permits the 1st floor to be used for garage and repair shop and the 2nd floor for office; that it is proposed to use the 2nd floor for manufacturing of plastic novelties, with an occupancy of about 20 persons; that to be required to comply fully with section 270 of the Labor Law, would require two fireproof stairways leading to the roof and to the street; that the 2nd floor is now provided with a wood stairway with fire-resisting enclosure leading directly to the street; that it is proposed to install at the top of the stairway, an iron ladder to a scuttle in the roof; it is further proposed to provide a fire escape at the

front of the building, as a secondary means of egress with a ladder to the sidewalk; that only about one-half of the 2nd floor will be used for manufacturing of plastic novelties, which is a light, clean business and not in any way objectionable or a hazard; that the applicant contends specifically as to objection 2, that the work carried on is only light manufacturing with small, light machinery, for which the approved 80 lb. load is more than ample and will never be exceeded; that the owner, if forced to comply with section 270 of the Labor Law, would suffer undue hardship and expense not comparable to the return on the investment; it is therefore requested that the Board accept the fire-resisting stairway and fire escape and approve the 80 lb. load, in view of the fact that the work carried on is only light manufacturing with a small occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1109-45, Objection 1, and that the appeal be and it hereby is *granted on condition* that the exits and entrances as indicated on plans filed with this appeal on the first and second floors shall be maintained as existing and as proposed, and that in addition, there shall be a door in the first floor in the fire wall toward the rear; that such door shall be fireproof in accordance with the requirements for doors within fire walls and shall be not less than 3 ft. in width; that on the 2nd floor, the windows overlooking the adjoining neighboring roof, whether under the same ownership or not, shall be fireproof and self-closing of the double hung type, so as to be available for additional exit; that the fire escape on the East 16th street side of the building, as proposed, shall comply with the requirements of the Labor Law, except that a counterbalanced ladder of the vertical counterbalanced type may be maintained; as to Objection 2, that the approved floor load of 80 lbs. per superficial foot shall be maintained and the factory occupancy within the space toward the front as shown on plans filed with this appeal, shall not be loaded beyond such capacity; that the floor loading shall be posted; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that such portable fire fighting appliances shall be maintained, within the space proposed to be occupied for factory stock and storage, as the fire commissioner requires; that this variance shall continue only so long as the premises are maintained substantially as proposed and as herein permitted.

305-45-A

APPLICANT—J. Bernard Pfeiffer, for 115-117 Essex Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—154-156 and 158 Ludlow street, east side, 25 ft. south of Stanton street (2nd, 3rd and 4th floors); (Block 411, Lots 50, 51 and 52), Borough of Manhattan.

APPEARANCES—
For Applicant: J. Bernard Pfeiffer.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (305-45-A)

WHEREAS, J. Bernard Pfeiffer, for 115-117 Essex Street Corporation, owner, filed May 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 154-156 and 158 Ludlow street, east side, 25 ft. south of Stanton street (2nd, 3rd and 4th floors); (Block 411, Lots 50, 51 and 52), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated May 3, 1945, on an amendment to Alt. Applic. 1214-44, reads:

"This amendment is disapproved with following objection:

"1. Provide two means of egress from every floor to street, as per Sec. 6.1.2.2.3. Bldg. Code."

and

WHEREAS, the applicant states the building is five stories (50 ft.) in height, 75 ft. by 100 ft. in area at first floor; 75 ft. by 53 ft. 6 in. and 55 ft. in area at typical floor; Class 3 construction; erected in 1900; located in a business use, B area and Class 1½ height district; occupied since completion as follows: cellar, ordinary, boiler room, storage; 1st floor, stores, dwelling; 2nd to 5th floors, dwelling, 4 families each; proposed to be used and occupied, after alteration to four stories and mezzanine in height, as follows: cellar, boiler room, storage; 1st floor, stores; mezzanine (proposed) offices; 2nd, 3rd, 4th floors, showrooms, 10 persons per floor; that the building is equipped with one 3 ft. 8 in. steel stairs, brick enclosed, equipped with 1-hour rating, self-closing doors, leading from the roof bulkhead, directly to the street and two fire escapes leading to the street by ladders; and

WHEREAS, the applicant contends that the three buildings are to be combined into one unit and separated in such a manner that building 158 Ludlow street, with an area of 1338 sq. ft. from the 2nd to the 4th floors, has access to this stair; that the buildings 156 and 158 Ludlow Street, with an area of 2750 sq. ft. from the 2nd to the 4th floors, have access to this same stair; that the area as noted is taken from the exterior wall surfaces and does not exclude the elevator and stairway enclosure; that in addition, the buildings have front fire escapes, to which all buildings have access thereto, as a secondary means of exit, and that in view of the arrangement of the separation of buildings by brick wall and enclosure of stair of similar material, including limited capacity, this arrangement does not constitute a hazard.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1214-44, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

326-45-A

APPLICANT—Robert Teichman, for The Rector, Church Wardens and Vestrymen of Trinity Church, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—76-78 Varick street and 3-9 Grand street, southeast corner (Block 227, Lot 70), Borough of Manhattan.

APPEARANCES—
For Applicant: Robert Teichman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (326-45-A)

WHEREAS, Robert Teichman, for The Rector, Church Wardens and Vestrymen of Trinity Church, owners, filed May 26, 1945, an appeal from a decision of the borough superintendent affecting premises 76-78 Varick street and 3-9 Grand street, southeast corner (Block 227, Lot 70), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 10, 1945, on Alt. Applic. 490-45, reads:

"2. No light of glass in windows should exceed 720 sq. in. as per Section 264 Labor Law."

and

WHEREAS, reconsideration of this objection was denied by the borough superintendent on April 26, 1945; and

WHEREAS, the applicant states that the building is 7 stories (84 ft. 1 in.) in height, 60 ft. by 85 ft. 9 in. in area, of class 1 construction, erected in 1924, located in an unrestricted use, B area and Class 1½ height district and used and occupied since 1924 as follows: cellar, boiler room and storage, 10 persons; 1st floor, vacant; 2nd and 3rd floors, vacant; 4th floor, paper warehouse, 60 persons; 5th floor, vacant; 6th floor, watch manufacturing, 60 persons; 7th floor, offices and manufacturing recording devices, 60 persons; proposed to be used and occupied: cellar, boiler room and storage, 10 persons; 1st floor, packaging and shipping, 30 persons; 2nd floor, offices and packaging and shipping of drug products, 70 persons; 3rd floor, packaging and storage of drug products, 70 persons; 4th floor, paper warehouse and manufacturing paper products, 70 persons; 5th floor, manufacturing recording devices, 70 persons; 6th floor, manufacturing watches, 70 persons; 7th floor, offices and manufacturing recording devices, 70 persons; that the building is equipped with a two source sprinkler system and standpipe system; that there are two 3 ft. 8 in. steel stairs, enclosed in 6 in. terra cotta blocks, equipped with fireproof, self-closing doors which lead from the roof bulkhead, directly to the street; and

WHEREAS, Violation 1382-45 issued May 23, 1945 was for changing the occupancy of the building from storage and offices to a factory without obtaining a certificate of occupancy; and

WHEREAS, the applicant contends that the building complies with the requirements of the Labor Law, with the exception of the width of the stair doors and the windows; that the work required to change the doors will be done and the portion of the windows above the 3rd floor, will be complied with; that this appeal is made for a variation of the requirements of Section 269, subd. 7 of the Labor Law, to permit the windows on the 1st, 2nd and 3rd floors to remain without change; that these window sizes are as follows, 1st floor, Grand street: front, 8 sq. ft.; Varick street, 6.8 sq. ft.; 2nd floor, Grand street, 7.5 sq. ft.; Varick street, 6.4 sq. ft.; 3rd floor, Grand street, 7 sq. ft.; Varick street 5.9 sq. ft.; that these windows are now fireproof and will be glazed with plate glass, as required by the Labor Law; it is also requested that the Board permit the windows existing on the 1st floor to remain, which windows are not now self-closing; and

WHEREAS, the applicant contends that the windows are more than 30 ft. from another building; that those facing on Grand street are 60 ft. distant and those on Varick street being 120 ft. distant.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 490-45 and that the appeal be and it hereby is *granted as to objection 2, on condition* that all lights of glass on both street fronts above the first floor shall comply with the Labor Law therefor and shall be glazed with plate glass; that in all other respects, the building and occupancy shall comply with all other requirements of the Labor Law and all other laws, rules and regulations applicable to the building and occupancy.

357-45-A

APPLICANT—Fred S. Kummer, for New York Life Insurance Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1282-1300 Broadway, east side, from West 33rd street to West 34th street, 53-63 West 33rd street and 46-62 West 34th street (Block 835, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred S. Kummer.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock 1

Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

THE RESOLUTION (357-45-A)

WHEREAS, Fred S. Kummer, New York Life Insurance Company, owner, filed June 7, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 1282-1300 Broadway, east side, from West 33rd to West 34th streets, 46-62 West 34th street and 53-63 West 33rd street (Block 835, Lot 1), Borough of Manhattan; and

WHEREAS, Order 33573-LF, issued by the fire commissioner, March 8, 1945, reads:

> "1. Install an adequate electric closed circuit interior fire alarm system of an approved type in accordance with the interior fire alarm rules of the Board of Standards and Appeals.
>
> Note: Plans and specifications in duplicate shall be filed with and approved by this department prior to the installation of the fire alarm system. Sec. 19-487e-2.0.0.1 Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated May 31, 1945, reads:

> "Confirming our conversation at this office, you are advised that Order 33573-LF, calling for the installation of an electric interior fire alarm cannot be rescinded.
>
> It is suggested you take the matter up with the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 24 stories and pent house (284 ft.) in height; 207 ft. by 200 ft., irregular in area; of Class 1 construction; erected 1912 and 1917, located in a retail and restricted retail use district, B area, and Class 2 height district and used and occupied since erection as a hotel; that the building is equipped with a two source sprinkler system, a standpipe system, interior fire alarm system and that fire drills are maintained; that there are five interior fireproof stairs from the roof to the lobby, four of which are 3 ft. 6 in. in width and the other 4 ft. in width; and

WHEREAS, the applicant contends that the existing fire alarm system as now operating, is identical as that installed at the time of the erection of the building; that the building is equipped with all the fire fighting and fire prevention equipment required by the city departments and in addition, has a well-organized fire brigade on duty 24 hours a day; that there is also an ADT fire alarm system, with a sending station on each floor; that the system now installed which is ordered to be replaced, is an Auth break-the-glass open circuit interior fire alarm, having 126 sending stations located on each floor, well within the required distance limits from the most remote point and all connected to suitable annunciation gongs and an indicating panel, located where trained employees and engineers are on duty at all times for emergency purposes; that in addition, gongs are installed in 2 service elevators, which descend to the basement to await instructions and take the fire brigade to the point at which the alarm was sounded; that there is also the necessary equipment and switches for sending in general alarms and ring backs all integral and part of the original system; that power for the system is furnished by two low voltage generators in addition to the two storage batteries floating on the line at all times, thus insuring a positive supply of power; that details of the station location alarm receiving point and ADT sending stations are indicated on plans filed with this appeal; and

WHEREAS, it appears that the interior fire alarm system was installed prior to rules being adopted governing the installation and that the system does not meet the present requirements, mainly as to being an open circuit instead of a closed circuit system.

Resolved, that order #33573-LF of the fire commissioner, Item 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

366-45-A

APPLICANT—William F. Conran, for Kent Wool Stock Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—505 Kent avenue, east side, 130 ft. south of Division street (Block 2163 part of Lot 10), Borough of Brooklyn.
APPEARANCES—
For Applicant: William F. Conran.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (366-45-A)

WHEREAS, William F. Conran, for Kent Wool Stock Corp., owner, filed June 14, 1945, an appeal from a decision of the borough superintendent, affecting premises 505 Kent avenue, east side, 130 ft. south of Division street (Block 2163, part of Lot 10), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 22, 1945, on amendment to Sprinkler Application 2838-44, reads:

"Proposal to omit automatic fire alarm in connection with non-automatic sprinkler system, is contrary to Ch. 26-1339.0 of the Administrative Building Code."

and

WHEREAS, the applicant states the building is 3 stories (38 ft. 6 in.) in height; 25 ft. by 72 ft. in area; of Class 3 construction; erected prior to 1875; located in an unrestricted use A area and Class 2 height district and used and occupied for storage with a total of 3 employees and proposed to be used and occupied as follows: cellar, 1st, 2nd and 3rd stories, storage of wool stock with a total of 3 occupants in the entire building; that the building is equipped with one 3 ft. wide wood open stairs leading directly to the street and is provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the building has less than 1600 sq. ft. floor area; that there are no exposures; the southerly wall, adjoining a one story structure is unpierced; that the building is used throughout for the storage of baled wool stock; that a new non-automatic sprinkler system, connected to approved siamese fire department connection, has been installed throughout the building; it is requested that the building be exempted from the requirements for an automatic fire alarm system with central station connections on the following grounds: that there is a police booth directly across the street within 120 ft. of the premises, with an officer on duty at all times, having ready access to fire department alarm box in the event of fire; that there is a large power plant facing the building, said plant being fully manned at all times; that the main entrance of such plant is situated near a fire alarm box; that there are no exterior exposures and no heat or other source of fire in the building; that the contents consist of baled wool stock, which is slow burning and no other combustible fibers are to be stored in the building; that a sufficient amount of fire pails and extinguishers will be kept on each floor of the premises.

Resolved, that the decision of the borough superintendent, dated May 22, 1945, on amendment to Sprinkler Application 2838-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

376-45-A

APPLICANT—William Higginson and Son, for Bush Terminal Buildings Co., owner (Beech Nut Packing Co., lessee).
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—132-184 39th street and 3902-3924 2nd avenue, southwest corner (Bush Building 19, 1st, 2nd, 6th, 7th and 8th floors); (Block 706, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: William Higginson.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3

THE RESOLUTION (376-45-A)

WHEREAS, William Higginson and Son, for Bush Terminal Buildings Company, owner (Beech Nut Packing Company, lessee), filed June 15, 1945, an appeal from a decision of the fire commissioner, affecting premises 132-184 39th street and 3902-3924 2nd avenue, southwest corner, (Bush Building No. 19, 1st, 2nd, 6th, 7th and 8th floors); (Block 706, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated May 28, 1945, reads:

"This will acknowledge receipt of your letter of May 14th, wherein you request a permit for employees to smoke in your factory building situated at the above mentioned premises.

You are advised that your request must be denied for the reason that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals.

You may appeal this decision within 30 days to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan."

and

WHEREAS, the applicant states the building is 8 stories (108 ft.) in height; 230 ft. by 440 ft. in area; of Class 1 construction; erected in 1912; located in an unrestricted use, A area and Class 2 height district and used and occupied since 1921 as follows: 1st floor, storage, shipping and gum manufacturing, 70 persons; 2nd floor, manufacturing corrugated paper, storage and shipping, 70 persons; 3rd floor, assembly, packing gum, 550 persons; 4th floor, printing, storage and gum manufacturing, 170 persons; 5th floor, manufacturing toilet articles, storage and assembly, 660 persons; 6th floor, manufacturing paper cups and storage, 30 persons; 7th floor, manufacturing paper cups and storage, 320 persons; 8th floor, screen printing, storage, coffee roasting, 90 persons; and proposed to be used without change, with 100 persons on the 1st floor, 736 persons on each of the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th floors; that the building is equipped with a two source sprinkler system, a standpipe system and an interior fire alarm system, but fire drills are not maintained; that there are five interior stairs or fire towers, 4 ft. and 7 ft. 6 in. in width of fireproof construction, leading from the roof bulkhead, directly to the street and two exterior stairs, leading to the roof by stair and to the yard by stair, with egress to the street through a private street; and

WHEREAS, Certificate of Occupancy 84950 issued November 12, 1937, permits the use of the building throughout as a factory; and

WHEREAS, the applicant contends that due to the scarcity of labor and the increased demand for gum, the tenants are making every effort to provide congenial working conditions for their employees; that at the present time, the plant is working with a reduced personnel, which involves considerable physical strain and long hours and it is felt that if permission to smoke were granted it would give the employees an opportunity for necessary relaxation; that smoking receptacles and sufficient supervision will be provided to insure that smoking will not be carried on beyond

the designated areas and it is therefore requested that the Board permit smoking in the areas designated on plans filed with this appeal.

Resolved, that the decision of the fire commissioner, dated May 28, 1945, be and it hereby is *affirmed* and that the decision be and it hereby is *denied*.

404-45-A

APPLICANT—Ralph J. Gurfield, for Ross-Kent Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph J. Gurfield.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (404-45-A)

WHEREAS, Ralph J. Gurfield for Ross-Kent Corporation, owner, filed June 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 32-50 Ross street, south side, 95 ft. 7 in. east of Kent avenue (Block 2185, Lot 13), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 28, 1945, on Alt. Applic. 1587-45, reads:

"Obj. #2 pending

Because of the substantial alteration of this structure the means of egress must comply with Sec. 270 of the Labor Law.

Obj. #3 pending

120 lb. live load capacity required in bldg. devoted to factory use."

and

WHEREAS, the applicant states the building is 5 stories (66 ft.) in height; 202 ft. by 100 ft. in area; of Class 3 constructi n, erected 1908 and 1920; located in an unrestricted use, A area and Class 2 height district, and used and occupied since erection for storage of merchandise throughout and proposed to be used and occupied as follows: cellar, boiler room and storage of wood trim; 1st floor, offices, locker rooms and manufacturing wood trim, 120 persons; 2nd to 5th stories, manufacturing wood trim, 105 persons on the 2nd floor, 60 persons on the 3rd floor, 15 persons on the 4th floor and 15 persons on the 5th floor; that the building is partially equipped with a two source sprinkler system, and is equipped with an interior fire alarm system and that fire drills are maintained; that there are three interior wood stairs, two of which are 4 ft. in width and one 3 ft. in width, all enclosed in wood studs, rock lath and plaster, leading directly to the street and equipped with fireproof self-closing one hour doors; that there are two ladders and scuttles to the roof; that the building is also equipped with one fire escape at the front, leading to the roof by a ladder and to the street by a counterbalanced ladder; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that it is proposed to consolidate three buildings, two of which are separated by a 24 ft. ladder and use then for the manufacture of wood trim and assemblies; that Building No. 1 is two stories, no cellar, erected 1920, 66 ft. by 100 ft. in area, fireproof construction with wood roof; that the 1st floor is now used for storage garage and 2nd floor offices under Permit 6304-1920; that Building No. 2 is 5 stories and cellar, erected 1909, 86 ft. by 100 ft. of Class 3 construction, except for rear of cellar, which is fireproof; that the columns in the cellar and on the 1st floor are cast iron, 12 in. by 1¼ in. thick encased in two in. concrete and columns on all other floors are wood in the following sizes: 10 in. by 26 in. on 2nd floor; 10 in. by 22 in. in 3rd floor; 10 in. by 18 in. on fourth floor; 10 in. by 10 in. in 5th floor; that this building is now used for storage; that adjoining Building 2, there is a 24 ft. by 100 ft. lot occupied by sheds which are to be demolished and a 9 ft. passageway in the rear on the 1st and 2nd floors connecting Buildings 2 and 4; it is proposed to roof over this lot, 14 ft. above grade, the front portion of which will be fireproof and the balance wood; that overhead doors will be provided in the front wall; that the entire area is to be used for loading purposes and is designated as Building 3; that above the easterly half of the concrete portion of the roof of Building 3 a brick saw dust bin and collector will be constructed; that Building 4 is three stories, no cellar, erected 1908, 44 ft. by 100 ft. in area; of Class 3 construction; 1st floor, used for storage and baling of paper; 2nd floor and 3rd floor used for storage under Certificate of Occupancy 110811-44; that Buildings 2 and 4 are now sprinklered and equipped with supervisory alarm; that Building 3 will be sprinklered; that it is proposed to change the occupancy of these buildings from storage to factory and to remove existing platform at 1st floor of Building 1 along the easterly wall, as indicated on plans filed with this appeal and to change the present sliding door at the front to the overhead type with a 2 ft. by 6 ft. access door on the 2nd floor of Building 1; that it is proposed to remove office partitions and install new toilets and to provide a new opening in present elevator shaft; that in Building 2, it is proposed to erect new partitions for offices and toilets and to provide a new 3 ft. wide exit door at the front of the first floor and to enclose the present 3 ft. 8 in. stair with one hour enclosure throughout its height and to fire-retard the soffits of the stairs and ceiling within enclosure; that in Building 2, it is also proposed to provide a new opening 3 ft. by 7 ft. in the rear of easterly wall on third floor, with one hour door opening on the roof of the passageway below; that in Building 3, it is proposed to provide a roof as previously described and to cut a new opening in westerly wall, to provide access to Building 2; that this area will be sprinklered; that in Building 4, it is proposed to provide new toilets on the 2nd floor, a new 3 ft. by 7 ft. opening in the rear westerly wall on the 3rd floor, to be equipped with a one hour door opening on the roof of the passageaway; and

WHEREAS, the applicant contends as to exit facilities in Building 1, that on the first floor of this building, there exists a 7 ft. by 7 ft. opening in easterly wall, equipped with 3 hour sliding doors with fusible links on each side; that these doors will be open at all times and provide access to Building 2; that at the front, will be an overhead door equipped with a 2 ft. by 6 ft. access panel; that as to the exit facilities on the 2nd floor, this floor is equipped with a concrete stair 3 ft. 8 in. wide, enclosed by 6 in. terra cotta blocks, plastered both sides, and two horizontal exits, 4 ft. wide and remote from each other, provided with 3 hour protection, leading to Building 2; and contends as to exit facilities of Building 2, that it has a wood stair, 3 ft. 8 in. wide connecting all floors; that it is proposed to enclose this stair with a 1 hour enclosure throughout its height and to fire retard the ceiling and soffits within this enclosure; that all openings are to be provided with 1 hour fireproof, self-closing doors; that there is now a 12 in. wall dividing this building in half; that access from each half is through a 6 ft. by 7 ft. opening equipped with 3 hour doors on each side, one fireproof automatic, and the other fireproof self-closing; that these will be removed to facilitiate access to stair; that on the first floor, a new door, 3 ft. by 7 ft. will be cut, providing a new exit to the street; that on the front of this building, is a straight run fire escape 3 ft. wide, accessible from each floor; that all doors leading onto this fire escape are fireproof, 1 hour rating, with 180 degree swing in the direction of egress; that all windows on its course are also fireproof, self closing; that along the easterly wall is another fire escape with balconies, 3 ft. wide, and 16 ft. long, connected by a 60 degree double rung ladder; that the top balcony connects to the roof by ladder and the

lowest balcony connects to the yard by a stationary iron stair; that because of interference with the new roof in this area, it is proposed to eliminate this stair and extend the lowest balcony to the concrete portion of the roof at the front and to provide access to the street by means of 4 ft. by 4 ft. balcony and drop ladder at the front of the building; that there is also a passageway on the 1st and 2nd floors, connecting Buildings 2 and 4; that the openings on either end are protected by 3 hour assemblies; that the new openings on the 3rd floor of Buildings 2 and 4 are to provide an additional means of egress for Building 4, for that floor; and contends as to exit facilities of Building 3, that it is proposed to create one new opening, 3 ft. by 7 ft. leading to Building 2; that this opening is to be protected with 1½ hour automatic sliding door on each side of the opening; that there is now a 4 ft. by 7 ft. opening connecting this area with Building 4; and contents as to exit facilities of Building 4, that it is provided with a 3 ft. 8 in. open wood stair connecting all floors, and is to remain without change; that an additional means of egress is to be provided by the present passageways on the first and second floors, and the new openings on the 3rd floor; that the occupancy in this building will be limited to 25 persons, 3rd floor, 15 persons, 2nd floor, 20 persons, 1st floor; that although not shown on plans, there is now existing a fire escape on easterly wall of this building, connecting all floors; that no credit for this fire escape is asked at this time, since it is on adjoining property, access to which might possibly be obtained at a future date; that in addition, all buildings with exception of Building 1 will be sprinklered and equipped with a supervisory alarm system; that when these buildings are occupied, a regular system of fire drills will be instituted; that there seems to be ample facilities for exiting the occupants of these several buildings; that since all buildings are under one ownership, normal intercommunication will be quite frequent, causing all occupants to thus familiarize themselves with all means of egress available; that there will be posted sufficient exit and directional signs throughout the premises; that all openings not self-closing will remain open, particularly during business hours; it is requested that the Board reconsider Objection 2 of the Building Department, to make the stairs comply with Sec. 270 of the Labor Law, as it would impose an unnecessary hardship and would provide no additional facilities for egress; that Objection 3 refers principally to the 2nd floor, Building 1, which was built for a 75 lb. per sq. ft. live load; it is requested that this live load be permitted for factory use for this floor; that the entire premises will be used for manufacture of wood trim and assemblies, involving light pieces; that the machines on this floor consist of variety saws, bench saws, and gluing machines, each occupying an area of approximately 25 sq. ft. and weighing at most 400 lbs. total; that considering the aisle space necessary to accommodate the pieces fed to each machine, the requested maximum live load of 75 lbs, per sq. ft. will seldom, if ever, be reached; that there will be no storage of any material on this floor; that signs will be posted to apprise the occupants of the live load limitation; that in Building 2, the easterly half of the first floor has been limited by the Department of Housing and Buildings, to 100 lbs. per sq. ft. live load; it is requested that this variation also be accepted for factory use; that as proposed, at least 50% of this floor will be used for office space; that the balance, the major portion, of necessity, will be used for aisle space, interconnecting exits and elevator; that there will be no heavy machinery used in the rest of the space, and in any event, nothing will be stored in this space to exceed the 100 lb. per sq. ft. live load; that signs to that effect will be posted; that all other floors in this building, namely 4th and 5th floors, will be properly reinforced, to sustain 120 lbs. per sq. ft. live load; that in view of the foregoing, it is respectfully requested that the decision be modified and the exits as shown and floor live loads as designated, be accepted; and

WHEREAS, the premises were inspected by a committee of the Board and the committee recommended that in view of the fact these buildings are now being combined for the first time for a woodworking factory and in view of the type of occupancy proposed, that the buildings should comply with the requirements of the Labor Law and the Code.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1587-45, objections 2 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

415-45-A

APPLICANT—Henry Gilligan, for Mildred L. Kelly, trustee (Norge Sailmakers Corp., lessee).
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—170-172 2nd avenue, northwest corner of 13th street (1st floor); (Block 1025, Lot 49), Borough of Brooklyn.
APPEARANCES—
For Applicant: Henry Gilligan.
For Administration: Thomas A. Larkin, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (415-45-A)

WHEREAS, Henry Gilligan, for Mildred L. Kelly, as trustee (Norge Sailmakers Corporation, lessee), filed June 30, 1945, an appeal from a decision of the fire commissioner, affecting premises 170-172 2nd avenue, northwest corner 13th street (1st floor); (Block 1025, Lot 49), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated May 31, 1945, reads:

> "This will acknowledge receipt of your letter of May 29th, wherein you request a permit for employees to smoke in your factory building situated at the above mentioned premises.
>
> "You are advised that your request must be denied, for the reasons that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals.
>
> "You may appeal this decision within 30 days to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan."

and

WHEREAS, the applicant states the building is 3 stories (40 ft.) in height; 47 ft. 6 in. by 97 ft. 5 in. in area; of Class 1 construction; erected 1908; located in an unrestricted use, A area and Class 1½ height district, and used and occupied since 1941 as follows: cellar, storage; 1st floor, office, storage and manufacturing, 15 persons; 2nd and 3rd floors, manufacturing, 28 persons on 2nd floor, 30 persons on 3rd floor; that the building is equipped with an interior fire alarm system and that fire drills are maintained; that there are two 43 in. steel stairs, enclosed in brick and concrete, equipped with metal self-closing doors and leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that the building is fireproof with two interior stairways, equipped with both sliding and self-closing fireproof doors; that permission is requested to smoke in the office only, on the 1st floor, which has a direct street entrance; that customers doing business with the office insist on smoking and it will be conducive for better business relations if the customers and the officers of the company were permitted to smoke in the office only; and

WHEREAS, Certificate of Occupancy 71410, issued July 18, 1933, describes the building as brick construction and permits its use throughout as a factory.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated May 31, 1945, and that the appeal be and it hereby is *granted on condition* that no smoking shall be permitted throughout the building, except on the space marked "offices" on the first floor, as indicated on plan filed with this appeal marked "Received June 30, 1945"; that all doors leading therefrom

to the balance of the building shall be made self-closing; that signs as to smoking areas shall be posted, as directed by the fire commissioner, indicating where smoking is herein permitted and not elsewhere throughout the building; and that in all other respects, the Rules for Smoking in Factories shall be complied with; that this variance is *granted* only so long as conditions are maintained as proposed and to the satisfaction of the fire commissioner; that a fire alarm system and fire drills, complying with the requirements, shall be maintained.

434-45-A

APPLICANT—Schuman and Lichenstein, for 40-20 23rd Inc., owner (Seyco Products, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40-20 and 40-22 23rd street, west side, 175.16 ft. south of 40th avenue (2nd floor); (Block 409, Lots 33 and 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Simon Z. Alderman.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (434-45-A)

WHEREAS, Schuman and Lichenstein, for 40-20 23rd, Inc., owner (Seyco Products, Inc., lessee), filed July 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 40-20 and 40-22 23rd street, west side, 175.16 ft. south of 40th avenue (2nd floor); (Block 409, Lots 33 and 34), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 6, 1945, on Alt. Applic. 648-45, reads:

"1. Two stairways, constructed as provided under Section 270 of the Labor Law, not provided.

and

WHEREAS, the applicant states the building is 2 stories (25 ft.) in height; 25 ft. by 100 ft. in area at 1st floor; 25 ft. by 36 ft. in area at 2nd floor; of Class 3 construction; erected 1926; located in an unrestricted use, D area and Class 1½ height district, used and occupied since 1928 as follows: cellar, boiler room and storage, 5 persons; 1st floor, warehouse, now vacant, 10 persons; 2nd floor, offices, 8 persons, and proposed to be used and occupied: cellar, boiler room, shipping and receiving, 10 persons; 1st floor, manufacturing candles, 53 persons; 2nd floor, offices and dressing room, 9 persons; that building is equipped with one interior 3 ft. wide iron stairs unenclosed and one fire escape at the front leading to the street by a ladder; that windows on the course of the fire escape are fireproof, not self-closing; that Certificate of Occupancy 24523 issued September, 1926 on N.B. Applic. 6120-26 permits the use of the building as a garage on the first story; and

WHEREAS, the applicant states that the building was erected in 1926 as a one story garage and altered in 1928, at which time the 2nd story was added and the occupancy changed to warehouse and office; that it is now proposed to convert the building for the manufacture of fox-hole candles for use in the Pacific area; and

WHEREAS, the applicant contends that the first story has fireproof floor construction and occupies an area of 2,500 sq. ft.; that the second floor occupies an area of 900 sq. ft.; that it is proposed to remove existing open stairway leading to the 2nd floor and install a new fireproof stair and enclosure; that additional egress is provided by means of the existing fire escape and drop ladder in the front of the building; that access to the fire escape is provided by a fireproof door and the windows on the course of the fire escape are fireproof; that inasmuch as the 2nd floor is limited in area and use, it is requested that the proposed egress be accepted as adequate.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. 648-45, and that the appeal be and it hereby is *granted as to objection* 1, *on condition* that the proposed primary means of exit shall be maintained from the cellar, with a counterbalanced scuttle and double hung ladder to the roof and leading directly to the street and a secondary means of exit, consisting of a fire escape balcony at the 2nd story with counterbalanced vertical drop ladder to grade, all as indicated on plans filed with this appeal marked "Received July 12, 1945" (two sheets); that the building shall not be increased in height or area; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that this variance shall continue only so long as the premises are occupied as set forth and as herein permitted.

1438-39-S

APPLICANT—Frank L. Lazarus, for 18 East 50th Street, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re variation of the labor law as cited in a decision of the borough superintendent. (Previously granted on condition).

PREMISES AFFECTED—18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block 1285, Lot 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank L. Lazarus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1438-39-S)

WHEREAS, Arthur Weiser, for Owenjay Realty Co., Inc., owner, filed November 24, 1939, an application for a variation of the Labor Law as cited in a decision of the Borough Superintendent of Buildings, affecting premises: 18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block 1285, Lot 59), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application No. 2784-1939, dated November 21, 1939, reads:

"2. Comply with section 264 Labor Law for construction of fireproof factory buildings. Building erected after October, 1912. Fireproof windows as per Labor Law, Industrial Code, 2-inch fireproof required for steel.

3. Exits required as per section 270 Labor Law for new Labor Law buildings. See objection No. 1 above. Fire tower required. Exit doors should open outwardly 3 ft. 8 in. doors required."

and

WHEREAS, the building is 11 stories (150 ft.) in height, 56 ft. 2 in. by 100 ft. 8 in. in area, of class 1 construction, located in a restricted retail use district, erected in 1915 and proposed to be occupied throughout as showroom, offices and light manufacturing, 35 persons per floor; and

WHEREAS, the building is equipped with a 2 source-sprinkler system, one interior 3 ft. 8 inch fireproof stairs and one exterior screened stairs located at rear of the building with egress from termination at mezzanine story by fireproof passageway direct to the street; and

WHEREAS, the applicant contends, as to Objection No. 2, the fireproofing on steel is 1½ inches instead of 2 inches as required by the Labor Law; the fireproof floors are

surfaced with wood on sleepers laid on cinders; front windows are double hung wood frames and sash, glazed with plain glass of sizes as shown on plans filed with this application; that the windows on the rear are fireproof glazed with wire-glass, but not self-closing, with lights the size as shown on plans filed; as to objection No. 3, that in lieu of the fire-tower required by the Labor Law, an exterior iron stair case 44 inches wide with 7½ inch risers and 10 inch treads has been provided, extending to roof, with fireproof doors on the course and leading at the mezzanine to a fireproof enclosed passage to the street; that the building was originally erected for single occupancy; that the proposed factory occupancy will be limited to 25% and the merchandise so manufactured will be incidental to the retail business, or 5% when the merchandise manufactured is not incidental to the retail business; that it is proposed to limit the number of occupants to the legal occupancy for the interior stairs; and

WHEREAS, this application was granted by the Board on November 28, 1939, on certain conditions; and

WHEREAS, the owner states that his architect was in error in stating that the building was equipped with an interior fire alarm system and that there is no such system installed in the building; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the resolution of the Board adopted on November 28, 1939, be and it hereby is *amended,* so that as amended, it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 2784-39, as to Objection 2, and that the application be and it hereby is *granted on condition* that all windows on the side lot lines and rear shall be fireproof, complying with the requirements of the Labor Law therefor and shall be made self-closing; that the windows on the front of the building at the 2nd floor level shall have steel sash with no light of glass exceeding the size indicated, namely 12 in. by 18 in.; that such glass may be clear, double-thick; that from the 2nd floor upward, the existing wood sash may be retained, provided the divisions are as indicated, with no light of glass larger than 14 in. by 18 in.; that such windows need not be made self-closing; that the fireproofing on steel shall be not less than 2 inches throughout, except that on the floor beams such fireproofing shall be not less than 1½ inches; as to Objection 3, that the existing means of exit, consisting of an interior enclosed stairway and exterior steel stairway, may be accepted as complying with the requirements of the Labor Law, provided the two-source sprinkler system is maintained throughout the building and the exit from the exterior stairway shall be maintained with a fireproof passageway to street; that the occupancy per floor shall be limited to the legal capacity of the interior enclosed stairway; that the central office connection with the sprinkler system shall be maintained; that in all other respects the building and occupancy shall comply with the requirements of the Zoning Resolution, the State Labor Law and all other laws, rules and regulations applicable thereto.

"*Resolved further,* that in the above resolution where the word 'mezzanine' is used, it shall be deemed to refer to the second story of the building and that irrespective of the description by the architect applicant, the existing exterior stairs are 'screen' stairs, the terms of this resolution shall govern."

348-43-A

APPLICANT—Socony Vacuum Oil Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner re packing and storing of combustible mixtures known as "Mobilgloss, Mobil Pre-Wax Cleaner, Mobile Penetrating Oil, Mobile Dry Cleaner, Tavern Dry Cleaner, Sanilac Liquid Wax, Sanilac Penetrating Finish, Sanilac Super Sealer and Sanilac Floor Dressing" in 1-gallon glass jugs; "Tavern Liquid Wax" in 1-gallon and ½-gallon glass jugs and "Tavern Floor Wax, Sanilac Paste Wax and Mobilwax" (hard) in three lb. glass jars (capacity of glass jugs and jars not in conformity with Administrative Code specifications); (previously granted on condition for a term of six months.

APPEARANCES—

For Applicant: Herbert C. Smyth, Jr., and Charles E. Smith.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (348-43-A)

WHEREAS, Socony-Vacuum Oil Company, Inc., owner, filed on July 8, 1943, an appeal from a decision of the fire commissioner, relating to the packaging in glass containers of the following combustible mixtures: Mobilgloss, Mobil Pre-Wax Cleaner, Mobil Penetrating Oil, Mobil Dry Cleaner, Tavern Liquid Wax, Tavern Dry Cleaner, Sanilac Liquid Wax, Sanilac Penetrating Finish, Sanilac Super Sealer, Sanilac Floor Dressing, Tavern Floor Wax (paste) Sanilac Paste Wax, Mobilwax (hard), which are the subject of Permit No. B-355-295 issued by the Division of Combustibles, Fire Department, Brooklyn; and

WHEREAS, this appeal was granted by the Board on July 27, 1943, on certain conditions; and

WHEREAS, the permit was extended on May 9, 1944, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 27, 1943, as amended on May 9, 1944, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of six (6) months from the date of this *amended* resolution on the understanding that the use of glass bottles will, however, be terminated sooner than that date if metal cans are made available and also on condition that none of the items proposed to be packaged in bottles has a flashpoint of less than 100 deg. F.; that this *amended* resolution is a modification of Order 99891-C of the fire commissioner and that other than as *amended* herein, the conditions of the resolution of July 27, 1943, shall be complied with."

651-44-A

APPLICANT—Samuel Rosenblum, for Martha Mayer, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from decisions of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—613 East 233rd street, north side, 41.90 ft. east of Bronx Boulevard (1st floor); (Block 4993, Lot 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (651-44-A)

WHEREAS, this appeal from decisions of borough superintendent, affecting premises 613 East 233rd street, north side, 41.90 ft. east of Bronx Boulevard (1st floor); (Block 4993, Lot 8), Borough of the Bronx, was granted by the Board on December 19, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of Decmeber 19, 1944, by adding thereto:

"that in the event the owner finds it impracticable to construct and maintain a second means of exit from the east side of the cellar dining room, a secondary exit may be constructed at the rear of the northerly side as indicated on revised plans marked "Received July 6, 1945," except that such exit door shall not be less than 3 ft. 8 in. in width and the stairs not less than 4 ft. 6 in. in width; that free access shall be maintained at all times from such stairway, through the adjoining premises to East 234th street, in accordance with the consent of such adjoining owner filed with the Board marked "Received July . 1945", a copy of which shall also be filed with the Borough Superintendent and that other than as *amended* herein, the conditions of the resolution of December 19, 1944, shall be complied with."

375-45-A

APPLICANT—Joseph Lau, Merchants Refrigerating Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—500-528 West 17th street, 97-111 10th avenue, southwest corner and 501-521 West 16th street (Block 688, Lot 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (375-45-A)

WHEREAS, Joseph Lau, for Merchants Refrigerating Company, owner, filed June 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 500-528 West 17th street, 97-111 10th avenue and 501-521 West 16th street (Block 688, Lot 21) Borough of Manhattan; and

WHEREAS, this appeal was withdrawn on July 3, 1945, and the applicant requested a reopening and restoration to the calendar; and

WHEREAS, the decision of the borough superintendent, dated July 5, 1945, on Drop Curb Application 950-45, reads:

"1. Obstruction to pedestrians contrary to Sec. 2.4.2.13.1 a, b. Building Code."

and

WHEREAS, the applicant states the building is 9 stories (106 ft.) in height; 184 ft. by 197 ft. by 285 ft. by 356 ft. in area; of Class 1 construction; erected 1918; located in an unrestricted use, A area and Class 2 height district and used and occupied: cellar, engine room and cold storage, 10 persons; 1st floor, office and shipping space, 100 persons; 2nd to 9th stories, cold storage of food, 35 persons each; that building is equipped with a two source sprinkler system and interior fire alarm system and that fire drills are maintained; that there is one 4 ft. wide fireproof stairs from the roof to the street; and

WHEREAS, Certificate of Occupancy 1365, issued July 9, 1919, on N.B. Applic. 510-16, permits the present use and occupancy; and

WHEREAS, the applicant contends that an application was filed with the borough superintendent for 3 drop curbs, 10 ft. in width with an uncut portion of 9 ft. 6 in. between drops on 11th avenue; that there are two drop curbs which do not prove adequate for the tremendous volume of produce handled; that when the building was built, drop curbs were provided along the entire frontage east of West 17th street, West 16th street and 10th avenue, for trucks to back up to the building line loading platforms, which is the same method proposed for the new drop curbs on 11th avenue; that the building is used throughout for cold storage of foods; that at the present time, more than 70% of the volume of business handled is for the Armed Forces and for lend lease; that the owners have leased a portion of their refrigerated space to a large dealer in butter and eggs; that for his operations, it is essential there be loading facilities for three trucks; that this tenant is an essential part of the civilian food distribution in the city; that during these war times, the owners cannot afford to turn over to the tenants three of their loading doors, as it would hamper the movement of perishable goods and it is necessary that every possible truck loading space be utilized; that the neighborhood has very few pedestrians who use the sidewalk around this building; that it is practically impossible to enter the building with the trucks, as required by the borough superintendent, as the first floor is fireproof construction and is 3 ft. 6 in. above street; that to create a ramp to enter the 1st story would lose valuable space and in addition, introduce the gasoline fumes of the trucks into the food storage spaces; that the cellar on 11th avenue side contains irreplaceable mechanical equipment used for refrigerating purposes directly up to the underside of the first floor, which would prohibit the lowering of the floor.

Resolved, that the decision of the borough superintendent on D.C. Application 950-45, new objection 1, dated July 5, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no additional curb cuts shall be installed to 11th avenue other than those now existing and as herein proposed; that such new curb cuts shall be not over 10 ft. in width as indicated on plans marked "Received July 15, 1945."

505-44-A

APPLICANT—John D. Greco, owner (Providence Waste Paper Corporation, lessee).

SUBJECT—Appeal from orders and decisions of the fire commissioner.

PREMISES AFFECTED—72-76 New Chambers street, south side, 47 ft. 1 in. east of Batavia street and 58 Cherry street (Block 111, Lots 8, 9, 27, 28. 29 and 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Di Canio.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (505-44-A)

WHEREAS, John D. Greco, owner (Providence Waste Paper Corporation, lessee), filed on August 31, 1944, an appeal from orders and decisions of the fire commissioner, affecting premises 72-76 New Chambers street, south side, 47 ft. 1 in. east of Batavia street and 58 Cherry street (Block 111, Lots 8, 9, 27, 28, 29 and 30), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

MINUTES

519-44-A

APPLICANT—John B. Reschke, for Christian & Missionary Alliance, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—77 East 114th street, north side, 130 ft. west of Park avenue (Block 1620, Lot 30), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (519-44-A)

WHEREAS, John B. Reschke, for Christian and Missionary Alliance, owner, filed on September 7, 1944, an appeal from a decision of the borough superintendent, affecting premises 77 East 114th street, north side, 130 ft. west of Park avenue (Block 1620, Lot 30), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

3-45-A

APPLICANT—Montgomery Ward and Co., Inc., lessee, for Archer Realty Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—150-18 to 150-24 Jamaica avenue, southwest corner of 151st (Division) street (basement); (Block 10092, Lot 6), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (3-45-A)

WHEREAS, Montgomery Ward and Co., Inc., lessee, for Archer Realty Co., owner, filed on January 4, 1945, an appeal from an order of the fire commissioner, affecting premises 150-18 to 150-24 Jamaica avenue, southwest corner of 151st (Division) street (basement); (Block 10092, Lot 6), Jamaica, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

29-45-A

APPLICANT—Frank Truppi, d/b/a Hudson Welding Co., for Adolph Heyer, owner.

SUBJECT—Appeal from a decision re orders of the fire commissioner.

PREMISES AFFECTED—566 Greenwich street, west side, 75 ft. south of King street (1st and 2nd floors); (Block 598, Lot 31), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (29-45-A)

WHEREAS, Frank Truppi, d/b/a Hudson Welding Co., for Adolph Heyer, owner, filed on January 18, 1945, an appeal from a decision re orders of the fire commissioner affecting premises 566 Greenwich street, west side, 75 ft. south of King street (1st and 2nd floors); (Block 598, Lot 31), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

73-45-A

APPLICANT—Whittaker-Trapp, Inc., lessee, for The Rector, Church Wardens and Vestrymen of Trinity Church of the City of New York, owners.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—207-231 (225 displayed) Varick street, west side, between West Houston and Clarkson streets, 240-248 West Houston street and 2-8 Clarkson street (6th floor); (Block 581, Lot 63), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (73-45-A)

WHEREAS, Whittaker-Trapp, Inc., lessee, for The Rector, Church Wardens and Vestrymen of Trinity Church of the City of New York, owners, filed on February 14, 1945, an appeal from a decision of the fire commissioner, affecting premises 207-231 (225 displayed) Varick street, west side, between West Houston and Clarkson streets, 240-248 West Houston street and 2-8 Clarkson street (6th floor); (Block 581, Lot 63), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

185-45-A

APPLICANT—Radiant Letter Co., Inc., for Nathan Slud, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1527-1531 Charlotte street, west side, 110 ft. south of Boston road (Block 2966, Lot 31), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (185-45-A)

WHEREAS, the Radiant Letter Co., Inc., for Nathan Slud, owner, filed on March 29, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 1527-1531 Charlotte street, west side, 110 ft. south of Boston road (Block 2966, Lot 31), Borough of The Bronx; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

528-44-A

APPLICANT—Samuel Rosenblum, for Bonded Motion Picture Corp., owner.
SUBJECT—Appeal from orders of the fire commissioner.
PREMISES AFFECTED—203-09 West 146th street, north side, 100 ft. west of Seventh avenue (Block 2032, Lot 23), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

553-44-A

APPLICANT— Henry George Greene, for Dodge Building Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—53-57 Park place, northeast corner of West Broadway and 62 Murray street, (cellar); (Block 126, Lot 13), Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

572-44-A

APPLICANT—Benjamin H. Whitestone, for Foscraft Realty Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—906 Southern boulevard, northeast corner of Barretto street (Block 2735, Lot 1), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW.
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

573-44-A

APPLICANT—Benjamin H. Whitestone, for Foscraft Realty Corp., owner. (Abraham Helman, lessee).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—908-910 Barretto street, northeast corner of Southern boulevard (Block 2735, Lot 1), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

740-44-A

APPLICANT—Guided Radio Corporation, lessee; Curtis Operating Company, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—167 6th avenue, northwest corner of Spring street (3rd, 5th and part of 9th floors); (Block 505, Lot 31), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

79-45-A

APPLICANT—D'Andrea Manufacturing Co., lessee, for 432 West 29th Street Realty Corp., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—432 West 29th street, south side, 325 ft. east of 10th avenue (basement and 2nd floors); (Block 726, Lot 60), Borough of Manhattan.
APPEARANCES—
For Applicant: Joseph P. Fiori.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

88-45-A

APPLICANT—Arnold W. Lederer, for Theise Kerpen, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—234-238 Livingston street, south side, 274 ft. east of Hoyt street (Block 165, Lots 19 and 21), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

268-45-A

APPLICANT—Philip Freshman, for Empire State Warehouses Co., owner (U. S. Navy, lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—372-378 Gates avenue, south side, 125 ft. west of Nostrand avenue (Block 1812, part of Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Philip Freshman.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

MINUTES

269-45-A

APPLICANT—Philip Freshman, for Empire State Warehouses Co., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—380-390 Gates avenue and 390-398 Nostrand avenue, southwest corner (Block 1812, part of Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Philip Freshman.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

288-45-A

APPLICANT—Henry George Greene, for 40 West 17th Street Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—40-42 West 17th street, south side, 295 ft. east of 6th avenue (3rd floor); (Block 818, Lot 73), Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

289-45-A

APPLICANT—Henry George Greene, for 40 West 17th Street Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—40-42 West 17th street, south side, 295 ft. east of 6th avenue (7th floor), (Block 818, Lot 73); Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

307-45-A

APPLICANT—Maxwell Schantz, for Kings County Trust Co., trustee for Estate of George A. Powers (Hudson Bay Fur Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.
APPEARANCES—
For Applicant: Maxwell Schantz and Henry Cash.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

383-45-A

APPLICANT—A. Praeger and Son, for Charles Praeger, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—396-400 Johnson avenue, south side, 50 ft. west of Morgan avenue (Block 3075, Lot 17), Borough of Brooklyn.
APPEARANCES—
For Applicant: B. Lutt.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

394-45-A

APPLICANT—Ole Singstad, for New York City Tunnel Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—56-80 Greenwich street, west side, 142.5 ft. south of Rector street and 63-85 Washington street, east side, 137 ft. south of Rector street (2nd to 7th floors, inclusive); (Block 18, Lots 10, 12 to 24, inclusive (41 to 45 inclusive and 47-54 inclusive), Borough of Manhattan.
APPEARANCES—
For Applicant: Ole Singstad.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn after discussion.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

431-45-A

APPLICANT—Colyer and Salo, for Community Church of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—34-40 East 35th street, south side, 63 ft. west of Park avenue (Block 864, Lot 47), Borough of Manhattan.
APPEARANCES—
For Applicant: Maurice A. Salo.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn. Applicant to file an application for a zoning variance.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

135-45-A

APPLICANT—Arnold W. Lederer, for Peter Crispino, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

MINUTES

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

140-45-A

APPLICANT—Charles A. Duncker, for Ethel Selznick, owner (Max Selznick, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd fl.); (Block 67, Lot 111), New Brighton, Borough of Richmond.
APPEARANCES—
For Applicant: Charles A. Duncker.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Laid over to September 25, 1945, at 2 P.M., for an inspection by a committee of the Board.

281-45-A

APPLICANT—Henry George Greene, for 608 East 133rd Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue (Block 2546, Lots 23 and 24), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Laid over to July 27, 1945, at 10 A.M., for applicant to submit revised plans.

302-45-A

APPLICANT—Grace M. Conlon, lessee, for Windsor Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama and Ralph Conlon.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Laid over to July 27, 1945, at 10 A.M. for an inspection by a committee of the Board.

303-45-A

APPLICANT—Samuel Schlau, for Sterling-Fleetwood Corp., owner (Steel and Alloy Inc., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sigmund Draxler.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Laid over to July 27, 1945 at 10 A.M. at request of applicant's representative.

Zoning Applications.

341-27-BZ

APPLICANT—George Raymond Euell, for S. & L. Building Corp., owner.
SUBJECT—Application for consideration—reopening and amendment of resolution re (decision of the borough superintendent) previously granted on condition under section 7b and 21 of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for storage of more than five motor vehicles.
PREMISES AFFECTED—204 West 101st street, south side, 151 ft. east of Broadway (Block 1872, Lot 37), Borough of Manhattan.
APPEARANCES—
For Applicant: George Raymond Euell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION (341-27-BZ)

WHEREAS, this application under sections 7b and 21 of the zoning resolution, permitting in a business use district, extending from an unrestricted use district, the erection and maintenance of a garage for the storage of more than five motor vehicles, affecting premises 204 West 101st street, south side, 151 ft. east of Broadway (Block 1872, Lot 37), Borough of Manhattan, was granted by the Board on July 5, 1927, on certain conditions; and

WHEREAS, plans were approved on September 20, 1927, in accordance with the resolution of July 5, 1927; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 5, 1927, as amended September 20, 1927, as to approval of plans, only in so far as it has reference to the requirements that a sprinkler system shall be installed throughout the building, by adding thereto:

"that in the event application is made to the borough superintendent for omission of the sprinkler system, such system may be omitted, or if one has been installed, such system may be removed, if approved by the borough superintendent, as not being required by law, irrespective of the requirement of this resolution that such sprinkler system should be installed and that other than as *amended* herein, the conditions of the resolutions of July 5, 1927, and September 20, 1927, shall be complied with."

372-29-BZ

APPLICANT—George R. Euell, for Dollar Savings Bank of the City of New York, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 21 of the zoning resolution, permitting the further extension into a residence use district of a business building (stores).
PREMISES AFFECTED—2330 Grand Concourse, east side, 150 ft. south of Field place and 2329 Ryer avenue (Block 3159, Lot 12), Borough of The Bronx.
APPEARANCES—
For Applicant: George Raymond Euell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.

MINUTES

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (372-29-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting the further extension in a residence use district of a business building (stores), affecting premises 2330 Grand concourse, east side, 150 ft. south of Field place and 2329 Ryer avenue (Block 3159, Lot 12), Borough of The Bronx, was granted by the Board on December 10, 1929, on certain conditions; and

WHEREAS, the resolution was amended on November 6, 1940, and time was extended on July 25, 1944, to obtain permits and complete the work; and

WHEREAS, the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 10, 1929, as amended through November 6, 1940, only in so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"In view of the statement by the applicant that all permits have been obtained and all work substantially completed, all work shall be completed within six (6) months from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolutions of December 10, 1929 and November 6, 1940, shall be complied with."

510-39-BZ

APPLICANT—Henry Nordheim, for Lewine Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district,, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block 3414 B, Lots 134, 136 and 140), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (510-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block 3414-B, Lots 134, 136 and 140), Borough of The Bronx, was granted by the Board on July 18, 1939, on certain conditions; and

WHEREAS, the permit was extended on July 1, 1941, and July 20, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 18, 1939, only in so far as it has reference to the term of the permit and the use of the premises, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of July 18, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

915-40-BZ

APPLICANT—Lama and Proskauer, for Mayer Fish, owner (Pauline Pollock, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension of a gasoline service station and the erection of a new accessory building.

PREMISES AFFECTED—639-641 Fourth Avenue, southeast corner of 19th street (Block 637, Lot 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (915-40-BZ).

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the extension of a gasoline service station and the erection of a new accessory building, affecting premises 639-641 Fourth avenue, southeast corner of 19th street (Block 637, Lot 7), Borough of Brooklyn, was granted by the Board on May 27, 1941 on certain conditions; and

WHEREAS, time was extended to obtain permits and complete the work, on July 23, 1942, June 29, 1943 and June 27, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 27, 1941, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been filed with the borough superintendent and approved, but no permit has been obtained and no work commenced, all work shall be completed and all permits obtained within one (1) year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of May 27, 1941, shall be complied with."

1192-40-BZ

APPLICANT—William R. Altman, for Central Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the use of part of a plot now occupied for the parking and storage of more than five motor vehicles (previously granted by the Board for a temporary period) for the display and sale of used cars.

PREMISES AFFECTED—312-338 West 59th street, south side and 315-347 West 58th street, north side, 200 ft. east of Ninth avenue (Block 1049, Lots 9 and 44), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: William R. Altman and Hyman Pohl.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (1192-40-BZ).

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 312-338 West 59th street, south side, and 315-347 West 58th street, north side, 200 ft. east of Ninth avenue (Block 1049, Lots 9 and 44), Borough of Manhattan, was granted by the Board on June 10, 1941, on certain conditions; and

WHEREAS, the resolution was amended on July 8, 1941 and permit extended on May 11, 1943; and

WHEREAS, the resolution was further amended on June 15, 1943, permitting the additional use for the display and sale of used cars; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 10, 1941, as amended July 8, 1941 and June 15, 1943, only in so far as it has reference to the term of the permit, so that as *amended*, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution . . . and that other than as herein *amended*, the conditions of the resolution of June 10, 1941, as amended July 8, 1941 and June 15, 1943, shall be complied with and that a Certificate of Occupancy shall be obtained."

1205-40-BZ

APPLICANT—Harold Baer, for Gene Arditi, owner.

SUBJECT—Application for consideration—reopening and reconsideration of Board's action of June 12, 1945—re Application (decision of the borough superintendent), previously granted on condition, under section 7c of the zoning resolution, permitting partly in residence use and partly in unrestricted use districts, the erection of an additional story on an existing building (garage).

PREMISES AFFECTED—421-427 East 93d street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

APPEARANCES—
For Applicant: Harold Baer, Jack R. Cohen and Anthony Aurriches.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, resolution of June 12, 1945, rescinded and set for hearing on September 11, 1945.

THE VOTE TO RESCIND RESOLUTION OF JUNE 12, 1945 and REOPEN APPLICATION, RESTORE TO THE CALENDAR AND SET FOR HEARING, SEPTEMBER 11, 1945, 10 A. M.—
Affirmative: Chairman Murdock Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (1205-40-BZ).

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a residence use district and partly in an unrestricted use district, the erection of an additional story upon an existing building (garage), affecting premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan, was granted by the Board on April 22, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on September 9, 1942, October 5, 1943, October 3, 1944 and June 12, 1945; and

WHEREAS, the amendment to the zoning resolution, effective December 2, 1944, nullifies the previous grant of variance by the Board in view of no permit having been issued and no substantial work done prior thereto.

Resolved that the Board of Standards and Appeals does hereby *rescind* the action of the Board on June 12, 1945 and that the application be and it hereby is reopened, restored to the calendar and set for hearing on September 11, 1945 at 10 A. M., in view of the amendments to the zoning resolution effective December 2, 1944, subject to usual procedure and waiving all requirements, except a new decision of the borough superintendent, which has been filed and to permit publication in the Bulletin.

150-41-BZ

APPLICANT—Lama and Proskauer, for Isadore Golub and Morris Leibson, owners.

SUBJECT—Application for consideration—reopening, approval of revised plans and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a retail use district, for a term of ten years. the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—79-10 to 79-20 Springfield boulevard, northwest corner of Union turnpike (Block 7780, part of Lot 1), Queens Village, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, revised plans approved and time extended.

THE VOTE TO REOPEN, APPROVE REVISED PLANS AND EXTEND TIME—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn..... 3
Negative: Chairman Murdock..... 1

THE RESOLUTION (150-41-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a retail use district, for a term of ten years, the erection and maintenance of a gasoline service station affecting premises 79-10 to 79-20 Springfield boulevard, northwest corner of Union turnpike (Block 7780. part of Lot 1), Queens Village, Borough of Queens, was granted by the Board on January 13, 1942, on certain conditions; and

WHEREAS, plans were approved on July 20, 1943, and the time to obtain permits and complete the work was extended on July 25, 1944; and

WHEREAS, the applicant requested the approval of revised plans and a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 20, 1943, only in so far as it has reference to approval of plans, so that as amended, this portion of the resolution shall read:

"that the Board of Standards and Appeals does hereby *approve* revised plans marked "Received July 12, 1945" as being in substantial compliance with the resolution adopted by the Board January 13, 1942."

Resolved further, that the resolution of January 13, 1942, be and it hereby is *amended* only in so far as it has reference to the term of the permit, obtaining of permits and completion of the work. so that as amended this portion of the resolution shall read:

"*Granted* under section 7f thereof for a term of ten (10) years from the date of this *amended* resolution, and that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of January 13, 1942, shall be complied with (N.B. 8138-40)."

592-41-BZ

APPLICANT—Max Horn, for Agnes Anastasio, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use and business use district, for a term of two years, the seasonal parking and storage of more than five motor vehicles.

PREMISES AFFECTED—133-151 Beach 5th street, west side, 80 ft. south of Seagirt avenue (Block 140, part of Lot 5), Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: Mrs. Max Horn.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (592-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence and business use district, the seasonal transient parking of more than five motor vehicles for a term of two years, affecting premises 133-151 Beach 5th street, west side, 80 ft. south of Seagirt avenue (Block 140, part of Lot 5), Far Rockaway, Borough of Queens, was granted by the Board on July 17, 1941, on certain conditions, and

WHEREAS, the permit was extended on July 27, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 17, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the seasonal transient parking of more than five (5) motor vehicles. *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of July 17, 1941 shall be complied with and that a certificate of occupancy shall be obtained (N.B. #472-41)."

31-43-BZ

APPLICANT—Socony-Vacuum Oil Co., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of an existing gasoline service station, office, lubritorium and auto laundry.

PREMISES AFFECTED—76-88 Grand street extension and 277-283 South 3rd street, southeast corner (Block 2422, Lots 34 and 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Stanley N. Clarke.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (31-43-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of an existing gasoline service station, office, lubritorium and auto laundry, affecting premises 76-88 Grand street extension and 277-283 South 3rd street, southeast corner (Block 2422, Lots 34 and 35), Borough of Brooklyn, was granted by the Board on July 20, 1943, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 18, 1944, and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 20, 1943, only in so far as it has reference to the obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7c of the zoning resolution, to permit the alteration and extension of the gasoline service station, substantially as indicated on revised plans filed with this application, *on condition* . . . that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolution of July 20, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

86-43-BZ

APPLICANT—Lama and Proskauer, for Genevieve Marchione, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under sections 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—575-587 East New York avenue, north side, 134 ft. 6 in. west of Kingston avenue (Block 1332, Lots 51 and 54), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (86-43-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 575-587 East New York avenue, north side, 134 ft. 6 in. west of Kingston avenue (Block 1332, Lots 51 and 54), Borough of Brooklyn, was granted by the Board on July 27, 1943, on certain conditions; and

WHEREAS, the resolution was amended on November 23, 1943 and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 27, 1943, as amended November 23, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended resolution,* to permit the premises where unbuilt upon, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended,* the requirements of the resolution of July 27, 1943, as amended November 23, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

246-44-BZ

APPLICANT—Irving M. Fenichel, for Stapleton Service Laundry Inc. and Margreen Realty Co., Inc., owner. (Stapleton Service Laundry, Inc., lessee)

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a manufacturing use district and partly in a residence use district, the extension of an existing wet wash laundry, boiler room and an accessory motor vehicle repair shop.

PREMISES AFFECTED—42-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block 236. Lots 66, 69 and 73), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (246-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a manufacturing use district and partly in a residence use district, the extension of an existing wet wash laundry, boiler room and an accessory motor vehicle repair shop, affecting premises 42-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block 236, Lots 66, 69 and 73), West Brighton, Borough of Richmond, was granted by the Board on July 11, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work. .

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 11, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that a device has been installed in the chimney to reduce the smoke, although not in accordance with the requirements of the resolution and that the boiler blow-off lines have been re-located, all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution; that the requirements of the resolution of the Board as to the installation of a soot eliminator on the chimney is hereby *affirmed* and shall be complied with and that other than as *amended* herein, the conditions of the resolution of July 11, 1944, shall be complied with."

433-41-BZ

APPLICANT—Lama and Proskauer, for Selma Koven, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit the erection of stores partly in business and residence use districts; (previously withdrawn for other use).

PREMISES AFFECTED—1135-1137 Eastern Parkway, north side, 80 ft. east of Utica avenue, (Block 1391, Lot 76), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

146-45-BZ

APPLICANT—James Whitford, for Adam V. Bell, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the commissioner of marine and aviation) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, for a term of years. (previously withdrawn).

PREMISES AFFECTED—126 Mansion avenue, south side, foot of McKee avenue, (Block 5205, Lots 10 and 13), Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

Adjourned: 6:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of July 24, 1945 will be printed in the Bulletin of August 7, 1945.)

COURT DECISION

Matter of Hoffman vs. Murdock—On September 14, 1943, the Board modified a decision of the Borough Superintendent as to keeping pigeons in a residence use district by restricting the number to fifteen, confined in a coop; Cal. No. 332-43-A; premises 77-52—74th St., Glendale, Queens. Upon court review, Mr. Justice Daly, in Special Term, Supreme Court, found that, in view of the lack of evidence that the keeping of pigeons was not carried on as a business enterprise, there is no provision of law to prevent keepiing of pigeons as a hobby. The court found that there is presently no provision in the Sanitary Code under which the Health Department can regulate the keeping of pigeons as a health measure; also, that if the keeping of pigeons is to be regulated, it is a matter for legislative determination. (N.Y.L.J. July 25, 1945).

The court based the decision upon BARKMAN vs. THE TOWN OF HEMPSTEAD, in which case the court upheld the constitutionality of a regulatory provision in the Zoning Law.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 24, 1945.

Cal. No. Dept. Premises Affected

448-45-A—H.B.Q.—34-47 10th street east side, 145.37 ft. north of 35th avenue (Block 325, Lot 7), Long Island City, Borough of Queens, Alt. 1081-45.

449-45-A—H.B.M.—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan, Amendment to F.P. 810-45.

450-45-A—H.B.Q.—208-20 Cross Island parkway (rear), south side, 300 ft. east of Roe place (Block 5844, Lot 1), Bayside, Borough of Queens, M-2742-45.

451-45-A—H.B.M.—137-141 Varick street and 269 Spring street, northwest corner (Block 579, Lot 70), Borough of Manhattan, Alt. 1191-45.

452-45-A—H.B.M.—30 West 12th street, south side, 325 ft. west of 5th avenue (1st floor); (Block 575, Lot 38), Borough of Manhattan, Amendment to Alt. 1132-44.

453-45-A—H.B.B.—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn, Alt. 1709-45.

454-45-A—H.B.B.—313-323 Berry street, southeast, corner of South 3rd street (Block 2430, Lot 2), Borough of Brooklyn, B.N. 846-45.

455-45-A—F.D.—382-418 7th avenue, entire block from 7th to 8th avenues and from West 31st to West 33rd streets (Milk Bar, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan, 42071-LC.

456-45-A—F.D.—382-418 7th avenue, entire block from 7th to 8th avenues and from West 31st to West 33rd streets (Storeroom, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan, 42016-LC.

457-45-SM—Truscon Steel Windows, Standard Pivoted, Commercial Projected, Architectural Projected and Top Hung Continuous types, manufactured by Truscon Steel Co., subsidiary of Republic Steel Corp., Material.

458-45-SM—Truscon Steel Windows, Casement, Donovan, Maxim-Air and Basement types, manufacture by Truscon Steel Co., subsidiary of Republic Steel Corp., Material.

459-45-SM—Truscon Steel Windows, Double Hung Type, Series 138 and 145, manufactured by Truscon Steel Co., subsidiary of Republic Steel Corp., Material.

460-45-BZ—H.B.B.—2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6 to 10 inclusive and Lot 109), Borough of Brooklyn, N.B. 285-45.

461-45-A—F.D.—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan, 33426-LF and Decision.

Restored to Calendar.

346-38-A—H.B.M.—2473-2475 Broadway and 292 West 92nd street, southwest corner (2nd floor); (Block 1239, Lot 55), Borough of Manhattan, Amendment to Alt. 553-44.

390-27-BZ—H.B.Q.—73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens, N.B. 10096-39.

910-42 BZ—H.B.B.—2801 West 8th street, 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn, Amendment to Alt. 5740-41.

141-42-SA—"All Out" Fire Extinguisher, Model A-16, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....May	15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of ....Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc. ....Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of ....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for ....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules ....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection ....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules ....June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...Feb.	6, 1945—Vol. 30, No. 6
Oil Burner Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of ....June	12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules ....May	29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules ....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply).Mar.	13, 1945—Vol. 30, No. 11
Procedure, Rules of ....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C..May	29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for...Mar.	27, 1945—Vol. 30, No. 13
Sprinkler Rules ....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

CALENDAR

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

497-45-BZ—Application, August 10, 1945, under section 21 of the zoning resolution, of George E. Strehan, applicant, on behalf of Fairchild Press Inc., owner, to permit in a retail use B area district, the erection of a covered bridge in the rear yard 3rd story; premises 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars); premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeal from Administrative Decision.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

CALENDAR

Appeal from Administrative Decision

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING,

TUESDAY MORNING, JULY 24, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, July 17, 1945, and on Tuesday afternoon, July 17, 1945, were approved, as printed in Bulletin No. 30, Volume 30.

ZONING APPLICATIONS

390-19-BZ

APPLICANT—Lama & Proskauer, for Edward Brodlieb, owner.

SUBJECT—Application reopened May 29, 1945—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles.

PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Robert Davison, Edward Brodlieb and Rev. Frederick W. Patin.

For Opposition: Fred Brunning.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945, at 10 A.M. for further consideration.

400-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Herbert K. Cornelius, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles, to a garage for more than five motor vehicles and gasoline service station.

PREMISES AFFECTED—122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: J. B. Lynch and Harry A. Gross.

For Opposition: F. Vollmuth, Caroline Richert, Matilda Wintsch and C. J. Eisenhauer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945, at 10 A.M. Applicant to submit new drawings.

1236-27-BZ

APPLICANT—Archie H. Samuels, for Dorothy Rehder, owner.

SUBJECT—Application reopened June 26, 1945 for consideration as to extension of variance—Application (decision of the borough superintendent), previously granted on condition, under section 7f of the zoning resolution, for a temporary term of two years, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens.

APPEARANCES—

For Applicant: A. H. Samuels.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1236-27-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises southeast corner of Woodhaven boulevard and 163rd avenue (Block 4046, Lot 63), Aqueduct, Borough of Queens, was granted by the Board on May 29, 1928, on certain conditions; and

WHEREAS, time to complete work expired and the case was

reopened on January 9, 1934 and the application was granted on May 1, 1934, on certain conditions, under section 7f, for a term of two years; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on March 24, 1942; and

WHEREAS, the applicant requested a further extension of the permit which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on June 26, 1945, restored to the calendar and set for hearing on July 24, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 29, 1928, as amended on May 1, 1934, only in so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

> "*Granted* under section 7f for a term of two (2) years from the date of this *amended* resolution, to permit the maintenance of a gasoline service station, *on condition* * * * and that other than as herein *amended,* the conditions of the resolution of May 1, 1934 shall be complied with and that the gasoline service station shall not be open for business until a Certificate of Occupancy is obtained (N.B. 117-34)."

593-30-BZ

APPLICANT—Joseph B. Lynch, for Hauben Investing Corp., owner.

SUBJECT—Application reopened June 5, 1945—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection of a gasoline service station, a gasoline service station having previously been granted by the Board for a portion of these premises, but not erected.

PREMISES AFFECTED—219-02 Horace Harding boulevard and 61-01 219th street, southeast corner (Block 7609, Lot 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch and Benj. H. Schor.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (593-30-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 219-02 Horace Harding boulevard and 61-01 219th street, southeast corner (Block 7609, Lot 1), Bayside, Borough of Queens, was granted by the Board on May 31, 1931, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended from time to time, the last such extension having been granted on October 3, 1933, at which time, the resolution was amended and plans approved; and

WHEREAS, this gasoline service station was never erected; and

WHEREAS, the applicant requested a reopening of the case and restoration to the calendar, on the basis of a new proposal to permit, under section 7f of the zoning resolution, the erection and maintenance of a gasoline service station; and

WHEREAS, this case was reopened by vote of the Board on June 5, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Horace Harding boulevard is in a business use, D area and Class 1 height district and 219th and 220th streets are in a residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1945, re N.B. Applic. 134-45, reads:

> "Proposed use of premises located in a business district as a gasoline service station is contrary to §4-46 of the building zone resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 140.28 ft. frontage by 95.57 ft. and 104.27 ft. in depth, now vacant, on a portion of which the Board previously granted a 120 ft. by 95.37 ft. gasoline service station which was not erected and permit expired and that it is proposed to erect a gasoline service station including lubritorium and car washing; and

WHEREAS, the applicant contends that the Board granted a permit for a gasoline station for a portion of the present application under Cal. 593-30-BZ; that the portion granted without limitation as to term, other than completion, covered 120 ft. on Horace Harding boulevard and 95.35 ft. on 219th street; that the permit required all work to be completed within one year, and subsequently yearly extensions of time were granted until June 1934; that the permit then lapsed; that depression conditions at the time prohibited the building of the gasoline service station; that the owners of the premises at that time, the Civic Realty Corporation and the present owners, Hauben Realty Corporation, are the same people; that the plot is now vacant and 219th street, while legally mapped, is not open; that the proposed work consists of the erection of a two bay service center with a frontage of 47 ft. 8 in. and a depth of 30 ft. to be used as an office, rest rooms, lubritory and auto laundry; that Eight 550 gallon under ground gasoline tanks, together with six dispensing pumps, are to be installed; that the plot is to be levelled to the grade of Horace Harding boulevard and paved with colprovia where not occupied by the building and planted areas; that interior lot lines are to have a two ft. masonry wall with a 4 ft. wood picket fence on top; that new sidewalks and driveways are to be laid on both streets as indicated; that one brand sign is to be erected at the intersection; that on the southwest corner of Horace Harding boulevard and 220th street, adjoining the plot, there exists a gasoline service station which was granted by the Board, without limitation as to term, under Cal. 965-28-BZ; that Horace Harding boulevard on the south side, between 221st street and 217th street including the streets, has not been developed since the grant of 1931 and with the exception of a few homes along 220th street, the land is all vacant; that the north side of Horace Harding boulevard, which is mapped as a 160 ft. street to a depth of 100 ft., is now vacant with the exception of some homes erected to the north along 218th, 219th and 220th streets; that other than the station adjoining the plot, the only gasoline service stations nearby to the west on Horace Harding boulevard are at about 195th street and are on the north side of the street; that Horace Harding boulevard has now been classified as a principal route under the recently adopted Master Plans of Arterial Highways and is heavily trafficked and there is a need for a gasoline service station along the southerly side of the boulevard; that in view of the fact that the area under consideration is sparsely developed and that Horace Harding boulevard is a main traffic artery, it is requested that the Board consider the granting of this application under Section 7f of the zoning resolution; and

WHEREAS; the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 134-45, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

302-44-BZ

APPLICANT—Italo Nicolai, for Xavier Kirchoffer, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use, E area district, the erection of an extension to a greenhouse potting room, without providing the rear yard required by the zoning resolution.

PREMISES AFFECTED—2286 Richmond road, south side, 122 ft. east of Otis avenue (Block 3618, Lots 7 and 16), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Italo Nicolai, W. Braisted and X. Kirchoffer.

For Opposition: C. Bregoff, Helene Frederick, C. Frederick and G. A. Faller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (302-44-BZ)

WHEREAS, Italo Nicolai, for Xavier Kirchoffer, owner, filed May 22, 1944, an application under section 21 of the zoning resolution, to permit in a residence use, E area district, the erection of an extension to a greenhouse potting room, without providing the rear yard required by the zoning resolution, affecting premises 2286 Richmond road, south side, 122 ft. east of Otis avenue (Block 3618, Lots 7 and 16), New Dorp, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Richmond road, Otis avenue, Allison place and Bryant avenue are in a residence use, E area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated October 14, 1943, re Alt. Applic. 109-43, reads:

> "The erection of this proposed extension to the plotting room of the greenhouse is not permitted, as being contrary to Art. IV, Sec. 15 of the zoning resolution which requires a 25 ft. rear yeard in an E area district."

and

WHEREAS, the decision of the borough superintendent dated May 18, 1944 re Alt. Applic. 109-43, reads:

> "Reconsideration is denied because the erection of this proposed extension to the potting room of the greenhouse is not permitted, as being contrary to Art. IV, Sec. 15 of the zoning resolution, which requires a 25 ft. rear yeard in an E area district."

and

WHEREAS, the applicant states the premises consist of a plot, 239 ft. frontage by 214 ft. and 98 ft. irregular in depth, on which is located a dwelling and hot houses and that it is proposed to erect at the rear, an extension to the potting room, the extension to be 50 ft. by 26 ft. irregular, against rear property line; and

WHEREAS, the applicant contends that this application is based upon the fact that this building was erected in 1936, to be used as a potting room, accessory to the hot house (Green House) and was part of the original plan; that the heater room is located in the cellar of the potting room and is provided with a furnace of a size sufficient to supply heat to the adjacent hot house by means of underground pipes; that due to the increased demand for flowers and to the scientific way of running nurseries, the present potting room is too small to take care of the accelerated plant's fecundation, so it is necessary to expand it, inasmuch as there is a need for additional cellar space for coal supply, due to the fact that it is obtainable only during the summer months; that the owner started to erect the foundation walls for the expansion of the building, not knowing that it was necessary to file a plan and to go through the Building Department routine for such a small addition; that plans were filed but much difficulty was encountered, not for the building itself, but for the zoning question; that the owner was never informed or instructed of the meaning of the zoning resolution and of the time when change took effect (August 2, 1943) and did not realize the extent to which it would affect his plans; that the spacing of 25 ft. from the rear line will entirely eliminate all facilities to extend the potting room and there will be no way to connect the cellar for the coal supply and conveying; that this will be a handicap in the development of the flower production which is vital to the owner's work and will cripple part of the financial investment; it is therefore respectfully requested that the Board grant this application, as the addition is only one story high and will not obstruct the light nor air of the nearest building; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 of the zoning resolution, to permit the construction of the potting house within the required rear yard substantially as proposed and as shown on plans filed with this application, *on condition* that the building shall not exceed one story in height and shall not exceed the area as proposed; that the wall near the rear lot line shall be a masonry wall with a parapet not less than 3 ft. in height; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

575-44-BZ

APPLICANT—Martyn M. Weinstein, for Cardinal Manufacturing Co., Inc., owner (Cardinal Engineering Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary term of two years.

PREMISES AFFECTED—729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Weinstein.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and G. Goldman, Board of Education.

MINUTES

ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (575-44-BZ)

WHEREAS, Martyn N. Weinstein, for Cardinal Manufacturing Company, Inc., owner, (Cardinal Engineering Company, lessee), filed October 10, 1944, an application under section 7e of the zoning resolution, to permit in a residence use district, the maintenance of a storage yard for salvaged materials from ships and for oxygen and acetylene tanks in two portable steel deck houses, for a temporary period of two years, affecting premises 729-747 Hicks street, east side, from Nelson to Huntington streets, 46-54 Nelson street and 45-53 Huntington street (Block 526, Lots 1 to 12), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hicks street is in a residence use, D area and class 1 height district; Hamilton avenue is in a business use, D area and class 1 height district and Columbia street is in a retail use, D area and class 1½ height district; Henry street is in a residence use, D area and class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated September 13, 1944, on B.N. Applic. 839-44, reads:

"1. Proposed storage use on premises located in a residential zone, is contrary to Article II, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 ft. frontage by 100 ft. in depth, which is vacant and that it is proposed to use the plot for the storage of acetylene tanks in two movable steel deck houses, gun mounts, life boats, dunnage, etc. salvaged from ships; and

WHEREAS, the applicant contends that the site in question was purchased by the Cardinal Mfg. Co. in November, 1943 and leased to the Cardinal Engineering Company directly thereafter; that it has a frontage of 200 ft. on Hicks street and 100 ft. on Nelson and Huntington streets; that this site was formerly in a business use, C district and was changed into residence use, D area in May 1939; that during the depression years and up to 1940, this plot was used by the WPA for the storage of all kinds of building materials; that it also contained a watchman's shanty; that in acquiring this plot, the Cardinal Mfg. Co. enriched the City's treasury to the extent of $8,000 for back taxes which had accumulated over a period of over 13 years; that by reason of the work handled by the lessee and because of the stringent requirements of the Maritime Commission and Lend Lease authorities, it is essential to keep on hand and available at all times and on short notice, many cumbersome and bulky items that are essential to ship building; that these items are removed from ships in port or in dry dock and must be kept on inventory and may not be disposed of since they are the property of the Maritime Commission and subject to recall; that the items consist of gun mounts, booms, booby hatches, life boats, rafts, dunnage, deck houses, hatch covers, etc.; that in addition to the storage of these items, it is also proposed to store 75 oxygen tanks and 100 acetylene tanks and to enclose them in separate portable steel deck houses; that these tanks are used daily in connection with welding operations required in the fabrication of ship construction in the plant at 700 Hicks street, diagonally across from the site in question; that it is proposed to enclose the entire site with a wood fence 10 ft. high with openings only on Nelson and Huntington streets, thereby maintaining an unpierced fence on Hicks street, 200 ft. long; that in view of the above facts, and because of the urgency and nature of the work involved, it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7e thereof, for a term of two (2) years, to permit the premises to be occupied substantially as proposed as indicated on revised plans marked B and C, "Received, July 25, 1945" *on condition* that a substantial wooden fence as now existing, shall be maintained on the interior lot lines and on the street lines as indicated; that exits shall be maintained for openings to Nelson street and to Huntington street and an aisle of sufficient width shall be maintained at all times for easy access; that the existing buildings, called "deck houses" shall be moved to the west as indicated on such plans; that any acetylene and oxygen stored shall be subject to proper permits issued by the fire commissioner; that no combustible materials shall be maintained toward the interior lot line to the east and not nearer than 25 ft. thereto; that the premises shall be maintained at all times to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall require; that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

55-45-BZ

APPLICANT—Lama & Proskauer, for Estate of Bertha Schurz, owner (Robert Schurz and Marie Goetz, Executors).
SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama and Nicholas C. Pepe.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative: Chairman Murdock 1

THE RESOLUTION (55-45-BZ)

WHEREAS, Lama and Proskauer, for Estate of Bertha Schurz, owner (Robert Schurz and Marie Goetz, Executors), filed February 8, 1945, an application under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises 51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Frost street, Withers street, Woodpoint road and Kingsland avenue are in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated February 24, 1945, re NB App. 4-1945. reads:

"1. The construction of a gasoline service station, auto laundry, lubritorium and office in a business use district, is contrary to the Zoning Resolution, Sec. 4 (a) (15). Denied."

and

WHEREAS, the applicant states the premises consist of a plot 157 ft. 5⅜ in. frontage by 150 ft. 7¼ in. irregular in depth, on which is located a frame dwelling and a 1-story concrete block storage building and a vacant plot and that it is proposed to erect a one-story, Class 3 construction, 75 ft. 5⅜ in. by 150 ft. 7¼ in. for ice storage and 1-story Class 3 construction office, auto laundry and lubritorium and tanks and pumps for a gasoline service station; and

WHEREAS, the applicant contends that the plot is triangular in shape with a frontage of 217.3 ft. on Woodpoint road, 150.7¼ ft. on Withers street and 175.5¾ ft. on Kingsland avenue; that at present, the plot is improved with a frame dwelling in dilapidated condition and a 1-story concrete block building used as a cooperage plant; that the owners intend to demolish these buildings and improve the site with a one-story ice storage and sales plant and gasoline service station with office, auto laundry and lubritorium; that as this plot is isolated from the balance of the area, it will in no way affect the general surroundings, as the community itself is more or less nonconforming; that the construction of the proposed modern building will do much to improve the community; that there is no gasoline service station in immediate area and this will fill a neighborhood requirement and that the plot fronts on Woodpoint road, which is a main automobile artery leading to Queens County; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision f of the zoning resolution, for a stated term of years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted, under section 7f thereof, for a term of ten (10) years from the date of this resolution, to permit a portion of the premises to be occupied, as proposed, for a gasoline service station, substantially as indicated on plans filed with this application, *on condition* that the gasoline service station and a conforming ice storage building, shall be constructed simultaneously and operated jointly under the same control; that the premises shall be used only as proposed as a gasoline service station and ice storage building in which no ice is manufactured; that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto; that working drawings shall be filed with the Board for further consideration and imposing additional conditions, before plans are filed with the borough superintendent; that such drawings shall be filed within six months of the date of this resolution, and after approval, all permits shall be obtained and all work completed within one year.

96-45-BZ

APPLICANT—Lama & Proskauer, for Lorberg Realty Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use, C area district, the extension of a woodworking factory occupying in excess of the permitted area in a C area district and omitting the required rear yard.

PREMISES AFFECTED—1552-1564 Bergen street, south side, 177 ft. west of Utica avenue (Block 1354, Lots 30, 33 and 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama, S. Fine and W. Sacks.

For Opposition: S. Peare, F. Cleary, C. Delia and G. Cristiano.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (96-45-BZ)

WHEREAS, Lama and Proskauer, for Lorberg Realty Company, Inc., owner, filed an application under sections 7c and 21 of the zoning resolution, to permit in a residence use, C area district, the extension of a woodworking factory occupying in excess of the permitted area in a C area district and omitting required rear yard; affecting premises 1552-1564 Bergen street, south side, 177 ft. West of Utica avenue (Block 1354, Lots 30, 33 and 35), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Dean street, Bergen street and St. Marks avenue are in a business use, C area and Class 1 height district, and Utica avenue is in a local retail use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 13, 1945, on Alt. Applic. 278-45, reads:

"1. Comply with zone resolution as to permissible area of buildings. Art. IV, Sec. 13, Par. b—residential 'C' zone.

2. Provide rear yard as per Art. IV, Sec. 17 of zone resolution.

3. Woodworking factory in a residence zone is contrary to Art. II, Sect. 3 of zone resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 127 ft. frontage by 155 ft. 7 in. and 127 ft. 9½ in. in depth, on which is located a 2 story, Class 3 constructed building, two one story brick buildings, a one story frame building, the 1st story occupying practically the entire area of the plot, the 2nd story being 31 ft. by 127 ft.; that the buildings are occupied by a wood working factory and it is proposed to reconstruct the buildings to cover the entire plot in the 1st story; and

WHEREAS, the applicant contends that the premises are improved with a 2-story structure, the 1st floor is used as a wood working factory, 2nd floor, offices and display; that on the easterly portion, it is proposed to build a one story extension on the northeasterly portion of the lot, approximately 39 ft. by 85 ft. 7 in. in depth and remove existing frame sheds in this area, also erect a new extension on westerly portion of plot, approximately 49 ft. by 127 ft. 9½ in. in depth; also remove existing 1st story extension in this area; that the factory use of the building originated in 1880 and the premises have been used continuously for factory purposes; that in 1916, this plot was zoned as a business district on Bergen street, and the remainder was zoned as a residence district; that under the rules then in force, the business district was 100 ft. in depth; that under the rules adopted with zoning maps of October 3, 1924, the business district was interpreted as extending to a line midway between Bergen street and St. Marks avenue, instead of to a depth of 100 ft.; that the business district was changed to its present residential designation on November 4, 1940; that the height and area designation have not been changed since 1916; that it should be noted however, that the regulation relating to height and area was amended for the entire city on December 2, 1944; that directly across the street, Block 1348, Lots 62, 72 and 78 are improved with a

one story brick public garage, so that the proposed extensions will not affect the general surrounding area; that therefore, in view of the fact that the use is an existing one and that it would be a hardship to the owners not to be permitted to expand business facilities, and the fact that there are other non-conforming uses in the affected area, it is respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area and extension of use on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 of the zoning resolution, to permit the alteration and construction of an addition to the building, substantially as indicated on plans filed with this application, *on condition* that such building shall not exceed one (1) story in height and shall be of fireproof construction; that the entire plant, including the new addition, shall be protected with a sprinkler system; that a passage through to Bergen street shall be provided as shown, for exit to the street, for the secondary means of exit; that no windows or other openings shall be constructed in the lot line wall to the east and no openings on any interior lot line shall be constructed, other than those that may now exist; that the present building shall not be increased in height or area; that no sign shall be erected on the building, other than those now existing; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution; that this variance is contingent upon the continuance of the present type of occupancy.

175-45-BZ

APPLICANT—Joseph M. Lonergan, for William Stroh, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of a business use now existing on the 1st story, to the 2nd story.

PREMISES AFFECTED—403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lot 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph M. Lonergan and William Stroh.

For Opposition: B. Koenigsberg, J. Blicher and H. Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and G. Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (175-45-BZ)

WHEREAS, Joseph M. Lonergan, for William Stroh, owner, filed March 19, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the extension of a business use, now existing on the 1st story to the 2nd story, affecting premises 403 East Houston street and 126-128 Sheriff street, southeast corner (Block 335, Lots 10 and 11), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Sheriff and Houston streets are in a residence use D area and class 7/8 height district; and

WHEREAS, the decision of the borough superintendent, dated July 14, 1944, on Alt. Applic. 753-44, amendment dated March 9, 1945, reads:

(403 East Houston street and 128 Sheriff street)

"2. Plans filed show approved use of 2nd floor for business purposes. Note: reinforcing of 2nd floor by steel beams—also common opening to 126 Sheriff street, which is proposed to be used for business purposes under Alt. Applic. 754-44. Refer also to zoning violation #12 on record. Since this building is in a residence district, business use is contrary to Art. II, sec. 3 of the zoning resolution."

and

WHEREAS, the decision of the borough superintendent, dated July 14, 1944, on Alt. Applic. 754-44, amendment dated March 9, 1945, reads:

(126 Sheriff street)

"2. Proposed use for 2nd floor for business purposes is contrary to Art. II, sec. 3 of the zoning resolution, as structure is in a residence district."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 ft. and 28 ft. frontage by 48 ft. and 50 ft. in depth, occupied by two and four story buildings, occupied as stores and offices; and

WHEREAS, the applicant contends that this is an appeal from a decision of the Department of Housing and Buildings refusing approval of plans for a permit for the use of the 2nd floors of building 403 East Houston street and 126-128 Sheriff street, for business purposes; that the owner entered into possession of the stores on the first floor of these buildings about nine years ago, at that time hiring them from the Bowery Savings Bank; that he was informed that he could use these premises for business purposes and bought them from the bank with that understanding; that the stores on the 1st floor could continue to be used for business purposes, since they were so used for a great many years prior to and at the advent of zoning (1916); that this did not apply to the upper floors, which were used for dwelling purposes; that since this was a residence district when he removed the 3rd and 4th floors of 126 Sheriff street and used the 2nd floor thereof and of 128 Sheriff street for his office in conjunction with the stores on the first floor, he found that the use district restriction prohibited this occupancy; that when he attempted to use the 2nd floor of 128 Sheriff street and the corner building adjoining, 403 East Houston street, for waterclosets, shower and dressing accommodations for his help, he found that such use was prohibited; that the 3rd and 4th floors of 128 Sheriff street and 403 East Houston street have been closed up and will not be used; that there has been a change from a B area to a D area by the City Planning Commission and a 1½ height district to a 7/8 height district on March 1, 1939; that Violation #12 was issued for using the 2nd floor for business purposes and its disposition was adjourned, pending the outcome of this appeal; that the business conducted on the 1st floor is a wholesale meat and poultry business and unless this appeal is granted the owner must find additional space for his office and for accommodations for his help on the 1st floor, which is impossible or obtain such space elsewhere; that no change will be made in the external appearance of these buildings by reason of the use of the 2nd floor; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c of the zon-

ing resolution, to permit the occupancy of the second story as proposed, in conjunction with the lawful non-conforming business use on the 1st story, *on condition* that the second story shall be used for office work only in connection with the first story business use; that the portion of the building now four stories in height shall be reduced to two stories to the approximate height of the portion of the building to the south; that any and all extensions beyond the building line including the conveyor track and the fire escape shall be removed; that the front of the building shall be painted or stuccoed on both Sheriff and East Houston streets; that the building shall not be increased in height or area; that no signs shall be erected on the premises, except that there may be one sign near the entrance, painted on the brick wall, not exceeding 10 sq. ft. in area and all other existing signs shall be removed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied as proposed and as to the first floor in accordance with Certificate of Occupancy 29898-43; that a new Certificate of Occupancy shall be obtained after completion of the alteration as proposed and as herein required; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

223-45-BZ

APPLICANT—Clayton G. Shirkey, for Henrietta Dobin, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a day nursery school conducted as a business use.

PREMISES AFFECTED—523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grasmere Terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman and Max H. Rivkin.

For Opposition: Mae C. McKenna, William Kupferberg, Max Reich, Elizabeth J. Flynn, Bessie MacNulty, Gabriel Nathan and J. L. Lewin.

For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Request to withdraw denied and application denied.

THE VOTE TO WITHDRAW—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (223-45-BZ)

WHEREAS, Clayton G. Shirkey, for Henrietta Dobin, owner, filed April 12, 1945, an application under section 7e of the zoning resolution, to permit in a residence use district, a day nursery conducted as a business use, affecting premises 523 Briar place, North side, 82 ft. east of Hanson Court and 562 Grasmere terrace (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Grasmere terrace, Hanson court, Briar place and Collier avenue are in a residence use, D area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated July 10, 1945, re Alt. Applic. 120-45, reads:

"1. A day nursery conducted as a business in a residence district, is contrary to Art. II, Sec. 3 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 220 ft. frontage by 391.40 ft. in depth, on which is located a 3 story, Class 4, constructed building, 21 ft. by 60 ft. in area, occupied as a 1 family dwelling and that it is proposed to occupy the building as a one family dwelling and day nursery school; and

WHEREAS, the applicant contends that the owner acquired the property for the proposed use, thinking that schools were not prohibited in a residence district; that together with her sister and brother-in-law, they propose to manage the nursery school themselves and that they have experience and training as teachers and obtain their livelihood in the care of children; that schools are not prohibited in a residence district and that sections are set aside for playgrounds; that they proposed such a use under private management for the children of the residents of the community, who desire their children trained and cared for; that lunches will be served and proper supervision provided; that the school will be under the supervision of Max H. Rivkin, a high school teacher and Rose Rivkin, an experienced nursery school teacher; that the grounds are large and the building sets back from streets and side lines; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, upon inspection by a Committee of the Board, it was found that the premises were not being occupied as represented, as a Nursery School, but that the occupancy is a day camp without academic instruction and that meals are served and that the occupancy is a business venture prohibited in a residence use district; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7e of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 120-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

248-45-BZ

APPLICANT—Max Horn, for Robert Bresnick, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a stated term of years.

PREMISES AFFECTED—171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street, southwest corner (Block 9827, Lots 31, 32, 33 and 34), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn and Robert Bresnick.

For Opposition: Mrs. Kaulbach and Wm. Kaulbach.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (248-45-BZ)

WHEREAS, Max Horn, for Robert Bresnick, owner, filed April 29, 1945, an application under section 7f of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles, for a stated term of years; affecting premises: 171-10 to 171-18 Hillside avenue and 87-60 to 87-68 172nd street southwest corner (Block 9827, Lots 31, 32, 33 and 34) Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hillside avenue is in a business use, C area and Class 1 height district; 171st street and 172nd street are in a residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 11, 1945, re Misc. App. 971-45, reads:

"1. The storage and parking of more than five motor vehicles in a business district, is contrary to Article 11 Sec. 4 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage by 80.06 ft. in depth, now occupied for parking and storage of more than five motor vehicles in violation of the zoning resolution, Violation #13-45, and that it is proposed to continue the use if the Board grant a variance, and

WHEREAS, the applicant contends that the plot was purchased by the present owner on November 30, 1944 and is assessed for $35,500; that parking space is in great demand in this section because of business houses, apartments and residences in the surrounding areas; that the available parking spaces are always well filled and at times, cannot accommodate any more cars; that the owner is desirous of getting a revenue from this plot, to help pay part of the taxes, until conditions are such as to warrant the construction of a suitable building on the plot; that the Board is respectfully requested to grant a variance under section 7f of the zoning resolution for a period not exceeding five years; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7f of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 971-45, Objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

341-45-BZ

APPLICANT—George Boochever, for Frank J. Borrello, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum, George Boochever and P. Borrello.

For Opposition: Anthony A. Marelle, Rose Caputo, Francesco P. Spera, Vittorio E. Gentil and Angelo Pucci.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (341-45-BZ)

WHEREAS, George Boochever, for Frank J. Borrello, owner, filed June 1, 1945, an application under section 7h of the zoning resolution, to permit partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five motor vehicles, affecting premises 630-638 Grand avenue, west side, 53 ft. north of Prospect place (Block 1154, Lot 24), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Grand avenue and Washington avenue are in a business and unrestricted use, B area and class 1½ height district; St. Marks place is in an unrestricted use, B area and class 1½ height district; Prospect place is in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated May 3, 1945 on B. N. Applic. 441-45 reads:

"1. Parking and storage of more than five motor vehicles in a business zone and extending into the unrestricted zone, is contrary to Art. II, Sect. 4, par. 15, of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 78 ft. frontage by 144 ft. 1 in. in depth, now vacant and that it is proposed to erect a one story, Class 3 office building 10 ft. by 8 ft. in area, and maintain the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant contends that the premises are divided by the restriction lines, so that a portion of the premises is in the unrestricted district, which could be used for the storage of cars; that the conditions in the neighborhood are such that facilities for parking will enable the cars to be taken off the streets and clear traffic; that the neighborhood is considerably congested and directly within a 500 ft. radius there are located several manufacturing establishments, with a great number of employees, such as Knox Hat Factory, etc.; that by providing parking facilities, these employees will have storage space available; that there is a public theatre around the corner, which will enable the visitors to have parking facilities; that this neighborhood does not warrant development with any conforming use, as a result of which the owner maintains a vacant plot with no income to meet taxes or current expenses; that the storage or parking will not hurt the neighborhood, because part of the territory is at present unrestricted; that the development in this area is for dwellings of the lower rental type, where people are not in a position to pay excessive storage charges, so that the occupants of these dwellings are afforded a means of parking their cars at a nominal rental until such time as the conditions in the neighborhood cause the redevelopment of the neighborhood; that in view of the foregoing facts, it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7h of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on B. N. Applic. 441-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

343-45-BZ

APPLICANT—Allen A. Blaustein, for Jack W. Edson, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use, E area district, the erection of a one car private garage in an embankment, the face of the garage being located on the street line.

PREMISES AFFECTED—124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Allen Blaustein, H. Arens and Jack W. Edson.
For Opposition: None.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3
Negative 0
Not Voting: Commissioner Savage 1

THE RESOLUTION. (343-45-BZ)

WHEREAS, Allen A. Blaustein, for Jack W. Edson, owner, filed June 5, 1945, an application under section 21 of the zoning resolution, to permit in a residence use, E area district, the erection of a one car private garage in an embankment, the face of the garage being located on the street, affecting premises 124 85th street, south side, 180 ft. east of Colonial road (Block 6032, Lot 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 85th street, 84th street, 86th street and Colonial road are in a residence use, E area and Class 1 height district and that Ridge boulevard is in a residence use, F area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 24, 1945, re N.B. Applic. 79-45, reads:

"1. Proposed garage located within 10 ft. set back from building line required within an E area, residential district, is contrary to Art. 4, Sect. 15d of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 40 ft. frontage by 125 ft. in depth, on which is located a two story frame stucco one family dwelling, on an embankment and that it is proposed to erect a one car private garage in the embankment, with the facade on the street line, one story, 12 ft. 4 in. by 23 ft. 6 in.; and

WHEREAS, the applicant contends that this application is for relief from Section 15-d, Art. 9, of the zoning resolution, which requires a 10 ft. setback from street line for a proposed one car private garage, to be erected in an embankment at the building line at curb level, similar to present adjacent private garages on the same block between intersecting streets; that the site in question is occupied by a two story frame stucco, 1 family dwelling, erected 25 ft. back from the building line on an embankment, while at the rear on the southeasterly side of plot, is a present accessory 2 car private concrete block garage untenanted by owner because of inaccessibility for the past 11 months, ever since owner took possession of the residence on same site, due to the narrow driveway; that it is proposed to substitute therefor a one car private garage at the front of the premises at the building line at curb level in the embankment and remove the rear two car private garage, creating a garden in its place; that the proposed garage will be erected over present driveway; that at the easterly side of the site is a narrow 6 ft. 3 in. wide driveway on hilly ground between present dwelling brick chimney and adjacent easterly property high ground retaining wall leaning slightly over the site in question; that since owner purchased the premises in July, 1944 for his own residence and storage for his own and family's car, he has been unable to enjoy the use of the garage in the rear, although paying taxes on the same and paying for the storage of his automobiles elsewhere; that because the original high ground contour and topography of the site and adjacent and surrounding properties, within a few blocks, are higher than the streets said properties face, the majority of adjacent property garages were erected at the front in the embankments at curb level facing the streets, avoiding steep hazardous driveway, as confronts the owner of the site in question, even if he were able to drive up into the present vacant garages in the rear of his premises; that adjacent to the east on the south side of the site are seven private garages, while on the opposite side of the street are six similar garages, all erected at the building line of 85th street, and at curb level, in the embankments; that similar conditions with garages at the front are found on Colonial road, 84th street and 86th street; it is requested that the 10 ft. setback be waived, because the present dwelling on the site is 25 ft. back from building line, and would have to be disturbed and cut into if proposed garage were set back the required distance; that with the demolition of the rear garages, and a garden erected in its place, a more desirable yard view, more light and air would be enjoyed by all the adjacent property owners; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 of the zoning resolution, to permit the garage as proposed to be constructed as indicated on plans filed with this application, *on condition* that the 25 ft. front yard between the house and the street line shall be maintained except for such garage; that the existing garage at the rear of the lot shall be removed; that there may be a passage constructed from the cellar of the house to the proposed garage, provided a fireproof self-closing door is installed therein; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

377-45-BZ

APPLICANT—Lama & Proskauer, for Herman J. Klinck, owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit the extension from a business use into a residence use district, and the coverage in a C area district in excess of 60% of the lot area of a proposed extension to an existing store.
PREMISES AFFECTED—990 Flatbush avenue, west side, 58 ft. 3 in. south of Albemarle road (Block 5125, Lot 14), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. Lama, Herman J. Klinck, Jacob Goodman, Samuel Adler and L. Cohen.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (377-45-BZ)

WHEREAS, Lama and Proskauer, for Herman J. Klinck, owner, filed June 19, 1945, an application under section 7c and 21 of the zoning resolution, to permit the extension from a business use into a residence use district, and the coverage in a C area district in excess of 60% of the lot area of a proposed extension to an existing store, affecting premises 990 Flatbush avenue, west side, 58 ft. 3 in. south of Albe-

marle road (Block 5125, Lot 14), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards; and

WHEREAS, the district maps accompanying the zoning resolution show that Albemarle road is in a residence and business use, C area and Class 1½ height district; Flatbush avenue is in a business use, C area and Class 1½ height district and East 21st street is in a residence use, C area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated June 11, 1945, and June 26, 1945, re Alt. Applic. 1721-45, reads:

"1. The extension of a building on an interior lot line in a "C" area district to exceed 60% of the area of the lot is contrary to the zoning resolution. Sec. 13(b).

"2. The construction of an extension located partly within a residence use district to be used for business purposes, is contrary to the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 22 ft. frontage by 103 ft. 3½ in. in depth, on which is located a three story, 22 ft. by 55 ft., Class 3 constructed building, occupied as a store, beauty parlor and 1 family dwelling and that it is proposed to construct a one story extension covering the entire remainder of lot in 1st story and discontinue use of upper stories; and

WHEREAS, the applicant contends that the premises are improved with a three story masonry building, 20 ft. front by 55 ft. in depth (32 ft. high), occupied as a store on the 1st floor, beauty parlor on the 2nd floor and one family on the 3rd floor; that it is proposed to construct a one-story extension covering the entire lot, which is contrary to the zoning law, inasmuch as it occupies more than 60% of the area of the lot; that it is also proposed to discontinue the uses of the upper floors and construct a new front on the building; that this request is necessary owing to the high assessed valuation of the property and also it is an undue hardship on the owner, inasmuch as the building directly to the south occupies 100% of the area, and the building to the north occupies approximately 97% of the area; that directly to the east, there is a six story apartment house which occupies more than 60% of the area of the lot; that this proposal does not in any way affect the intent of the zoning law, inasmuch as the premises is entirely surrounded by buildings which occupy in excess of 60% of the area of their lots; that in view of the foregoing facts, it is respectfully requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship; that in view of the buildings extending on either side practically to the rear, this applicant should be permitted a similar right.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the one story extension substantially as proposed and as indicated on plans filed with this appeal except that the building shall not be erected nearer than 5 ft. to the rear lot line for the full width of the lot, *on condition* that such extension shall be one story in height only; that no windows shall be constructed within the side or rear lot lines; that the second and third stories of the building shall be removed; that consent to traverse the adjoining premises to the north for exit to Albemarle road shall be obtained and filed with the borough superintendent; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

382-45-BZ

APPLICANT—Herman E. Horwood, for Anne Posner, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a G area district, the erection of a porch on an existing building 15 ft. 3 in. from the street line instead of 20 ft., as required by the zoning resolution.

PREMISES AFFECTED—108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: H. E. Horwood.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (382-45-BZ)

WHEREAS, Herman E. Horwood, for Anne Posner, owner, filed June 30, 1945, an application under section 21 of the zoning resolution, to permit in a G area district, the erection of a porch on an existing building 15 ft. 3 in. from the street and instead of 20 ft., as required by the zoning resolution, affecting premises: 108-11 66th road, north side, 100 ft. east of 108th street (Block 2174, Lot 59), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 66th road, 66th avenue, 67th avenue and 108th street are all in a residence use, G area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 26, 1945 and June 14, 1945, re Misc. App. 938-45 reads:

"5. In a G area district, the minimum distance of structure from building line is 20 ft. requirement, as per Art. III, sec. 16B."

and

WHEREAS, the applicant states the premises consist of a plot 40 ft. frontage by 100 ft. in depth, on which is located a 2-story, Class 4 constructed one family residence 23 ft. ⅛ in. by 36 ft. 1 in. in area and that it is proposed to erect an open screened porch on the 66th road front 7 ft. 9 in. by 23 ft. ⅛ in., set back 15 ft. 3 in. from the street line instead of 20 ft.; and

WHEREAS, the applicant contends that at the time the building was erected it was in a residence use, D area district, but was changed to residence use, G area district on September 25, 1941, and said porch could have been erected when the balance of the structure was built; that this building is now 23 feet distant from the street building line; that photo #1 filed with this application, shows a concrete slate and brick platform which was installed when the building was built, evidently with the intention to provide for a porch; that even with the proposed porch, the building will occupy only about 30% of the area of the lot, although 35% is permitted in this area and there is no other place on this plot where the porch could be erected; that under the present restriction, the porch could extend out for a distance of 3 ft., but this would not be of practical value; that all the other houses have screened porches and it would be a great

hardship if this owner were prevented from enjoying the privilege of sitting outside of his home in the evenings, which is impossible without the protection of a screened enclosure; that it is the intention that the screening shall be made in removable panels and taken down after the summer months; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 of the zoning resolution, to permit the reduction of depth of the front yard as proposed, *on condition* that the porch shall be constructed substantially as proposed on plans filed with this application and shall not extend into the front yard for a distance greater than shown thereon; that the entire building on the premises, including the proposed porch, shall not exceed 30 per cent of the area of the lot, inclusive of the garage; that the porch shall remain an open porch and shall not be enclosed except for fly screening during the summer; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits may be obtained and all work completed within one year.

403-45-BZ

APPLICANT—George Alexander, Jr., for Mock, Grossarth & Ott, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of an existing factory building with the omission of the required rear yard.

PREMISES AFFECTED—761-783 Rutland road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Alexander, Jr., and Eugene Mock, Jr.

For Opposition: Susie DeLuca, Rose D'Ambra, M. E. Biederman, Mrs. Gene Silfen, L. S. Krell, Mrs. B. Heimbinder, Barney Heimbinder, Louis A. Weimer, Sam Silfen, Isidor Rosenberg and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (403-45-BZ)

WHEREAS, George Alexander, Jr., for Mock, Grossarth and Ott, owner, filed June 25, 1945, an application under section 7c of the zoning resolution, to permit in a residence use, C area district, the extension of an existing factory building with the omission of the required rear yard; affecting premises: 761-783 Rutland Road (777 displayed) and 542 Schenectady avenue, northeast corner (Block 4808, Lot 38), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Rutland Road, Schenectady avenue and East 46th street are in a residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 18, 1945, re Alt. App. 1663-45, reads:

> "1. Proposed extension to a factory building located within a residence use district, constitutes a violation of Art. II, Sec. 3 Zoning Resolution, also Art. IV, Sec. 17, which requires a rear yard."

and

WHEREAS, the applicant states the premises consist of a plot 230 ft. frontage by 80 ft. in depth, on which is located a one-story, Class 4 constructed building 43 ft. 8½ in. by 80 ft. and two one-story sheds, occupied as a miscellaneous iron works and that it is proposed to extend this building, by removing a shed and erecting a new 1-story concrete block building 22 ft. 1 in. by 80 ft.; and

WHEREAS, the applicant contends that this property was purchased in 1900 for manufacturing miscellaneous iron work and in 1912 the original factory, sheds, a stable (converted into a garage for trucks and passenger cars in connection with this business in 1912) and a 2-story frame dwelling as residence for the owner, were erected near the time of purchase; that the proposed extension would be constructed between the present factory and the dwelling, taking the place of the garage and the metal shed which will be torn down for this extension; that it would be a very small increase in the plot coverage and would not extend in the direction of the adjoining property; that to restrict the extension within the boundaries of this original plot, would be a hardship and impose practical difficulties on the owners who have been entirely occupied with high priority work for the U. S. Government; that the firm's specialty is the manufacture of water-tight doors for sides of Navy and Merchant Marine vessels and they are pressed for space to carry out their contracts; that the proposed extension would in no way interfere with the light and ventilation of the abutting property on Schenectady avenue, as its rear is opposite the back yard of the abutting plot; that the Athletic Field which occupies one half of Block 4808 and the entire Block 4807, is enclosed with a masonry wall approximately 16 ft. high with an entrance on Troy avenue and two exits on Maple Street; that the north side of Rutland Road was occupied as greenhouses, covering practically an area of 206 ft. by 230 ft.; that the northerly end of Block 4825 was likewise covered with greenhouses; that the entire Block 4590 is vacant and had been used by an excavation contractor for a storage yard for large types of machines; that because of the low cost of this property, both vacant and improved, it would seem that any extensive residential development is unlikely; that it would be a great hardship for the owners of subject premises to be prevented from expanding their business after the expense of the past 45 years in taxes and assessments with steady increases in assessed valuation; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the building as proposed *on condition* that a rear yard shall be provided in accordance with the requirements; that no openings shall be erected in the easterly wall and that any openings on the street or southerly wall shall be filled with glass block with no windows therein; that no skylight shall be erected nearer than 25 ft. from the street line; that the wall between the one story shop and the proposed addition may be removed; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that the ceiling of the proposed extension and the existing one story shop shall be sealed with fibreboard or other suitable board for the purpose of

deadening sound; that all fabrication shall be carried on within lawfully permitted buildings and no fabrication shall be carried on in the storage yard; that the buildings shall not be increased in height or area; that the cement block wall to the west shall be maintained with the gates therein to enclose the space unbuilt upon; that in all other respects, the buildings and occupancy shall comply with all laws and rules applicable thereto and that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

407-45-BZ

APPLICANT—Alfred H. Eccles, for Victor Wallboard Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the erection of an office and warehouse building.

PREMISES AFFECTED—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles and J. D. Dawkins.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (407-45-BZ)

WHEREAS, Alfred H. Eccles, for Victor Wallboard Co., Inc., owner, filed June 29, 1945, an application under section 7c of the zoning resolution, to permit in a residence use district, the erection of an office and warehouse building as a substitute for an existing building; affecting premises: 87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 130th street is in a residence and business use, C area and Class 1 height district; 131st street is in an unrestricted use, C area and Class 1 height district and 89th avenue is in a residence and business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 20, 1945, re NB App. 497-45, reads:

> "1. The erection of a building for office and warehouse use in a residence district, is contrary to Art. II, Sec. 3 of the Building Zone Resolution."

and

WHEREAS,, the applicant states the premises consist of a plot 150 ft. frontage by 149.97 ft. and 191.57 ft. in depth, on which is located a one-story frame storage warehouse 55 ft. by 38 ft., irregular in area and that it is proposed to remove this structure and erect a one-story Class 3 constructed building 100 ft. by 111 ft. 6 in. and 148 ft. 6 in., irregular, to be occupied as a warehouse for plywood storage and an office; and

WHEREAS, the applicant contends that this property was formerly part of a plot extending from Jamaica avenue to 89th avenue and 130th street to the Long Island R.R. (131st street), which was owned by the Tisdale Lumber Co. and occupied by sheds, a factory, lumber mill, coal pockets, coal sheds and stable with a spur track siding, leading into the property from the Long Island Railroad; that the property was originally unrestricted and the buildings existed prior to 1925, when the district was changed from unrestricted to residence use; that on March 3, 1933, the Board of Standards and Appeals permitted the change of occupancy of the factory to a motor vehicle repair shop and service station with certain restrictions as to construction, which were not complied with and on March 29, 1937 the Board refused to grant a further extension of time; that nothing of a residential character has been erected on this plot in 25 years; that its location lends itself to development for the use proposed because of the railroad siding; that the material to be stored is essential for post war residential and building development in the vicinity; that under the provisions of Section 7c, the Board is empowered to permit, where a premises is devoted to a non-conforming use, the erection of a new building or extension of an existing building or use into the more restricted district under such conditions as will safeguard the character of the district; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under Section 7c, to permit the construction of the building as proposed on a portion of Lot 66, having a total frontage of 150 ft. on 130th street; that of this frontage of 150 ft. the building shall occupy 100 ft. only, the remaining 50 ft. shall remain vacant and unbuilt upon for the entire width of 50 ft. along 130th street and for the entire depth; that the proposed building shall not be constructed more than one story in height; that no windows or other openings shall be constructed in the wall to the north adjacent to the existing two story business building on Lot 79; that the building shall be either Class 1 or Class 2 construction or, if Class 3, it shall be protected with a sprinkler system; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied as proposed; that no signs shall be erected on the premises except a sign erected near the entrance, advertising the company and the products, provided such sign is attached directly to the front wall of the building and does not exceed 15 sq. ft. in area; that all permits shall be obtained and all work completed within one year from the date of this resolution.

419-45-BZ

APPLICANT—Edgar J. Moeller, for Rogers Peet Company, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the extension of an existing building, the building now exceeding 80% of the lot area permitted for corner lots.

PREMISES AFFECTED—479-485 5th avenue and 5-7 East 41st street, northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller..

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (419-45-BZ)

WHEREAS, Edgar J. Moeller for Rogers Peet Company, owner, filed June 28, 1945, an application under section 21

of the zoning resolution, to permit in a retail use, B area district, the extension of an existing building, which now exceeds 80% of lot area permitted for corner lots; affecting premises 479-485 5th avenue, 5-7 East 41st street northeast corner and 14-16 East 42nd street (Block 1276, Lot 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Fifth avenue, East 41st and East 42nd streets are all in a restricted retail use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated June 7, 1945, re Alt. Applic. 827-45, reads:

> "1. Since building is in retail, B area district, proposed extension of structure is contrary to Art. IV, Section 12b Zoning Resolution, as structure already exceeds 80% of lot area permitted for corner lots."

and

WHEREAS, the applicant states the premises consist of a plot 73.3 ft. frontage by 166 ft. in depth, on which is located a 10-story and penthouse (150 ft. high), Class 1 constructed, stores, offices and light manufacturing building and that it is proposed to install an elevator in the inner court, running from the basement to the 2nd floor with the top of the shaft at the 3rd floor; and

WHEREAS, the applicant contends that as shown by plans and photostatic copies of drawings filed with the Dept. of Housing and Buildings, under Alt. Applic. 827-45, the proposed new elevator shaft is to be for a private elevator for the Rogers Peet Co. store, which will run from the basement to the 2nd floor with landings on the basement, 1st and 2nd floors with the elevator machine at the top of the shaft at the level of the 3rd floor; that this new shaft will be entirely within the building in the basement and first floors, emerging into the existing open court at the roof over the 1st floor and continuing in this court, the height of the 2nd floor and a portion of the 3rd floor; that the encroachment on the court will be only 9 ft. by 9 ft. 6 in. or 85½ sq. ft. in area and 24 ft. 6 in. in height above the roof over the 1st floor; that the total area of the existing court at the 2nd floor level is 1445 sq. ft., which increases above the 5th floor to 1895 sq. ft.; that the encroachment of this new shaft is less than 6% of the area of the portion of the court where it occurs and exists only for the height of the 2nd floor and less than ½ of the 3rd floor; that the uncovered area of the plot occupied by the Rogers Peet Co. building, is 9¾% of the plot on the lower floors, increasing 12¼% on the upper floors (partly by ownership and partly by easement); that the uncovered area of the plot occupied by the building on 5th avenue, adjoining our property on the north, is about 11½% of the area of the lot, consisting of the court to which we have a permanent easement; and the uncovered area of the plot occupied by the building on 42nd street adjoining our building on the north and west (under the same ownership as the 5th avenue parcel), is 13% of the plot area; that the remaining building on this western end of Block 1276, that is, the 20-story building on the corner of 5th avenue and 42nd street, which covers about 90% of its plot area, cannot in any way be affected by the proposed encroachment; that as may be seen by the block diagram, practically all the properties within the area shown are now improved with modern fireproof buildings, having an uncovered plot area not exceeding 10%; that under these circumstances the latest amendments to the zoning resolution seem unjustified if applied to the subject property and would be a burden that should not be placed on the owners; that it is therefore respectfully requested the Board grant a modification, to enable the applicant to receive an approval from the Department of Housing and Building, for the construction of the new elevator; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution and was, therefore, entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution and that the application be and it hereby is *granted* under section 21 of the zoning resolution, to permit an extension of area as proposed only so far as is necessary to accommodate the proposed elevator construction as indicated on plans filed with this application, *on condition* that in all other respects, the requirements of the zoning resolution and all other laws, rules and regulations applicable to the building and occupancy shall be complied with; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

430-45-BZ

APPLICANT—Herman Kron, for Arnold Kramer, owner.
SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a temporary term of two years.
PREMISES AFFECTED—218-224 East 3rd street; south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14-17, inclusive), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Kron, Jack Brush and Rose Cramer.
For Opposition: William T. Knight.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. . 4
Negative 0

THE RESOLUTION (430-45-BZ)

WHEREAS, Herman Kron, for Arnold Kramer, owner, filed July 9, 1945, an application under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a temporary term of two years, affecting premises 218-224 East 3rd street, south side, 139 ft. 7½ in. east of Avenue B (Block 385, Lots 14, 15, 16 and 17), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 24, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East 2nd, East 3rd and East 4th streets, Avenue B and Avenue C are in a business use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated June 27, 1945, re Alt. Applic. 1056-45, reads:

> "1. Parking lot for storage or parking of more than five motor vehicles in a business district is contrary to Art. II, Sec. 4(a) (15) of the zone resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 100 ft. frontage by 105.11½ ft. in depth, now vacant and that it is proposed to erect a one story, Class 4 office, 10 ft. by 10 ft. and occupy the plot for parking and storage of more than five motor vehicles for a temporary term of two years; and

WHEREAS, the applicant contends that these premises are at present in a business district and the owner is anxious

to secure a permit granting a variation so that he may operate a parking lot on these premises; that it is his intention to lease it to a discharged war veteran, and should the application be granted, the owner is agreeable to have a provision that the premises are to be operated by a war veteran; that at the present time, there is no other use for which this property can be put until such time as material and labor are available, it is therefore respectfully requested that the application be granted under Section 7h of the zoning resolution for a temporary term of two years; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof, for a term of two years, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of East 3rd street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound and surfaced with asphalt or colprovia and graded so as to provide surface drainage; that on the interior lot lines, where walls of adjoining buildings do not occur, there shall be erected a heavy woven wire fence of the chain link type with anchored steel posts not less than six feet in height; that along the street building line there shall be erected a similar fence, except for an opening not over 15 feet in width, with curb cut opposite of similar width; that during the term of this variance, the premises shall be occupied for no other use than that herein permitted and no building shall be erected thereon, except there may be a building erected near the entrance for use solely as an office and shelter for the attendant; that such office may be of frame and not over one-story in height; that along the interior lot lines, where walls of adjoining buildings occur, there shall be erected substantial bumpers of wood or metal anchored at a point not less than 4 feet away from the walls of such buildings, to prevent damage thereto; that proper aisles shall be maintained at all times for proper ingress and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no signs shall be erected, except there may be a sign attached to the fence at the entrance, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. and does not extend beyond the building line; that the premises shall not be occupied for the parking and storage of more than five motor vehicles until the work is completed and a certificate of occupancy obtained; and that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

677-44-A

APPLICANT—Sidney Daub, for Herbert A. Wolff, Trustee for Bond and Mortgage Co., (Dumont Electric Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—34-44 Hubert street and 398-408 Washington street, northwest corner (6th floor); (Block 217, Lot 1), Borough of Manhattan.

APPEARANCES—
For Applicant: Sidney Daub.
For Administration: Vincent Matteis, Fire Dep't.

ACTION OF BOARD—Laid over to July 27, 1945, at 10 A.M., for an inspection by a committee of the Board.

137-45-A

APPLICANT—Philip Freshman, for Milkin Realty Corp., owner (Tung Sol Electric Corp., lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—51-55 Nassau avenue and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

APPEARANCES—
For Applicant: Philip Freshman and M. Franklin.
For Administration: Vincent Matteis, Fire Dep't.

ACTION OF BOARD—Laid over to July 27, 1945, at 10 A.M., for an inspection by a committee of the Board.

330-45-A

APPLICANT—Lama & Proskauer for Edward Brodlieb, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—6902-6912 Fourth avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 27), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama, Robert Davison, Edward Brodlieb and Rev. Frederick W. Patin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945 at 10 A.M. for further consideration.

224-45-A

APPLICANT—Clayton G. Shirkey, for Henrietta Dobin, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—523 Briar place, north side, 82 ft. east of Hanson Court and 562 Grasmere terrace (1st floor); (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: Paul Friedman and Max H. Rivkin.
For Opposition: Mae C. McKenna, William Kupferberg, Max Reich, Elizabeth J. Flynn, Bessie MacNulty, Gabriel Nathan and J. L. Lewin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to withdraw denied and appeal denied.

THE VOTE TO WITHDRAW—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (224-45-A)

WHEREAS, Clayton G. Shirkey, for Henrietta Dobin, owner, filed on April 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 523 Briar place, north side, 82 ft. east of Hanson court, and 562 Grasmere terrace (1st floor); (Block 258, Lots 31 and 32), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated March 13, 1945, re Alt. Applic. 120-45, reads:

"2. The change of use of a frame structure from dwelling to day nursery, is contrary to Section 4.1.2 and 4.1.5 of the Building Code.

6. Liveload required for fixed seats 60 lbs. and 100 lbs. for portions not having fixed seats, per C26-344.0 of the Building Code."

and

WHEREAS, the applicant states the building is 3 stories (34 ft.) in height; 41 ft. by 60 ft. in area; of Class 4 construction; erected 1907; located in a residence use, D area and Class 1 height district, and used and occupied: cellar, heating and storage, no persons; 1st floor, living rooms; 2nd floor, bedrooms; third floor, bedrooms (4th floor tower), for which no certificate of occupancy has been issued and proposed to be used and occupied as follows: cellar, heating and storage; 1st floor, kitchen and day nursery, 100 persons; 2nd floor, rest room and bedrooms, 10 persons; 3rd floor, bedrooms, 4 persons; 4th floor to be closed off and kept vacant; that the building is equipped with two interior frame stairs, enclosed in frame partitions with lath and plaster and leading directly to the street and provided with a ladder and scuttle to the roof; that the front stair is 3 ft. 6 in. wide and the rear stair is 3 ft. wide; and

WHEREAS, the applicant contends as to Objection 2, that the use requested is permitted in a residence district and is separated some distance from other buildings; that the first floor opens on a wide terrace and ample exits will be provided; that a fire alarm system and proper ventilation will be provided; that reconsideration is requested as the rooms will be used only for serving lunches and in bad weather, except for small classes; contends as to objection 6, that the acceptance of a 60 lb. live load is requested, as the children are small and would be seated at tables distributing the load throughout the spaces occupied and that the floors are in good and substantial condition.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 120-45, objections 2 and 6, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

445-45-A

APPLICANT—Alfred H. Eccles, for Victor Wallboard Co., Inc., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—87-49 130th street, east side, 200 ft. north of 89th avenue (Block 9338, part of Lot 66), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Eccles and J. D. Dawkins.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn in view of action taken on Cal. 407-45-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL

254-42-SA

APPLICANT—Haughton Elevator Company, owner.

SUBJECT—Haughton Type "F" Interlock, approval of.

APPEARANCES—

For Applicant: John Anderson.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (254-42-SA)

WHEREAS, the Haughton Elevator Company, owner, filed on March 27, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Haughton Type "F" Interlock; and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

July 11, 1945.

Re: Cal. 254-42-SA

Subject: Haughton Type "F" Interlock

The Haughton Elevator Company of Toledo, Ohio, filed an application with the Board of Standards and Appeals for approval of the appliance known as the Haughton Type "F" Interlock under the requirements of C26-178.0b and as complying with the test requirements of C26-912.0 Administrative Building Code.

DESCRIPTION

This elevator interlocking device is designed for use with elevator landing doors, either of the sliding or swinging type, or for interlocking similar devices. It consists of a case mounted rigidly to the frame work, a moving part in the case for making and breaking a circuit, a roller mounted to engage a retiring cam mounted on the car, a part rigidly mounted on the door for making and breaking a circuit, a part rigidly mounted on the door and arranged to engage and lock with a part and a retiring cam mounted on the car, and arranged to retire whenever the elevator is being operated by other than an automatic leveling device.

CONSTRUCTION

This interlocking device consists of a case in the side of which is an opening to allow the locking piece and contact closing piece to enter the case and close a circuit and engage and lock with the moving piece. To the back of the case, opposite the opening, are resiliently mounted two silver contacts, arranged and located so that the silver bridge will engage and close a circuit. The resilient mounting of the silver contacts is provided by the use of Beryllium copper springs.

The silver bridge is mounted on an insulator and is adjustable forward and backward to obtain setting. The insulator is rigidly mounted on the part mounted on the door.

At the bottom of the case is located a pin for a sliding door and for a swing door. These pins serve as a fulcrum for the moving part. For the slide door a pin also serves for mounting the roller arm and roller. The pin for mounting the roller on the arm is riveted in place. The roller arm is attached and held to the pins by set screws. A part is attached to the pin for the slide door and for the swing door by a self-tapping screw through either of the above pins.

To the back of the case and in the lower part are two resiliently mounted silver contacts arranged and located so the silver bridge will engage and close a circuit. The resilient mounting of these silver contacts is provided by the use of Beryllium copper springs. The silver bridge is mounted on an insulator. This insulator is rigidly mounted to the moving part.

The silver contacts are fulcrumed on pins and guided by pins. These two pins are rigidly mounted. This part is mounted on the insulator and is further insulated.

The silver contacts are fulcrumed on pins and guided by pins. These two pins are rigidly mounted on an insulator.

For the swinging door, a shaft or pin is used. The roller arm is mounted on one end and then is inserted in lock case. On the other end is a pin and a ball knob

mounted so that the ball end enters a hole in the part. This gives a right angle drive and when roller arm rotates the shaft it will cause a corresponding movement of the moving part. The nameplate serves as the cover.

On the insulator is provided two terminals. These are connected to the silver contacts through pins making it unnecessary for outside wires to pass down by the moving parts.

OPERATION

Assuming the car is approaching a landing, at which it is to stop. The retiring cam is retired, the car arrives and stops at the floor landing. The instant it stops the retiring cam is denergized, it moves forward and moves the roller. This movement of the roller arm rotates the shafts. The rotation of either of these shafts moves the part away from the silver contacts. This breaks the circuit that was closed by the bridge and moves the locking part away from the part. The door is now unlocked mechanically and as it is opened the bridge breaks the circuit it closed with contacts. The opening of either of the above circuits prevents the starting or operation of the elevator.

When the door is moved toward the closed position, the bridge first closes a circuit by engaging contacts. If at this instant a call is being registered or has been registered, the closing of this circuit allows the retiring cam to be energized, the other circuit being open still prevents the elevator from starting. The energizing of the retiring cam allows the roller to move forward due to the spring. This tends to move the locking part into a position to lock the part as soon as the door has moved sufficiently to allow this to take place. It is common practice to have the circuit closed by bridge approximately ⅛" before the locking part can move into locking position. As soon as the door has moved the ⅛", the locking part moves to locking position and closes the circuit by the bridge and contacts. The car now starts and the door at the floor from which it started is mechanically locked and since the cam is retired and remains retired while the elevator is operating no door is unlocked as long as the elevator is passing the different landing doors.

FEATURES OF DESIGN

The elevator cannot be operated until all doors are closed and mechanically locked.

It is necessary for both pairs of contacts to be closed in order for the elevator to operate.

Does not allow the elevator to operate unless parts are working properly.

Does not require accurate setting, therefore functions properly, even though there is considerable sagging or sloppy operation of the doors. Also allows considerable overtravel due to failure of door stops.

Can be installed for either a sliding or swinging door.

Uses Beryllium copper contact springs in order to eliminate the use of flexible leads or sliding contacts.

Uses silver contacts to insure low contact resistance, elimination of oxidization troubles, gives long wearing life and little burning due to arcing.

Has double break to reduce arcing.

The gradual incline on the moving part that enters is such that should a service man move the elevator car away from a floor and still hold the door open, it is only necessary to release the door and it will be closed and locked by an ordinary door closer. This immediately allows the elevator to operate in a safe manner.

This appliance was tested and approved by the National Bureau of Standards, Washington, D. C., for for each of the following tests:

Endurance
Current Interruption
Test in moist atmosphere
Test without lubricant
Misalignment test

The applicant has filed a letter dated March 5, 1945, certifying that the clearances between working parts of the device are such that they will satisfactorily function within the temperature range as required by C26-1179.0.a of the Administrative Building Code.

RECOMMENDATIONS

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Haughton Type "F" Interlock, as having met the requirements of Subarticle 9. Group 1, of .Artiele 14 of the Administrative Building Code, for use in New York City when installed in accordance with this report and the pertinent provisions of the Administrative Building Code provided that the appliance be marked, labelled or stamped "Approved by the Board of Standards and Appeals for use in New York City under Cal. 254-42-SA."

(Sgd.) Bernard A. Savage.
Commissioner,
Charles M. Blum,
Commissioner,
Leslie V. Huber,
Chief Engineer,
Committee on Tests.

and

Whereas, this report recommended the approval of this appliance.

Resolved, that the Board of Sandards and Appeals does hereby *approve* the appliance known as the Haughton Type "F" Interlock, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

717-44-SM

APPLICANT—Roberts and Schaefer Co., owner (Anton Tedesko, Agent).

SUBJECT—Z-D System of Reinforced Concrete (Shell Construction), approval of.

APPEARANCES—
For Applicant: Anton Tedesko, D. Delmetto and R. L. Bertin.

ACTION OF BOARD—Material approved in aecordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

NOTE—
The report of the Committee on Tests and the resolution of the Board, relative to the approval of the Z-D System of Reinforced Concrete (Shell Construction), will be printed in a subsequent issue of the Bulletin of the Board, pending reproduction of certain drawings and tables as referred to in the report of the Committee on Tests.

190-45-SA

APPLICANT—Pantex Pressing Machine Inc., owner.

SUBJECT—Pan-Tex Dry Cleaning System, Model CB1, CB2, CB3, CB4, CB5, CB6, CB7, CB8 and Model M1, M2, M3, M4, M5, M6, M7 and M8, approval of.

APPEARANCES—
For Applicant: George Zimmerman.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (190-45-SA)

Whereas, Pantex Pressing Machine, Inc., owner, filed on March 27, 1945, an application with the Board of Stand-

ards and Appeals for approval of the appliance known as the Pan-Tex Dry Cleaning System, Models CB1 to CB8 inclusive and Model M1 to M8 inclusive; and

WHEREAS, this appliance was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 27, 1945.

Re: Cal. 190-45-SA.

Subject: Pan-Tex Safety Dry-Cleaning System Model CB 1 to 8, inclusive. And Model M 1 to 8, inclusive, approval of.

Pantex Pressing Machine, Inc. of Pawtucket, R. I. filed an application with the Board of Standards and Appeals for approval of the Pan-Tex Safety Dry-Cleaning System Model 5-CB 1 to 8, inclusive, under the requirements of Title C, Fire Prevention Code, Part 1, Art. 1, Administrative Code.

DESCRIPTION

The Pan-Tex Safety Dry Cleaning Unit consists of an assembly of the following equipment—the Washer, the Extractor, Safety Tumbler Type SL Tanks, Extractor Drain Tank, Dry Cleaning Filter, Solvent Still, Button Trap, described as follows:

THE WASHER

The washer has a leak proof welded steel housing, resting on cast iron legs, and is provided with a cover door, hinged at the top, so placed as to be well above the fixed liquid level. Within the steel housing is a welded steel cylinder in which the garments being dry cleaned are agitated in a circulating bath of cleaning solvent. The cylinder is equipped with two sliding doors which may be latched open or closed for loading and unloading garments; with both doors latched open, access is had to the inside of the housing so that it may be readily cleaned if necessary. The cylinder rotates at about 22 R.P.M. and its rotation is reversed every four to five revolutions. The reversing mechanism is constructed of cast iron and is belt driven from an elevated countershaft; the countershaft also carries the filter pump drive pulley and is driven by an electric motor, through V belts, mounted at the back of the countershaft support.

The washer is filled by a manually operated, weighted, fill valve which is so arranged that it must be held open and is automatically closing. The correct liquid level is indicated by two fill marks plainly visible within the washing cylinder.

The washer is fully equipped with all necessary safety devices, the belts being guarded by suitable belt guards and the access door interlocked with the drive mechanism in such manner that it cannot be opened unless the cylinder is locked so that it cannot rotate. Two sight glasses, with wired safety glass lights, are placed in the solvent inlet and discharge lines adjacent the washer so that the operator may judge the quality of the solvent in circulation without stopping the machine and opening the washer access door.

The washer is supplied in two sizes, model UDWE-35-MS with 30″ diameter by 40″ long cylinder and of 35 lbs. capacity; and, model UDWE-45-MS, with 30″ diameter by 48″ long cylinder and of 45 lbs. capacity.

THE EXTRACTOR

The greater part of the solvent remaining in the garments after treatment in the washer is removed by centrifugal force within the extractor; this is done by transferring the garments to the rotatable basket of the extractor where they are rotated at high speed, centrifugal force throwing the solvent out through perforations in the copper basket. The outer shell of the extractor is of welded steel construction of heavy, rugged design and securely anchored to the floor. The outer casing is equipped with a cast aluminum lid, perforated to permit ventilation, which is so interlocked with the motor switch and governor mechanism on the extractor spindle that it cannot be raised while the basket is in motion.

The extractor basket is supplied in two sizes, of 20″ or 26″ diameter, and is constructed of heavy spun copper with the top curved inward to prevent escape of liquid. The sides are reinforced by steel hoops closely spaced, and a machined steel, copper covered bottom. The whole basket is heavily tinned after fabrication. Model UX-20-MS has a 20″ diameter basket that carries an 18 lb. load. Model UX-26-MS has a 26″ diameter basket and carries a 35 lb. load. The extractor is driven through V belts by a motor mounted at the rear and is equipped with a foot brake having a non-sparking brake shoe. It is also equipped with a drain line made of flexible metallic tubing, so that it cannot transmit vibrations, connected to the extractor drain tank, to be described later.

SAFETY TUMBLER, TYPE SL

The solvent remaining in the garments after centrifugal extraction is removed by agitating them in a stream of heated air in the drying tumbler, which holds a maximum load of 45 lbs. The device is of all welded steel construction. The tumbler outer casing is provided with a circular door at one end, which, aligning with a circular opening in the tumbler cylinder, is used for the introduction and removal of garments. The tumbler cylinder is rotated in a clockwise direction at about 35 R.P.M. by means of a chain drive with one sprocket on the cylinder shaft and the other, or driving sprocket, on the shaft of a gear reducer placed low down at the right hand side of the machine. This gear reducer is driven by a ½ HP motor and also carries the blower fan which operates at 1750 R.P.M. and draws air from the steam heating coils at the top of the tumbler, down through the perforated cylinder and out through a duct at the back, this duct is connected to an 8″ standard outlet duct which communicates with the outer air. The discharge duct and the tumbler outer casing are equipped with access holes to facilitate removal of lint accumulations from time to time. Steam entering the steam heating coil is controlled by a thermostatic steam valve which, by means of a fixed and sealed adjustment, keeps the temperature of the drying air below a maximum of 136° F. at all times. The circular loading door of the tumbler is latched closed by means of a bolt which, when pushed home, puts the drive and fan motor in operation. The door is unlatched by means of a push button-energized solenoid, which has a thermostatic switch in its circuit, the thermostatic switch being adjusted and sealed to open the circuit at 136° F. temperature of air passing through the tumbler. Thus if, because of a failure of the thermostatic steam valve or other controlling means, the temperature of the drying air should exceed 136° F., or if electric current supply fails, the tumbler cannot be opened. A red warning lamp on the tumbler latch box will light if this first should occur, giving indication of a hazardous condition. A weight-operated steam valve is located on the left side of the tumbler and automatically opens in case of electric current failure, and subsequent fan stoppage, at temperatures in excess of 136° F., thus flooding the interior of the tumbler, and the garments contained therein, with a fire-extinguishing steam spray in the event of current failure at elevated temperature (above 136° F.) An auxiliary, fire extinguishing, steam jet is also fitted which will open by means of fusible links in the event of fire within the tumbler or, by means

of an explosion operated damper, in the event of explosion within the tumbler. During normal operation, tne tumbler may be opened and closed at will for the loading and removal of garments and it is normally impossible for the temperature of the drying air to exceed 136° F. at any time, all control devices are "failure safe". The drive motor may be either single phase or polyphase and is protected with overload relief, magnetic starter. The control circuits are fused and isolated from the motor circuit by a transformer. The magnetic starter, overload relief, transformer, and fuses, are located in a junction box at the right hand side of the machine.

TANKS

Two solvent storage tanks are supplied, one for clean solvent and the other for dirty solvent. The tanks are of all welded steel construction, with cone bottoms and stand on upright steel legs. They are designed to withstand 100 lbs. hydrostatic pressure and are tested with air at 10 lbs, per square inch. The cylindrical portion and cone bottom are made of 14 gage steel while the top is made of 12 gage with three 1½" x ¼" angle iron braces welded thereto. The cylindrical portion is 32" in diameter and 48" long, the bottom is a 90° included angle cone measuring 15⅜" deep. A ring, 1" x ½" x ⅛" channel, is set into both ends of the cylindrical portion of the tank to stiffen and support the flat top and the cone bottom. Both tanks are fitted with vent connections which join a common vent manifold running to the outer air and terminating in a return bend fitted with an anti-flash screen device. In safety dry cleaning systems equipped with a still, the dirty solvent tank feeds into the still and the clean distillate is discharged into the clean solvent storage tank.

Where still is not supplied, the dirty solvent storage tank is equipped with the necessary connections to use chemical clarification of the dirty solvent. Each tank is equipped with a liquid level gage located at the top front, so as to be readily visible from all positions when standing in front of the dry cleaning system.

EXTRACTOR DRAIN TANK

This tank is located directly behind the washing machine and is primarily intended to receive solvent extracted from the garments in the centrifugal extractor. This tank also serves as a sump in the event of accidental overflow of the washer. The tank is also equipped with a connection and valve so that the washer may be drained into it if necessary. The extractor drain tank is emptied by a separate motor-driven pump, which discharges into the dirty solvent tank, the pump motor switch being located on the countershaft support of the washing machine, adjacent the washing machine motor switch. The tank holds 45 gallons, is rectangular in shape, being 28" high and 16" wide by 38" long and is constructed of 14 gage steel and has reinforcing angle irons at the bottom corners. The tank has a removable cover for easy cleaning and is equipped with a forated screen baffle, which may also be removed, so as to prevent any foreign matter entering the pump. The tank is also equipped with a float operated liquid level gage which is readily visible while standing in front of the washing machine. A vent line connecting to the vent header, previously described under "Tanks", is also fitted.

DRY CLEANING FILTER

The solvent circulating through the garments being agitated in the washer during the dry cleaning process, is filtered in the dry cleaning filter, to remove any solid particles of soil. The body of the filter is cylindrical and is made of 10 gage steel welded throughout. The filter bottom and clamp cover are 3/16" thick. ASME dished heads. Each filter is tested at 100 lbs. gage hydrostatic pressure. The working pressure is limited to 35 lbs. per square inch by a relief valve built into the filter circulating pump. The filters are equipped with hinged covers at the top, which may be clamped pressure tight, giving access to the filtering screens; and, a hinged cleanout door at the bottom, giving access to the sludge compartment. The filters are supplied in two models, one having monel filtering screens and the other cloth covered filtering screens, the former are cleaned by opening the cover and scraping the screens manually, while the latter are cleaned by reversing, or back-washing, the solvent flow by means of a suitable valve arrangement. The filters are supplied in three different sizes: 1,000 G.P.H. capacity, UF-2-CB (M) -10; 1500 G.P.H. capacity, UF-2-CB (M) -15; 2000 G.P.H. capacity, UF-2-CB (M) -20. While they are all 56" high the diameters vary, being 20" for the 1000 gallon capacity, 24" for the 1500 gallon capacity, and 27½" for the 2000 gallon capacity.

SOLVENT STILL

The solvent still works under a vacuum so as to keep the temperature of the solvent to a minimum, with the further result that any leaks are inward and stop distillation rather than allowing vapors to escape. The vacuum is produced by a motor-driven pump equipped with a relief valve set for 5 lbs. per square inch directly behind the still assembly, discharging into a moisture separator which contains cotton rags for the purpose of absorbing any moisture which may be present in the freshly distilled solvent. The main vessel, or kettle, of the still is a cylindrical upright tank of all welded construction, the body of which is 3/16 steel and the heads of which are also 3/16 steel dished to ASME specifications. The kettle is 46" long and 16" in diameter and has a flanged opening for the steam heating tubes, which are of copper hairpin construction and are ⅝ O. D. No. 18 SWG. The still rests securely on three angle iron legs of 1½" x 1½" x ¼" section. The solvent vapors leaving the still are condensed in a condenser assembly 54" long and 6¼" in diameter of welded construction with a seamless steel outer shell 3/16" thick, containing nineteen ⅝ O.D. No. 18 SWG copper tubes 44⅛" long. The condenser water is circulated past baffles outside the tubes while the solvent vapors are condensed in their interior. The condenser is fitted with bolting flanges, top and bottom, so that the end covers may be removed for cleaning. The kettle and the condenser assemblies are designd to withstand 400 lbs. per square inch hydrostatic pressure and are tested at 100 lbs. The still is equipped with a float-valve solvent-feeder which effectively prevents the solvent rising to more than the predetermined height, about 14", within the interior of the kettle. The kettle gage glass is protected by a metal and a safety wired-glass enclosure and also by ball checks, which automatically seal in the event of gage glass breakage. Steam is admitted to the hairpin heating coil, through a reducing valve that is set at 35 lbs. per square inch pressure. The down stream side of the reducing valve is fitted with a blow down pop safety valve set for 50 lbs., which prevents the steam pressure from rising beyond this limit. The capacity of the still is rated at 50 gallons distilled solvent per hour. The still is so constructed and piped into the unit that solvent is at no time exposed to the atmosphere during the distillation process.

BUTTON TRAP

A button trap, or strainer, is fitted in the solvent line between the washer and the filter circulating pump so that any small objects, such as buttons or belt buckles, may be caught before they enter the pump mechanism or are carried into the filter. The button

trap is so located as to receive solvent from the washer by gravity. The trap is an upright cylinder 38″ high by 10″ in diameter securely welded of No. 14 gage steel and has a cylindrical strainer in its interior, 36″ long by 8¼″ in diameter constructed of No. 16 gage perforated steel. The strainer is equipped with two friction fit covers held in position by a tie rod, while the button trap outer casing is equipped with a cast iron clamp cover, hinged at the rear, held in position by three hand clamps. While the assembly works under suction only, it is tested to 25 lbs. hydrostatic pressure in production and can withstand 100 lbs. hydrostatic pressure.

UNIT DESIGNATIONS

Unit 1-M

Machine Name	*Underwriters' Symbol*
30 x 40 Washer	UDWE-35-MS
20″ Extractor	UX-20-MS
1000 gal. Monel Screen Filter	UF2M-10
Filter Pump	J-98
36-30 Safety Tumbler	SL
Button Trap	UBT-1
Extractor Drain, or Overflow, Tank	UDT-1
Sump Pump	HL-98
175 gal., above ground, Clean Solvent Tank	UCT-175
175 gal., above ground, Dirty Solvent Tank	UTT-175
50 gal. Vacuum Still	UX-50
Still Pump	J-98

Unit 1-CB

Identical with Unit 1-M except for Filter as follows:

1000 gal. Cloth Screen Filter with Automatic Backwash	UF-2-CB-10

Unit 2-M

Identical with Unit 1-M except that the 50 gal. Still (US-50) is not included and that the Dirty Solvent Tank (UTT-175) is equipped for caustic treatment.

Unit 2-CB

Identical with Unit 2-M except for Filter as follows:

1000 gal. Cloth Screen Filter with Automatic Backwash	UF-2-CB-10

Unit 3-M

Identical with Unit 1-M except that the washer (UDWE-35-MS) Monel Screen Filter (UF2M-10), and button trap (UBT-1) are in duplicate.

Unit 3-CB

Identical with Unit 3-M except that two Cloth Screen Filters with Automatic Backwash (UF2CB-10) are substituted for the Monel Screen Filters.

Unit 4-M

Identical with Unit 3-M except for elimination of the 50 gal. Still (US-50) and arrangement of Dirty Solvent Tank (UTT-175) for caustic treatment.

Unit 4-CB

Identical with Unit 3-CB except for elimination of the 50 gal. Still (US-50) and arrangement of Dirty Solvent Tank (UTT-175) for caustic treatment.

Unit 5-M

Machine Name	*Underwriters' Symbol*
30 x 48 Washer	UDWE-45-MS
26″ Extractor	UX-26-MS
2000 gal. Monel Screen Filter	UF2M-20
Filter Pump	K-98
36 x 30 Safety Tumbler	SL
Button Trap	UBT-2
Extractor Drain, or Overflow, Tank	UDT-1
Sump Pump	HL-98
175 gal. above ground, Clean Solvent Tank	UCT-175
175 gal. above ground, Dirty Solvent Tank	UTT-175
50 gal. Vacuum Still	US-50
Still Pump	J-98

Unit 5-CB

Identical with Unit 5-M except for Filter, as follows:

2000 gal. Cloth Screen Filter with Automatic Backwash	UF2CB-20

Unit 6-M

Identical with Unit 5-M except as follows:

50 gal. Still (US-50) and Still Pump (J-98) are not included. Dirty Solvent Tank (UTT-175) is equipped for caustic treatment.

Unit 6-CB

Identical with Unit 6-M except for Filter, as follows:

2000 gal. Cloth Screen Filter with Automatic Backwash	UF2CB-20

Unit 7-M

Identical with Unit 5-M except as follows:

Washer (UDWE-45-MS), Monel Screen Filter (UF2M-20), Filter Pump (K-98), and Button Trap (UBT-2) are in duplicate.

Unit 7-CB

Identical with Unit 7-M except that two Cloth Screen Filters with Automatic Backwash (UF2CB-20) are substituted for the Monel Screen Filters.

Unit 8-M

Identical with 7-M except as follows:

Elimination of the 50 gal. Still (US-50), Still Pump (J-98), and arrangement of Dirty Solvent Tank (UTT-175) for caustic treatment.

Unit 8-CB

Identical with Unit 7-CB except as follows:

Elimination of the 50 gal. Still (US-50), Still Pump (J-98), and arrangement of Dirty Solvent Tank (UTT-175) for caustic treatment.

SOLVENT

Solvent characteristics for use with the equipment are:

Flash Point (Tag. closed tester)	Not less than 59.0 C. (138.2 F.) 181.0 to 198.0 C. (357.8 to 388.4 F.)
Ignition Temperature	Not less than 243.0 C. (453.2 F.)
Lower Limit of Explosive Range	Not less than 234.0 C. (453.2 volume of air at an initial temperature of 150.0 C. (302.0 F.)
Spontaneous Heating	The cleaning material shall not heat spontaneously to a dangerous extent.

Solvent storage and consumption is stored or kept in total quantities of not over 275 gallons for each Pan-Tex Safety Dry Cleaning Unit and when used in the said units will require replacement of only 2.50 gallons for every 100 lbs. (dry weight) of wearing apparel or other textile fabrics cleaned.

Wiring—All wiring is standard, Underwriters' Laboratories listed and approved. All piping, extractors, tumblers, tanks and stills are electrically grounded.

All the foregoing apparatus has been approved by the Underwriters' Laboratories, Certificates Nos. MC3032 and MH3037.

TEST

This equipment was inspected and tested by the Committee on Tests of the Board and found to conform to the specifications and operating conditions as herein set forth.

RECOMMENDATION

On the basis of this inspection and test and the report of the Underwriters' Laboratories, Misc. Hazard 3037, it is recommended that the Pan-Tex Safety Dry Cleaner System (140) be approved for voluntary use in New York City, provided the system is constructed and installed in accordance with the specifications of this report; that the solvent used have a flashpoint of not less than 138.2 degrees F; that the apparatus be installed and maintained with a clear open space of not less than 3 ft. in all directions around the system, except on a side adjacent to a masonry or concrete wall; that for a distance of not less than 4 ft., unless adjacent to a wall beyond the projected area of all the equipment, there shall be provided a 2-inch reinforced concrete floor over any existing combustible floor and all combustible partitions within 5 ft. of the equipment shall be fire-retarded in accordance with the rules of the Board; that there shall be provided in the ceiling over the extractor and tumbler a standard sprinkler head connected to the house water supply by a one-inch supply line; that each unit containing solvent shall have in white letters on a red background in a location visible to the operator a label reading as follows: 1st line—"Caution", thereafter the following wording, "Solvent used shall not have a flashpoint of less than 138.2° F."; that an interlocking device shall be provided between the exhaust fan and drying tumbler operating mechanism so as to shut down the tumbler in case of fan failure; that the operator of the equipment shall have a certificate of fitness issued by the Fire Commissioner; that the system shall be installed only in buildings of Class 1-2 or 3 construction; that the manufacturer of the equipment shall make an inspection of all equipment at least twice a year to determine whether specifications are being complied with, that the quick operating valve control for steam smothering line shall be located in a remote place; that the system shall have a label reading, "Approved by the Board of Standards & Appeals for use in New York City under Cal. 190-45-SA, and that the equipment be installed as a complete unit and no part thereof shall be separately installed in any other system.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Pan-Tex Dry Cleaning System, Models CB1 to CB8, inclusive, and Models M1 to M8, inclusive, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

437-45-SM

APPLICANT—Bethlehem Steel Co., owner.

SUBJECT—Bethlehem Open Web, Welded Steel Joists—approval of.

APPEARANCES—
For Applicant: George Zimmerman.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (437-45-SM)

WHEREAS, the Bethlehem Steel Co., owner, filed on July 3, 1945, an application with the Board of Standards and Appeals for approval of the material known as Bethlehem Open Web, Welded Steel Joists; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

July 13, 1945.

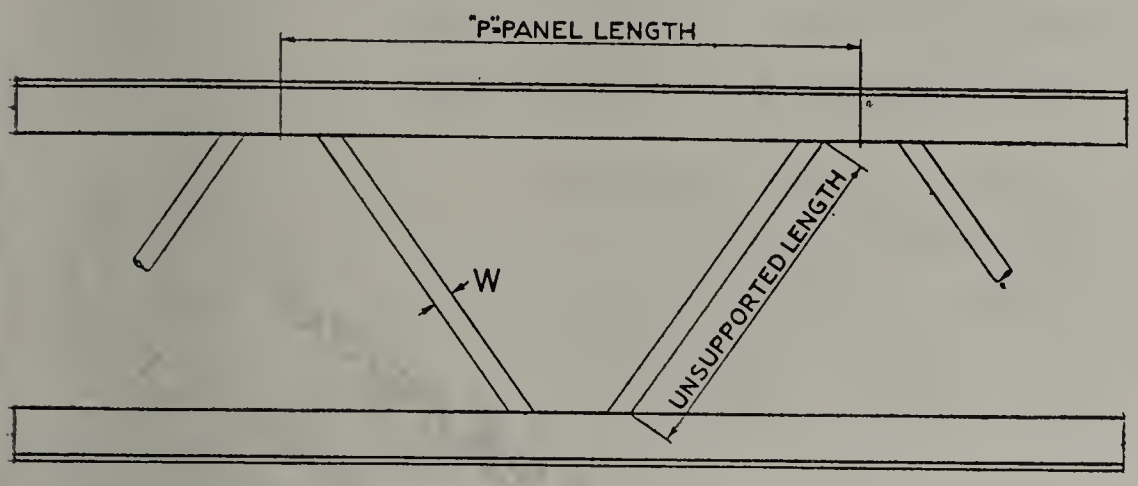
RE: Cal. 437-45-SM
Subject: Bethlehem Open Web, Welded Steel Joists, approval of.

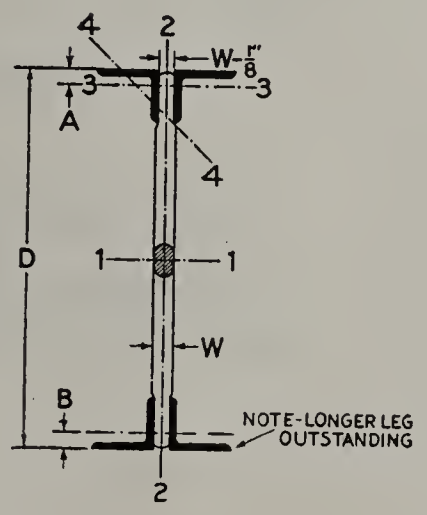
The Bethlehem Steel Company of Bethlehem, Pennsylvania, filed an application with the Board of Standards and Appeals, under the requirements of C26-178.0b, for the approval of their Open Web, Welded Steel Joists (Fig. 1), for use under C26-519.0 in classes of construction as provided under C26-240.0, C26-241.0, C26-244.0 and C26-620.0, paragraph c, item 1 (b), for loads as specified under C26-519.0b, such joists to meet the loading and bridging tests as provided in C26-519.0e, Administrative Building Code.

Fabrication:

Bethlehem welded joists are fabricated to order. Chord angles are carried in stock length, web rods are stocked in coils and bearing plates are stocked in finished pieces. Web rods are straightened and cut to length in a straightening machine. The straightened rods are fed into a semi-automatic bending machine where they are formed to the required depth and panel length. Four welding projections are then pressed into the rods at each bend. Chord angles are sheared to the required lengths and chords and web are assembled by tack welding on a roller table leading to the welding machines. The roller table is adjustable for width and contains grooved rolls which receive the out-standing leg of a top and bottom chord angle. The distance between roll grooves is regulated for each joist depth. The assembled joist is propelled through resistance welding machines which weld together the two chord angles and web rod, making four projection welds at each panel joint during each stroke. Each weld is tested and defects are repaired by electric arc welding. The joists are then placed on a welding jig where the bearing plates are electric arc welded into place. The joists are then complete and ready for inspection which consists of checks of the welding, dimensions and straightness. Joists are then tagged after which they are painted with a prime coat of stud protecting paint in a splash type painting machine. After drying a second coat of paint is applied before shipping. Each joist is tagged indicating its type.

Properties and Dimensions of Welded Steel Joists

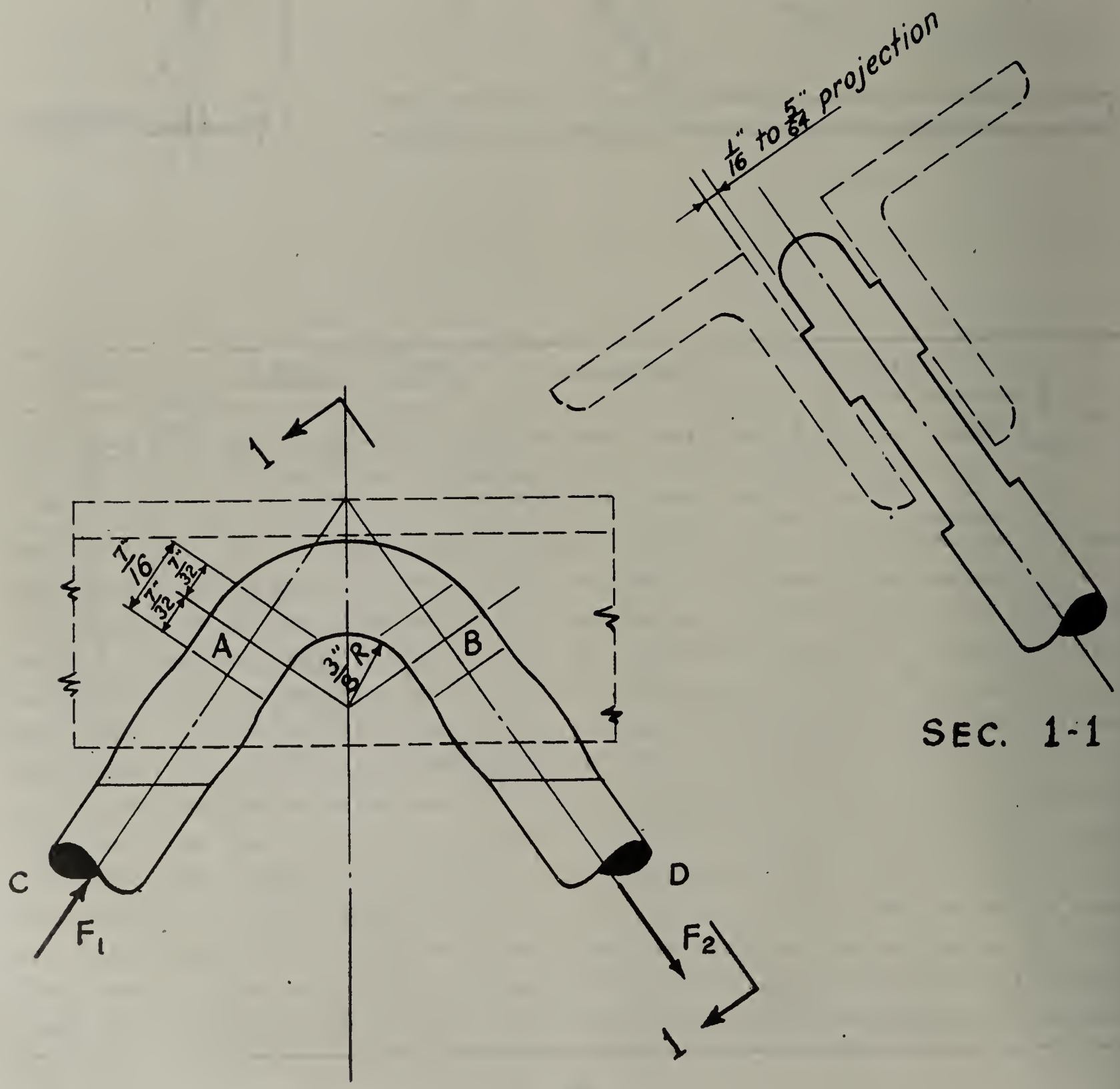




Type	Depth "D"	Top Chord 2-Ls					Bottom Chord 2-Ls			"P"	Web End Section			Web Middle Section			Moment of Inertia Axis 1-1	S. J. I. Std. Properties	
		Angles	Area	r Axis 4-4	S Axis 3-3	"A"	Angles	Area	"B"		Dia. W	Area	r Axis 2-2	Dia. W	Area	r Axis 2-2		Resist. Moment	End React.
	Ins.	Ins.	Ins.²	Ins.	Ins.³	Ins.	Ins.	Ins.²	Ins.	Ins.	Ins.	Ins.²	Ins.	Ins.	Ins.²	Ins.	Ins.⁴	In.-lbs.	Lbs.
SJ-81	8	¾x ¾x⅛	.34	.15	.034	.23	¾x ¾x⅛	.34	.23	12	7/16	.150	.109	⅜	.110	.094	9.70	29,500	1,600
SJ-82	8	1⅛x1⅛x⅛	.54	.22	.080	.33	⅞x ⅞x⅛	.40	.26	12	½	.196	.125	7/16	.150	.109	12.71	52,500	1,900
SJ-102	10	1 x1 x⅛	.46	.20	.062	.30	⅞x ⅞x⅛	.40	.26	14	½	.196	.125	7/16	.150	.109	19.13	63,000	1,900
SJ-103	10	1¼x1¼x⅛	.60	.25	.098	.35	1⅛x1⅛x⅛	.54	.33	14	½	.196	.125	7/16	.150	.109	24.84	82,000	1,950
SJ-104	10	1¾x1¼x⅛	.72	.27	.102	.31	1¼x1¼x⅛	.60	.35	14	½	.196	.125	½	.196	.125	28.73	100,000	2,200
SJ-123	12	1⅛x1⅛x⅛	.54	.22	.080	.33	1 x1 x⅛	.46	.30	15	9/16	.248	.141	½	.196	.125	32.22	92,000	2,200
SJ-124	12	1¾x1¼x⅛	.72	.27	.102	.31	1¼x1¼x⅛	.60	.35	15	9/16	.248	.141	½	.196	.125	42.27	115,000	2,300
SJ-125	12	2 x1½x⅛	.84	.33	.150	.37	1¾x1¼x⅛	.72	.31	15	9/16	.248	.141	½	.196	.125	49.95	142,000	2,500
SJ-126	12	1¾x1¼x3/16	1.06	.27	.150	.33	1¼x1¼x3/16	.86	.38	15	9/16	.248	.141	9/16	.248	.141	60.77	175,000	2,700
SJ-145	14	2 x1½x⅛	.84	.33	.150	.37	1¾x1¼x⅛	.72	.31	16	⅝	.307	.156	9/16	.248	.141	69.06	156,000	2,900
SJ-146	14	1¾x1¼x3/16	1.06	.27	.150	.33	1¼x1¼x3/16	.86	.38	16	⅝	.307	.156	9/16	.248	.141	84.12	205,000	3,100
SJ-147	14	2 x1½x3/16	1.24	.32	.220	.39	1¾x1¼x3/16	1.06	.33	16	⅝	.307	.156	⅝	.307	.156	101.16	246,000	3,400
SJ-166	16	1¾x1¼x3/16	1.06	.27	.150	.33	1¼x1¼x3/16	.86	.38	18	11/16	.371	.172	⅝	.307	.156	111.25	232,000	3,200
SJ-167	16	2 x1½x3/16	1.24	.32	.220	.39	1¾x1¼x3/16	1.06	.33	18	11/16	.371	.172	⅝	.307	.156	133.80	281,000	3,600

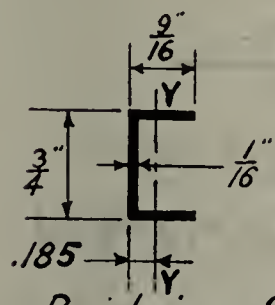
MINUTES

DETAILS OF WELDING PROJECTIONS



SEC. 1-1

C26-519.0-e. *Loading and bridging of steel joists, "---bridging shall be rigid in character and capable of transmitting directly at least 500 #. from each joist to the two adjoining joists at each line of bridging---."*

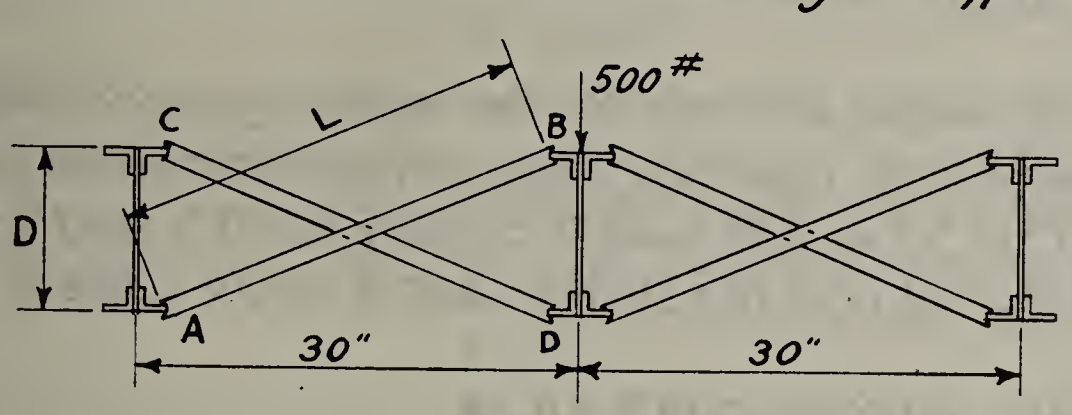


Bridging Strut

Area = .109 □"; r_{Y-Y} = .17"

Standard mill practice permits a variation in thickness of .006" over or under for sheets 1/16" thick. Therefore the properties of Bridging Struts are based on a thickness of (.0625 - .006) .0575".

Critical load transfer condition for 8" joist type 81 and 16" joist type 167



SJ 82 - D = 8" L = 29.4"

$L/r = \frac{29.4}{.17} = 173$; Allowable f_s = 6760 #/□"

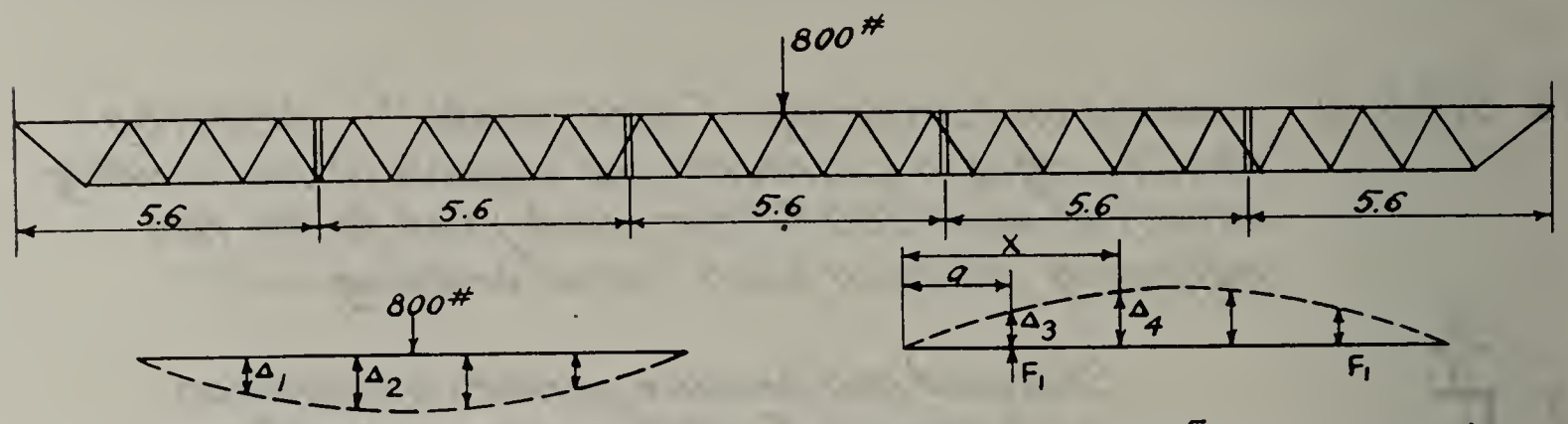
$f_{AB} = -f_{CD} = \frac{500}{4 \times .109} \times \frac{29.4}{8} = -4220$ #/□"

SJ 167 - D = 16" L = 30.3"

$L/r = \frac{30.3}{.17} = 178$; Allowable f_s = 6520 #/□"

$f_{AB} = -f_{CD} = \frac{500}{4 \times .109} \times \frac{30.3}{16} = -2170$ #/□"

SJ 145 - 28'-0" SPAN



Eq.(1) $\frac{EI}{L^3}\Delta_1 = \frac{800}{48} \times \frac{1}{5}\left(3-\frac{4}{25}\right) = 9.28$

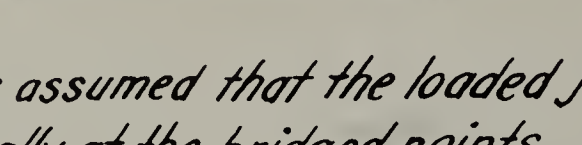
" $\frac{EI}{L^3}\Delta_2 = \frac{800}{48} \times \frac{2}{5}\left(3-\frac{16}{25}\right) = 15.76$

Deflection Δ_3 or $\Delta_4 = \frac{Fa}{6EI}(3Lx-3x^2-a^2)$

or $\frac{EI\Delta}{L^3} = \frac{F}{6}\left(\frac{a}{L}\right)\left[3\left(\frac{x}{L}\right)-3\left(\frac{x}{L}\right)^2-\left(\frac{a}{L}\right)^2\right]$ --(3)

$\frac{EI\Delta_3}{L^3} = \frac{F_1}{6} \times \frac{1}{5}\left(\frac{3}{5}-\frac{3}{25}-\frac{1}{25}\right) = .0147\,F_1$

$\frac{EI\Delta_4}{L^3} = \frac{F_1}{6} \times \frac{1}{5}\left(\frac{6}{5}-\frac{12}{25}-\frac{1}{25}\right) = .0226\,F_1$



Eq.(2) $\frac{EI}{L^3}\Delta_5 = \frac{F_2}{6} \times \frac{1}{5}\left(\frac{6}{5}-\frac{12}{25}-\frac{1}{25}\right) = .0226\,F_2$

" $\frac{EI}{L^3}\Delta_6 = \frac{F_2}{6} \times \frac{2}{5}\left(\frac{6}{5}-\frac{12}{25}-\frac{4}{25}\right) = .0372\,F_2$

It is assumed that the loaded joist and the two adjoining joists deflect equally at the bridged points. Equating these deflections at points (1) and (2)

at pt. (1) $\Delta_1-\Delta_3-\Delta_5 = \frac{1}{2}(\Delta_3+\Delta_5)$ or $9.28 - .0147F_1 - .0226F_2 = .0073F_1 + .0113F_2$ --(4)

at pt. (2) $\Delta_1-\Delta_4-\Delta_6 = \frac{1}{2}(\Delta_4+\Delta_6)$ or $15.76 - .0226F_1 - .0372F_2 = .0113F_1 + .0186F_2$ --(5)

rewrite eq.(4) $.022F_1 + .0339F_2 = 9.28$

" eq.(5) $.0339F_1 + .0558F_2 = 15.76$

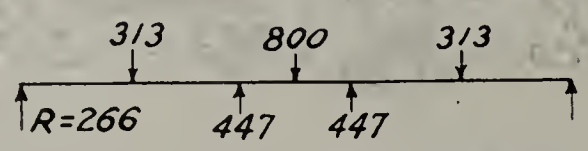
$F_1 + 1.56F_2 = 422$

$F_1 + 1.65F_2 = 465$

$.09F_2 = 43$

$F_2 = 477\#$

$F_1 = 422 - 1.56 \times 477 = -313\#$



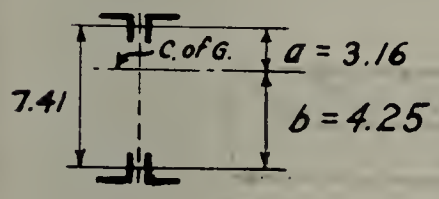
MAX. moment $M = (266 \times 14 + 447 \times 2.8 - 313 \times 8.40)12 = 28{,}200''\#$

MAX. chord stress $f_s = \frac{28.200}{.84 \times 13.32} = 2520\ \#/\square''$

Top chord l/r betw. bridging $= \frac{67.2}{1.11} = 60.5$; Allowable $f_s = 14{,}960\ \#/\square''$

C26-5190-d. *Span and spacing of sted joists.* - "--- The maximum deflection shall be one-three hundred sixtieth or less of the span for the total load as determined by test.---"

Typical computation of Moment of Inertia - Joist type SJ 82



$$a = \frac{40 \times 7.41}{.94} = 3.16$$

I top chord	=	.064"^{4}
0.54×3.16^2	=	5.400
I bot. chord	=	.028
0.40×4.25^2	=	7.220
I of Joist	=	12.712"^{4} (See Catalogue p.22.)

Deflections

In Steel Joist Construction the concrete slab contributes to the stiffness of the floor, and the deflection may be written: -

$$\Delta = \frac{cWL^3}{I \times 10^6}$$, where W equals total load and L is in ft.

The constant C may be evaluated from test data as follows -

TABLE - 1

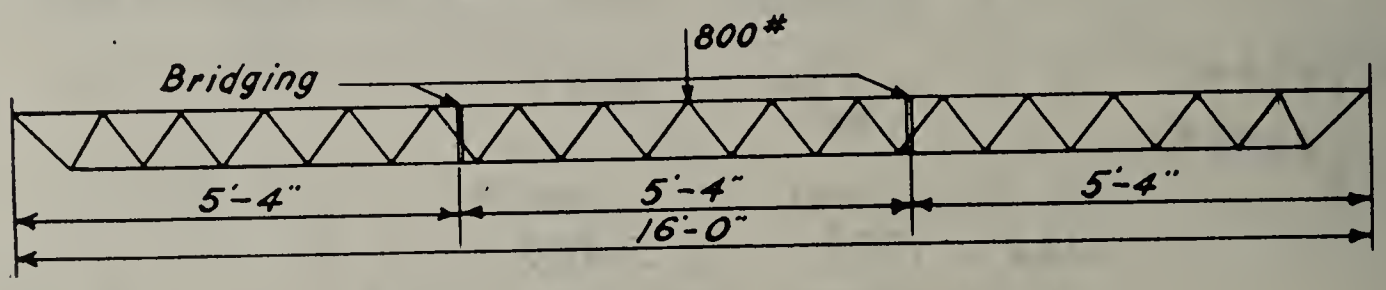
Joist	L feet-inch	W lbs.	Δ at Catalogue rated load ①	I	$C = \frac{\Delta \times I \times 10^6}{WL^3}$
Mac Mar 10mh 5/8	18-6	5220	0.570	41.16	0.715
" " 10c 3/16	17-8½	3820	0.420	32.04	0.617
Kalman 8-14	13-9	2620	0.350	12.68	0.648
" 124	22-0	3480	0.665	40.50	0.725
" 10H3	18-6	3350	0.400	27.29	0.515
				Average	0.644

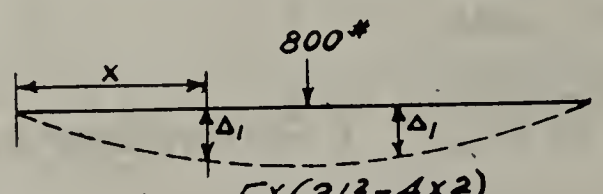
① Tabulated test values arrived at as explained on following sheet.

C26-519.0-e. Loading and bridging of steel joists "Joists when erected and bridged shall be capable of sustaining a load of 800# at any panel point on any one joist---"

Typical stress analyses of an 8" and 14" joist on their maximum spans are given below.

SJ 81 – 16'-0" Span

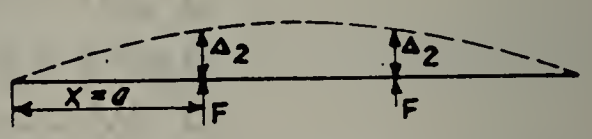




Deflection $\Delta_1 = \frac{FX(3L^2-4x^2)}{48EI}$

or $\frac{EI\Delta_1}{L^3} = \frac{F}{48}\left(\frac{X}{L}\right)\left[3-4\left(\frac{X}{L}\right)^2\right]$---(1)

$= \frac{800}{48} \times \frac{1}{3}\left(3-\frac{4}{9}\right) = 14.16$



Deflection $\Delta_2 = \frac{FX}{6EI}(3La-3a^2-x^2)$

or $\frac{EI\Delta_2}{L^3} = \frac{F}{6}\left(\frac{X}{L}\right)\left[3\frac{X}{L}-3\left(\frac{X}{L}\right)^2-\left(\frac{X}{L}\right)^2\right]$---(2)

$= \frac{F}{6} \times \frac{1}{3}\left(1-\frac{1}{3}-\frac{1}{9}\right) = .0308\,F$

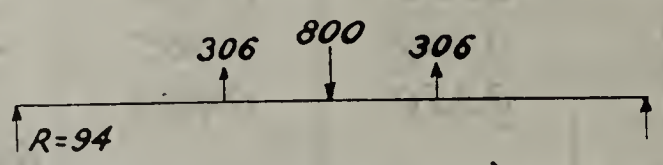
It is assumed that the loaded joist and the two adjoining joists deflect equally at bridged points:

Deflection of loaded joist = $\Delta_1 - \Delta_2 = 14.16 - .0308\,F$

" " each adjoining = $\frac{1}{2}\Delta_2 = .0308 \times \frac{F}{2} = .0154\,F$

Equating Deflections; $14.16 - .0308\,F = .0154\,F$

$F = 306\,\#$

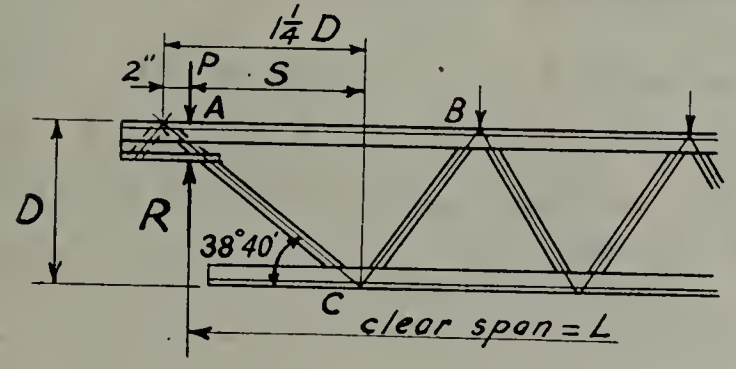


MAX. moment $M = (94 \times 8 + 306 \times 2.67)\,12 = 18{,}840$ "#

MAX. chord stress $f_s = \frac{18840}{7.53 \times .34} = 7{,}350$ #/□"

Top chord l/r betw. bridging $= \frac{64}{.447} = 143$, Allowable $f_s = 8{,}430$ #/□"

Strength of Welded Joints



The most highly stressed web members in any joist are the first and last diagonals. The maximum design stresses in these members are shown in Table 4.

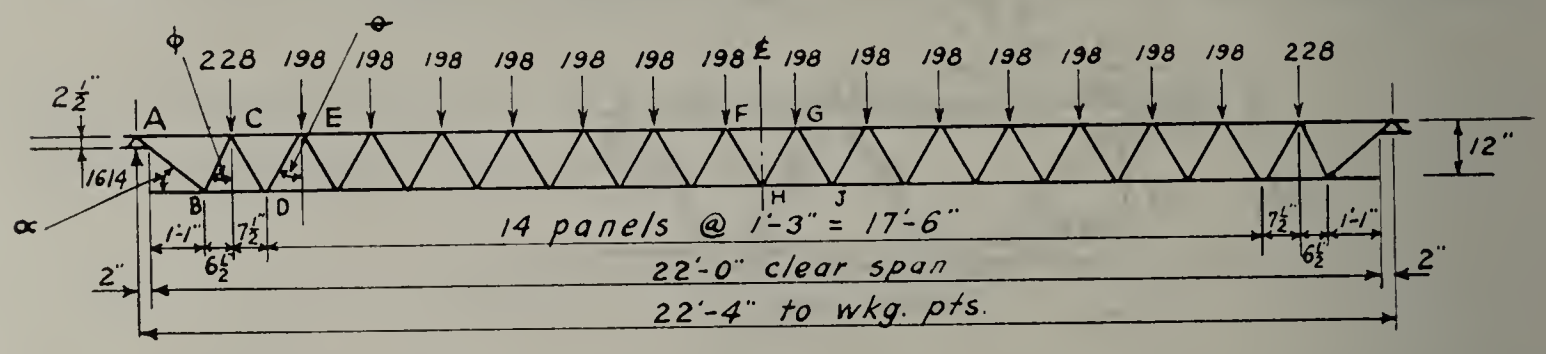
TABLE 4

Joist Type	Size of Web AC	Thickness of chord Ls	Span L ① ft.-in.	S ft.-in.	R ② lbs.	P = S R/L lbs.	Shear in Panel AB V = R - P	Stress in A C F_{AC} = 1.60V
SJ 81	7/16" ϕ	1/8"	6-0	0-8	1600	178	1422	2280
82	1/2" ϕ	1/8"	9-0	0-8	1900	141	1759	2810
102	1/2" ϕ	1/8"	11-0	0-10½	1900	150	1750	2800
103	1/2" ϕ	1/8"	14-0	0-10½	1950	121	1829	2920
104	1/2" ϕ	1/8"	15-0	0-10½	2200	128	2072	3320
123	9/16" ϕ	1/8"	13-6	1-1	2200	176	2024	3240
124	9/16" ϕ	1/8"	16-6	1-1	2300	151	2149	3440
125	9/16" ϕ	1/8"	18-6	1-1	2500	146	2354	3760
126	9/16" ϕ	3/16"	21-6	1-1	2700	136	2564	4100
145	5/8" ϕ	1/8"	17-6	1-3½	2900	214	2686	4300
146	5/8" ϕ	3/16"	22-0	1-3½	3100	182	2918	4660
147	5/8" ϕ	3/16"	24-0	1-3½	3400	183	3217	5140
166	11/16" ϕ	3/16"	24-0	1-6	3200	200	3000	4800
167	11/16" ϕ	3/16"	26-0	1-6	3600	208	3392	5430

① This is the greatest span for which the Catalogue rated load is governed by end shear See "Steel Joist Design Table" Catalogue pp. 15 to 21.

② Steel Joist Institute Standard Property. See Catalogue p. 22.

Typical Stress Analysis - *Joist Type 124, 22' span*



Inclination of Webs

Web member AB - $\alpha = \tan^{-1} \frac{12}{15} = \tan^{-1} .800 = 38°40'$

" " BC - $\phi = \tan^{-1} \frac{6\frac{1}{2}}{12} = \tan^{-1} .542 = 28°28'$

" " DE - $\theta = \tan^{-1} \frac{7\frac{1}{2}}{12} = \tan^{-1} .625 = 32°0'$

L/r of governing compression members

Chord member AC, $L/r = \frac{19\frac{1}{2}-1}{0.27} = 69$, *Allowable* $f_s = 14{,}240$ #/□"

" " FG, " $= \frac{15-1}{0.27} = 52$ " " $= 15{,}000$

Web " BC, " $= \frac{12 \times 1.14}{0.141} = 97$ " " $= 11{,}820$

" " DE, " $= \frac{12 \times 1.18}{0.125} = 113$ " " $= 10{,}530$

Total rated Load (catalogue p.20) = 3480#

Panel load at first and last interior panels $= \frac{3480 \times 1.44}{22} = 228$ #

" " " *other interior panels* $= \frac{3480 \times 1.25}{22} = 198$ #

Reaction, $R = 228 + 7 \times 198 = 1614$ #

Chord AC, $f_{AC} = \frac{1614 \times 1.37}{.72} = +3080$ #/□"

Chord FG, $M_H = (1614 \times 11 - 228 \times 9.37 - 198 \times 24\frac{1}{2} \times 1.25)\,12 = 115{,}000$ "#

$f_{FG} = \frac{115{,}000}{11.34 \times .72} = -14{,}100$ #/□"

Chord HJ, $M_G = (1614 \times 11.62 - 228 \times 10 - 198 \times 28 \times 1.25)\,12 = 115{,}000$ "#

$f_{HG} = \frac{115{,}000}{11.34 \times .60} = +16{,}900$ #/□"

Web AB, $f_{AB} = \frac{1614 \times 1.60}{.248} = +10{,}420$ #/□"

Web BC, $f_{BC} = \frac{1614 \times 1.14}{.248} = -7{,}440$ #/□"

Web DE, $f_{DE} = \frac{(1614 - 228) \times 1.18}{.196} = -8{,}330$ #/□"

MINUTES

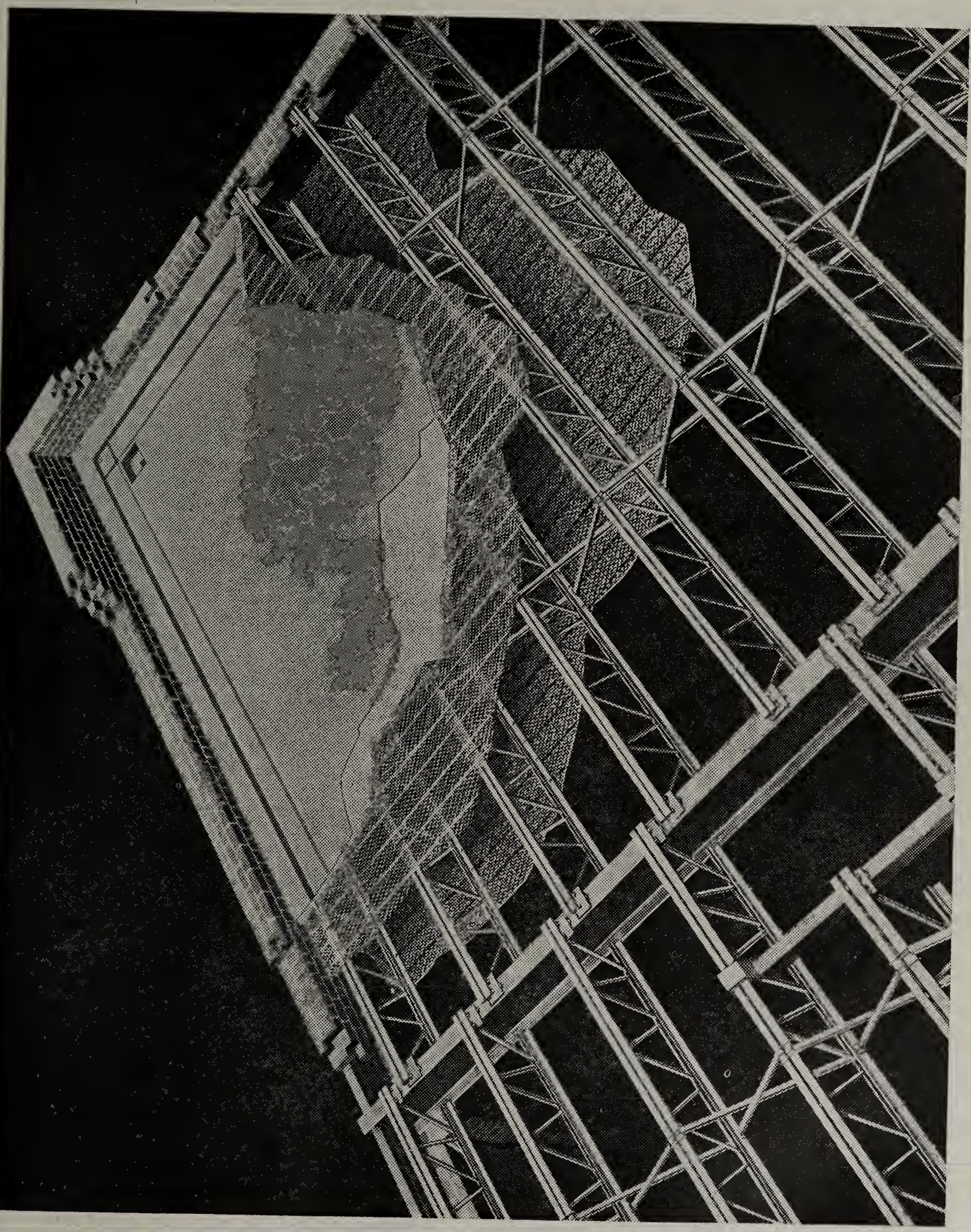


FIG. 1

MINUTES

TESTS

Samples of the applicant's joists were subjected to tests at the Pottstown Plant of the Bethlehem Steel Co., Pottstown, Pa., on July 5th, 1945, as prescribed in C26-519.0e as follows:

The test panel consisted of three joists, designated hereinafter as "A", "B" & "C", "B" being the loaded middle joist. Each joist had 15 panel points, #5 & #11 being at the third points of the span and #8 being at mid-span. The joists were type SJ81, 8" in depth, mounted on a structural frame composed of 18" W.F. supporting beams, 16'0" apart in the clear, and 8" W.F. side beams. The length of bearing of the joists on the 18" beams was 4", and the joists were connected to the supports by means of welds 1" long on each side of the joist bearing plate. Bridging of the strut type was installed at the third points. Simulated bridging was provided from the side beams to the two adjacent joists. The two side beams were held in position by welding structural channels to the top and bottom flanges near the third points. These channels were shimmed out to clear the joists. A load of 844#, consisting of steel slabs welded together and hung on the top flange of the joist by means of a strap approximately ½" wide, was applied in succession to the fifteen panel points of the middle joist "B". The load was transferred from point to point by means of a block and fall. Deflection readings were taken by a surveyor's level sighted on scales set at points #5, #8, and #11. The readings for the various positions of the load were as follows:

	——Joist "A"——			——Joist "B"——			——Joist "C"——		
Loaded Panel Point	Point 5 Defl.	Point 8 Defl.	Point 11 Defl.	Point 5 Defl.	Point 8 Defl.	Point 11 Defl.	Point 5 Defl.	Point 8 Defl.	Point 11 Defl.
No Load	0	0	0	0	0	0	0	0	0
1		.03			.05			.03	
2		.035			.08			.05	
3		.05			.11			.07	
4		.07			.14			.08	
5	.08	.08		.19	.17		.10	.10	
6		.10			.19			.11	
7		.10			.20			.12	
8		.10			.22			.11	
9		.10			.20			.12	
10		.09			.19			.12	
11		.09	.10		.16	.18		.10	.11
12		.08			.13			.09	
13		.05			.12			.07	
14		.04			.07			.05	
15		.03			.03			.03	

Discussion of Results

Type SJ81 is the smallest welded joist that is produced and is more highly stressed under a concentrated load of 800# than are the larger joists. No distress was observed in any part of the joist or bridging at any time during the test.

The deflection of a single joist under a load of 844# applied at midspan will be approximately equal to:

$$\text{where } d = \frac{F \times L^3 \times 1728}{48 \times E \times I}$$

$$d = \frac{844 \times 16^3 \times 1728}{48 \times 29 \times \overline{10^6} \times 9.70} = .442'' = \frac{L}{435}$$

The observed actual deflection of the middle joist "B" at mid-span when loaded was applied at the middle amounted to $0.22'' = \frac{L}{870}$ or 49.8% of the computed deflection of an unbridged joist.

The test data also show that the bridging is capable of transferring at least 500# from the loaded joist to the two adjacent joists, as the following analysis indicates: when the load was applied at panel point #11, the average deflection of joints "A" and "C" at point #11 amounted to 0.105". This deflection of the unloaded joists resulted from a load transfer (F), solved for as follows:

$$d = \frac{F\ a^2\ b^2}{3\ E\ I\ L}\ ;\ \text{where } a = \frac{L}{3} \text{ and } b = \frac{2L}{3}$$

$$d = \frac{.0164\ F\ L^3}{E\ I}$$

$$F = \frac{d\ E\ I}{.0164\ L^3}$$

For two joists,

$$F = \frac{0.105 \times 29 \times \overline{10^6} \times 2 \times 9.7}{.0164 \times \overline{16^3} \times 1728} = 510\#$$

Conclusion: The test showed that the smallest joist, erected and bridged, was capable of sustaining a load of 800# at any panel point, and that the bridging was capable of transmitting at least 500# from the loaded joist to the adjoining joists as prescribed in C26-519.0e.

TESTS ON BRIDGING CLIPS

Tests on bridging clips used with applicant's joists to meet the requirements of C26-519.0e were made at Lehigh University on June 14, 1944, under supervision of Prof. E. H. Uhler. The clips were made of Bethanized wire and were designated as Bethlehem Bridging Clips. The measured diameter of all specimens was 0.177". A clip was hooked around a flange simulating its position on a joist flange, with a downward load applied by machine. The machine loads were recorded at an observed downward movement of the bridging strut equal to 1/16" and at the maximum load for each specimen, with results as follows:

Specimen	Load at 1/16" Movement	Max. Load
#1	1050#	1200#
#2	900#	1140#
#3	970#	1330#
#4	1050#	1240#
#5	920#	1170#

Two specimens of straight wire serving as tension coupons pulled to 4500# each or 183,000# per sq. in.

The applicant has filed with this subject application, test data of several load tests with details and results.

GENERAL

The use of steel joist construction, which renders a building fire safe, is permissible for use in Class II construction, when protected by a top slab of concrete and a ceiling of metal lath and plaster, as provided in C26-620.0, Paragraph c, item (b). In order that installations be properly made, the following requirements must be observed:

Each joist shall receive paint protection complying with C26-519.0h, and after placing in position, all abrasions and welds shall be similarly protected.

Design spacing, span and loading of steel joists shall comply with C26-519.0a, c and d.

Permissive uses of steel joists shall be as contained herein, and within load limits as prescribed in C26-519.0b.

Bridging shall be of the strut type, meeting the requirements of C26-519.0c, and tightly secured to the joist flanges by clipping, bolting or welding, before attaching

the joists to the bearings. Beam bridging may be used as an alternate to strut bridging, when such bridging consists of properly proportioned hot rolled channels, is attached to the under side of the top flange, and is positioned rigidly by means of U-bolts or equivalent welding. Where the last joist parallels a structural steel beam, equivalent bridging to such beam shall be provided. The spacing of such bridging shall conform to the requirements of C26-519.0e, wherein it is provided that bridging be spaced not more than 6 feet apart and not more than 6 feet from the supports.

Bearing and anchoring of steel joists on steel supports shall meet the requirements of C26-519.0e. Before securing the joists to the supports they shall be positioned as required in the design. The joists shall then be secured by means of adequate clips, bolts or electric arc welds. When welding is used, the welds shall be not less than one inch in length, on both sides of the flange, such welding to be in accordance with the requirements of the Board's rules.

When used on masonry bearing walls each third joist shall be provided with at least a ⅜" diameter rod anchor attached to the bearing end of the joist, so as to secure the joist to the masonry. Bearing area shall be so proportioned that allowable compressive strengths of masonry under Sec. C26-356.0 and C26-362.0 are not exceeded.

All steel joists shall be fastened and permanently bridged before subjecting the panel to construction or other loads. Caution shall be exercised to prevent undue load concentrations.

Floor openings not exceeding 4 feet in a direction at right angles to joist may be framed by means of adequately proportioned header angles secured to framing joists by adequate bolts or welds, and provided the joists are designed accordingly.

Ceilings and plaster may be of the suspended type, complying with the requirements of C26-461.0, or of the contact type. Metal lath shall be rib lath weighing not less than 3# per square yard, or other types of lath which have been approved for use with 1½ hour fire resistive ceiling construction.

As the construction proceeds, no cutting away of the flanges or web sections shall be permitted.

RECOMMENDATIONS

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Bethlehem Open Web, Welded Steel Joists in sizes as listed herein, under C26-191.0a as having met the requirements of C26-519.0e for use in classes of construction as provided under C26-240.0, C26-241.0, C26-244.0 and C26-620.0, paragraph c, item 1 (b) when made and installed as described herein and as required under C26-519.0, with such welding as is required performed in accordance with the rules of the Board, and provided further that each bundle of joists shall be identified as to dimensions and shall bear additional wording, reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. 437-45-SM". It is also recommended that each design submitted to the Department of Housing and Buildings shall bear wording reading as follows: "Joists used in this design are made, designed and used in accordance with the provisions of the approval granted under Cal. 437-45-SM."

(Sgd.) Bernard A. Savage,
Commissioner,
Charles M. Blum,
Commissioner,
Leslie V. Huber,
Chief Engineer,
Committee on Tests.

and

Whereas, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Bethlehem Open Web, Welded Steel Joists, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned 3:50 P.M.

Joseph J. Doyle, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

701-44-A

APPLICANT—Bornstein and Bornstein, for Joneal Realty Corp., owner (Brody's Music Shop, Inc., lessee).

SUBJECT—Application reopened, restored to calendar July 3, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens (under Section 35, General City Law re bed of mapped street—Beach 20th street).

APPEARANCES—

For Applicant: David Bornstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (701-44-A)

Whereas, this appeal from a decision of the borough superintendent, affecting premises 1002-1006 Beach 20th street, northeast corner of Cornaga avenue (Block 49, Lot 1), Far Rockaway, Borough of Queens, was withdrawn on June 26, 1945; and

Whereas, the applicant requested a reopening of the case and restoration to the calendar; and

Whereas, the case was reopened by vote of the Board on July 3, 1945 and restored to the calendar, subject to usual procedure; and

Whereas, the decision of the borough superintendent, dated June 27, 1945, on Alt. Applic. 331-44, reads:

> "1. Obtain acceptance of Board of Standards and Appeals for part of the one story extension on Cornaga ave. approved under Alt. 6665/31 which is within the bed of mapped street, sec. 35 Genl City Law."

and

Whereas, the applicant contends that title was acquired March 31, 1944 and title examination disclosed a violation of Section 35 of the General City Law; that the one-story extension was erected in 1931 under Alt. Applic. 6665-31; that the present owner must apparently be penalized for relying on the permit heretofore issued by the administrative official; that the new owner evaluated the worth of the structure, based on the physical facts as they existed on March 31, 1944 and must of necessity sustain a grievous loss; that should an appropriation of Cornaga avenue be directed by the city authorities to consummate the proposed widening, such a result must be a manifest injustice; and

Whereas, an examination of the records of the Department of Housing and Buildings indicates that Cornaga ave-

nue is proposed to be widened a distance of 10 ft. along the southerly frontage of the premises in question and that Beach 20th street is proposed to be widened 10 ft. along the westerly frontage of the building in question, and that the building is set back from Beach 20th street a distance of 10 ft.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 331-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, to permit the building to extend into the bed of the mapped street (Cornaga avenue) for a distance of not over ten feet, as indicated on plans filed under Alt. Applic, 6665-31, *on condition* that in the event that land is taken for the widening of Cornaga avenue, as planned, any claim for damages for that portion of the existing building as it extends into the mapped street shall not exceed the actual cost at the time of erection of that portion required to be removed, less depreciation at four per cent. for each year since 1931 and the cost of constructing the new side closure wall.

744-44-A

APPLICANT—Colonial Beacon Oil Company, lessee, for Robitzek Investing Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2592 Bruckner boulevard (Eastern boulevard), south side, 447.84 ft. east of Brush avenue (Block 5541, Lot 61), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch and James F. Dwyer.

For Opposition: Harold Klorfein, Dept. of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Certificate of Occupancy No. 671-39 revoked and appeal dismissed.

THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY NO. 671-1939—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

negative 0

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (744-44-A)

WHEREAS, Colonial Beacon Oil Company, lessee, for Robitzek Investing Corporation, owner, filed December 22, 1944, an appeal from a decision of the borough superintendent, affecting 2592 Bruckner (Eastern) Boulevard, south side, 447.84 ft. east of Brush avenue (Block 5541, Lot 61), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated November 27, 1944 on F.P. Applic. 70-44, reads:

"Gasoline Station including tanks and pumps permitted under C.O. 671-1939 from which all gasoline storage tanks and pumps were removed, cannot be lawfully restored under Article 2, Section 4, Subdivision 46 of the Zoning Resolution.

NOTE: C.O. 671-39 was approved May 25, 1939. This C.O. was based on N.B. 249-38 which was approved July 18, 1938. N.B. 249-38 is now missing.

Use district was changed to "Business" district by amendment dated July 24, 1938. Records are in Folder B-5541, Lots 42-44."

and

WHEREAS, the applicant states the building is 72 ft. by 26 ft. in area, one story (14 ft. 6 in.) in height, Class 3 construction; erected in 1939; located in a business use, B area and Class 1½ height district and permitted to be used under Certificate of Occupancy 671-39 as a gasoline service station, auto repair shop, storage and parking of more than five motor vehicles, which use was suspended May, 1942; and

WHEREAS, it is proposed to reopen this gasoline service station and re-install six underground 550 gallon gasoline tanks and dispenser pumps, together with the necessary piping as originally permitted; and

WHEREAS, the applicant contends that this is an appeal from a decision of the borough superintendent, refusing permission to re-install certain underground tanks and connecting equipment; that the basis of the denial is that the gasoline service station had been abandoned in May, 1942, and could not be restored because of the provisions of Art. 2, Section 4, subdiv. 46 of the Zoning Resolution; that Certificate of Occupancy 671-39 stated that the premises were in an unrestricted use district; that the district, however, was changed July 24, 1938 to a business use district; that the borough superintendent was in error; that there never was an abandonment of the use; that at most there was merely a suspension of such use; that the applicant entered into possession of the gasoline service station in May, 1939 and remained therein until March or April, 1942, when because of the repressive effects of W.P.B. Order L70, it suspended operation of the gasoline service station and advised the owner it was no longer liable for rent; that subsequently the lessee removed the pumps and tanks; that thereafter the owner commenced an action for rent and the lessee as defendant, asserted two grounds: that the W.P.B. order constituted a restriction upon the use of the premises, and second, that Certificate of Occupancy 671-39 was invalidly issued; that subsequently Unsafe Building Violation 817-42 was placed upon the premises and the lessee boarded up the windows and other places in and about the premises and such violation was removed; that at present there still remains a gasoline service station constructed under N.B. Applic. 249-38; that the only equipment necessary to resume operation are the underground tanks and dispensing pumps; that the action of the lessee in removing the tanks in 1942, provoked by the extraordinary war conditions and as a necessary step in connection with its defense to the rent action, do not constitute an abandonment of the premises and the use thereof as a gasoline service station; and

WHEREAS, the premises have been inspected by a committee of the Board; and

WHEREAS, the Board found that the records indicate that the permit issued under N.B. 249-1938 became voided upon the taking effect of the change of use zoning on July 24, 1938; that construction work done thereafter was unlawful and should not have been permitted in the absence of a Zoning Variance; that since these facts have been brought to the attention of the Board during the consideration of this appeal, Certificate of Occupancy 671-1939, issued May 25, 1939, should be revoked; that upon taking this action the appeal to review the decision of the Borough Superintendent should be dismissed as academic.

Resolved, that the Board of Standards and Appeals does hereby *revoke* Certificate of Occupancy 671-39 issued by the borough superintendent and it hereby *dismisses* that portion of the appeal relating to the review of the action of the borough superintendent, dated November 27, 1944, acting on F.P. Applic. 70-44.

45-45-A

APPLICANT—George E. Strehan, for Lally Column Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—211-249 Lombardy street, north side, 188 ft. east of Stewart avenue (2nd floor, penthouse); (Block 2822, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Strehan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (45-45-A)

WHEREAS, George E. Strehan, for Lally Column Co., owner, filed January 31, 1945, an appeal from a decision of the borough superintendent, affecting premises: 211-249 Lombardy street, north side, 188 ft. east of Stewart avenue (2nd floor, penthouse); (Block 2822, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1945, on Alt. Applic. 1794-45, reads:

"1. Section 270 of the Labor Law requires two fireproof enclosed stairs for this building erected after 1913."

and

WHEREAS, Exit Order 161-43 issued July 8, 1940, reads:

"You will please take notice there exists a violation of Section 271 of the Labor Law and Rules of the Board of Standards and Appeals at the premises above described, in that only one legal means of exit is provided from the 2nd story. Exit doors on first story do not open outwardly. No steps provided from exits on first story to street level. (Floor 4 ft. above grade.) Exit signs and red lights not provided at exits.

Occupancy: 2nd story, office, 5 persons; 1st story, steel products, 16 persons; Cellar (front), boiler room. Factory Building.

Remedy: You are hereby directed to provide an additional means of exit on the 2nd story; arrange exit doors on the 1st story to open outwardly; provide steps from exit doors to grade level on the 1st story; provide exit signs and red lights at exits."

and

WHEREAS, the decision of the borough superintendent, dated January 1, 1945, reads:

"This is in answer to your letter dated December 23, 1944. You are herewith advised to file an alteration application and to comply with section 273, Labor Law, as to secondary exit from the second floor.

You may, however, appeal from the decision of this department to the Board of Standards and Appeals for a variation of this requirement."

and

WHEREAS, this appeal is taken from objection 1 issued by the borough superintendent June 26, 1945 on Alt. Applic. 1794-45; and

WHEREAS, the applicant states the building is one and two stories (12 ft. and 25 ft.) in height, 212 ft. by 200 ft. in area; Class 3 construction; erected in 1925; located in an unrestricted use district and occupied: Cellar, boiler room; 1st floor, manufacturing pipe columns, 16 persons; 2nd floor, office, 5 persons; that the building is equipped with one interior 3 ft. 4 in. wide wood stairs, wood enclosed, equipped with wood, self-closing doors and provided with a ladder and scuttle to the roof and one secondary means of exit, consisting of a door to the roof with a ladder to the yard and egress through an open lot to the street; and

WHEREAS, the applicant contends that objection 1 issued by the borough superintendent, requires a secondary means of exit from the second floor which occupies less than 10% of the area of the building and is used for offices and stockroom with a maximum occupency of five persons; that the building was erected under N.B. 9122-24 and Certificate of Occupancy 34626 was issued August 12, 1925; that there have been no changes in construction or occupancy since the time of erection; that the second floor is now provided with two means of exit, consisting of an interior stairway to the street and one exit through a doorway leading to the roof of the adjoining one-story factory, which varies from 12 to 14 feet in height and faces directly on three street fronts and on an open lot in the same ownership on the remaining side; that exit signs and lights are provided at both exit doors in second story and the doors open in the direction of egress.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1794-45, Objection 1, and that the appeal be and it hereby is *granted on condition* that the primary means of exit from the 2nd floor, as described and as indicated on plans filed with this appeal, shall be maintained; that in addition, there shall be a secondary means of exit, consisting of a door from the 2nd floor, leading direct to the roof with a vertical counter-balanced ladder leading to the space indicated as "yard," from which unimpedcd access can be had at all times to Lombardy street; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

228-45-A

APPLICANT—Anthony M. De Rose, for Emilie Achilli and Fierina Achilli, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1921 Colden avenue, west side, 215 ft. north of Rhinelander avenue (cellar); (Block 4267, Lot 53), Borough of The Bronx.
APPEARANCES—
For Applicant: Anthony M. De Rose.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF THE BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (228-45-A)

WHEREAS, Anthony M. De Rose, for Emilie Achilli and Fierina Achilli, owners, filed April 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 1921 Colden avenue, west side, 215 ft. north of Rhinelander avenue (cellar); (Block 4267, Lot 53), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 9, 1945, re Amendment to Alt. Applic. 438-44, reads:

"2. Cellar rooms are considered as having insufficient ventilation for use as living rooms. Sec. C26-258.0 of the Administrative Code."

and

WHEREAS, the applicant states the building is two stories and attic (30 ft.) in height, 17 ft. by 48 ft. in area at 1st floor, 17 ft. by 40 ft. in area above; Class 3 construction; erected in 1928; located in a residence use, C area and Class 1 1/4 height district; used and occupied since 1942 as a one-family dwelling and proposed to be used and occupied as follows: Cellar, boiler room, storage and dwelling, one family; 1st and 2nd floors combined, dwelling, one family; that the building is equipped with one 2 ft. 6 in. wide wood stairs, enclosed with wood and plaster partitions, equipped with wood doors; and

WHEREAS, the applicant contends that the building was erected in 1928 as a one-family dwelling; that it is now used as a two-family dwelling, the first and second floors as an apartment for the owner and another apartment in the cellar; that the attic is not used for living quarters; that the purpose of this alteration application is to legalize the present living unit in the cellar, which was created by the former owner about two years prior to the early part of 1944, when the present owner acquired possession; that this living unit is composed of three rooms and bath and has a clear height of 7 ft. 9 inches and the ceiling is 3 ft. above the curb; that the habitable rooms are principally lighted

and ventilated by windows in the southerly wall, which open onto a side yard 7 ft. in width, increased by 3 additional feet in width, as the distance between the southerly wall to the opposing structure on adjoining property to the south is 10 feet; that the bedroom and living room also have a window on the northerly wall, opening onto an unobstructed court 8 ft. in width, one foot of which is on property in question; that the structure to the south is one story and basement in height; that both side yards are paved and adequately drained; that the side and elevation of the adjoining premises to the north and south are similar to the property in question; that the living unit in question is adequately lighted and ventilated and suitable for this purpose; that Section 18 of the Zoning Resolution is complied with in that the rooms do open off a court of prescribed dimensions; and

WHEREAS, it appears that the ceiling heights do not conform to the Code requirements; and

WHEREAS, the Board deemed that there is no merit in the appeal, in that the proposed apartment does not meet the standards established for human occupancy.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 438-44, objection 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

369-45-A

APPLICANT—United Lutheran Tent Committee, lessee, for Matilda Croce, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—840-848 60th street, south side, 320 ft. east of 8th avenue (Block 5714, Lots 23 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Rev. C. O. Pedersen and Rev. H. Halverson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (369-45-A)

WHEREAS, the United Lutheran Tent Committee, lessee, for Matilda Croce, owner, filed June 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 840-848 60th street, south side, 320 ft. east of 8th avenue (Block 5714, Lots 23 and 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 12, 1945, on B. N. App. 685-45, reads:

"1. Canvas tent for religious services is contrary to 4.2.1 of the Code."

and

WHEREAS, the applicant states the premises consist of a plot 80 ft. by 100 ft. in area, located in a business use, C area and Class 1 1/4 height district, on which it is proposed to erect a tent 25 ft. high, 40 ft. by 80 ft. in area, to be used for religious services, with an occupancy of 360 persons; and

WHEREAS, the applicant contends that this appeal is for a temporary permit for the summer months only; that this organization has used these premises for these purposes for the past ten years; that the capacity of 360 persons in all the time of use has never been completely filled; that the temporary canvas tent is treated with both flameproofing and waterproofing agents; that relying upon experience for the past ten years, preachers have already been engaged to commence services for the coming season.

Resolved, that the decision of the borough superintendent, acting on B. N. Applic. 685-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

402-45-A

APPLICANT—Natale Scarpato, for Rockaway Point Operating Co., owner (Natale and Mrs. Scarpato, lessees).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED: 17 Clinton Walk, west side, 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens (Under section 36, General City Law re erection of a building without a frontage on mapped street—Clinton Walk).

APPEARANCES—

For Applicant: Natale Scarpato and Henrietta Scarpato.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (402-45-A)

WHEREAS, Natale Scarpato, lessee, for Rockaway Point Operating Company, owner, filed on June 26, 1945, an application pursuant to Section 36 of the General City Law, to permit the erection of a building without a frontage on a mapped street, affecting premises 17 Clinton walk, west side, 40 ft. south of Rockaway Breezy boulevard (Block 900, Lot 1), Rockaway Point, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 25, 1945, on N.B. Applic. 532-45, reads:

"The erection of a building without a frontage on a mapped street, is contrary to Sec. 366, General City Law."

and

WHEREAS, the applicant states the building will be one story in height; 21 ft. 6 in. by 43 ft. 4 in. in area, located in a residence use, D area and Class 1 height district and used as a one family dwelling; and

WHEREAS, the applicant contends that priorities have been granted and plans approved by the Department of Housing and Buildings for erection on another site, but the borough superintendent refuses to issue a permit, due to the fact that the building will not front on a mapped street and it is therefore requested that the Board permit the erection of the building as proposed; and

WHEREAS, the applicant states that the size of his lot is 40 feet frontage by 85 feet in depth, located 40 feet south of Rockaway Breezy boulevard.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 532-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 36 of the General City Law, to permit the erection of the residence building as proposed and as shown on revised plans marked "Received June 26, 1945," *on condition* that no portion of the building is erected nearer to the existing Clinton Walk than 25 feet and not nearer to Rockaway Breezy boulevard than 40 feet; and that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

433-45-A

APPLICANT—Anthony M. De Rose, for Johann H. H. Voss and Alice Voss, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—785-789 East 144th street, and 428 Wales avenue, northeast corner (1st and 2nd floors); (Block 2576, Lot 1), Borough of The Bronx.

MINUTES

APPEARANCES—
For Applicant: Anthony M. De Rose.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (433-45-A)

WHEREAS, Anthony M. De Rose, for John H. H. Voss and Alice Voss, owners, filed June 14, 1945, an appeal from a decision of the borough superintendent, affecting premises 785-789 East 144th street and 428 Wales avenue, northeast corner (1st and 2nd floors); (Block 2576, Lot 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 275-45, dated May 23, 1945, reads:

"2. Both stairways from second floor must be enclosed on all sides by fireproof partitions, extending continuously from the street to three feet above the roof, as per Section 270 of the Labor Law. Show handrails."

and

WHEREAS, the applicant states the building will be one and two stories (16 ft. and 27 ft.) in height, 114 ft. by 98 ft. in area at first floor, 55 ft. 3 in. by 48 ft. 10 in. in area at 2nd floor; Class 3 construction; erected in 1923; located in an unrestricted use, B area and Class 1½ height district; used and occupied since 1923: Cellar, boiler room, lockers and storage, 20 persons; 1st floor, factory, machine shop and office; proposed to be increased in height and area and used and occupied; cellar, same; 1st floor, factory and machine shop, 50 persons; 2nd floor, offices, 15 persons; that the building is equipped with two 3 ft. 8 in. iron stairs, one of which is enclosed in brick and leads directly to the street and that a ladder and scuttle to the roof is provided; and

WHEREAS, Certificate of Occupancy 554 issued February 21, 1939 permits the present use and occupancy; and

WHEREAS, the applicant contends that it is proposed to erect a one-story and two-story extension; that the 2nd story portion will be 55 ft. 3 in. by 48 ft. 10 in. deep; that it is proposed to extend the factory use on the first floor and to erect offices over a portion of the building at the 2nd floor; that the proposed exit facilities will be as follows: at the 144th street front, a 3 ft. 8 in. iron stair with 8 in. brick enclosure walls and an iron stairs 3 ft. 8 in. on the northerly end of the second floor, will have a fireproof doorway at the top and lead to the factory area; that the 2nd story area will be used for offices only, with an occupancy of not over 15 persons and will be under 2331 sq. ft.; that the ceiling under the 2nd story will be covered with ½ in. plaster board and 26 gauge metal.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 275-45, objection 2, and that the appeal be and it hereby is *granted on condition* that the primary means of exit leading direct to 144th street shall be maintained as proposed and as shown on plans filed with this appeal marked "Received June 14, 1945"; that the additional stair, from the proposed second floor to the 1st floor toward the north, may be retained, but shall not be deemed as an exit; that such stairway shall have a fireproof, self-closing door at the top thereof; that as a secondary means of exit, there shall be a door opening to the one story roof to the west, with a vertical counterbalanced ladder from such one story roof, leading to the street; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

436-45-A

APPLICANT—Oscar I. Silverstone, for 409 Hancock Street Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED: 409 Hancock street, north side, 349 ft. west of Sumner avenue (basement and 1st floor); (Block 1836, Lot 69), Borough of Brooklyn.

APPEARANCES—
For Applicant: Oscar I. Silverstone.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (436-45-A)

WHEREAS, Oscar I. Silverstone for 409 Hancock Street Corp., owner, filed July 12, 1945, an appeal from a decision of the borough superintendent, affecting premises 409 Hancock street, north side, 349 ft. west of Sumner avenue (basement and 1st floor); (Block 1836, Lot 69), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 12, 1945, on Alt. Applic. 842-45, reads:

"1. The change of occupancy of two floors of a non-fireproof building exceeding two stories in height, is contrary to the Bldg. Code, Sections 2.1.3.5 and 4.2.1."

and

WHEREAS, the applicant states the building is three stories and basement (41 ft.) in height, 19 ft. by 41 ft. in area; Class 3 construction; erected in 1897 and located in a residence use, C area and Class 1 1/4 height district; used and occupied as a clubhouse, now vacant; proposed to be used and occupied as follows: Cellar, ordinary; basement, meeting room, 75 persons; 1st floor, lounge and card room, 50 persons; 2nd and 3rd floors, dwellings, 3 persons each floor; that the building is equipped with one 2 ft. 8 in. wide wood stairs, enclosed in wood studs and plaster, equipped with wood doors which are not self-closing and leading directly to the street, and is also provided with a ladder and scuttle to the roof; proposed to be equipped with one fire escape at the rear for egress for the two upper stories and also to the first floor, which will lead to the yard by a ladder and the roof by a ladder; and

WHEREAS, the applicant contends that the basement and first floors which are proposed to be used for public occupancy, are less than 20 feet above grade and the building occupies less than 800 sq. ft.; that the margin of safety is sufficient to permit the proposed use; that a system of fire escapes will be provided at the rear for egress to the two upper stories and will also furnish egress for the first floor; that doors leading to the public hall will furnish egress to the street; that the basement exits directly to the front and to a large rear yard; that the cellar ceiling will be fire-retarded; that the basement and first floors will be used at total capacity only once a month and not more than fifteen persons will occupy the premises during the other days.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 842-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the occupancy shall be substantially as maintained; that no public occupancy shall be above the parlor or first floor; that the 2nd and 3rd floors shall be used solely for residential occupancy, one family per floor; that the fire escape as proposed, shall be erected on the rear, which shall lead to the roof and to the rear yard, with connection at each story above the basement; that gate shall be provided for exit therefrom to the rear yards of the adjoining buildings leading to a street; that consents

from the adjoining owners shall be obtained and filed with the borough superintendent; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

272-43-A

APPLICANT—P. L. Andrews Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the borough superintendent, previously granted on condition for a term of two years.

PREMISES AFFECTED—78-08 Cooper avenue, south side, 848 ft. west of Dry Harbor road (Block 3803, Lot 14), Glendale, Borough of Queens.

APPEARANCES—
For Applicant: Louis Hoffman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (272-43-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 78-08 Cooper avenue, south side, 848 ft. west of Dry Harbor road (Block 3803, Lot 14), Glendale, Borough of Queens, was granted by the Board on July 13, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of time, within which to remove the wood partitions and balcony.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 13, 1943, only so far as it has reference to the term within which the wood partitions and balcony are to be removed, so that as amended, this portion of the resolution shall read:

". . . that within two years from the date of this *amended* resolution, such partitions and balcony shall be removed or reconstructed to comply with the requirements therefor . . . and that other than as herein *amended,* the conditions of the resolution shall be compiled with (misc. applic. 1433-43)."

163-45-A

APPLICANT—Kalvid Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without prejudice.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

427-45-A

APPLICANT—Abraham Farber, for Nedma Corporation. owner (Louis Chazanov, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (Barrett) street; (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn.

APPEARANCES—
For Applicant: Abraham Farber.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

346-38-A

APPLICANT—Oscar Goldschlag, for Estate of Pauline S. Murray; P. R. Coudert, Trustee, owner (M. & H. Realties Inc., lessee).

SUBJECT—Application for consideration—reopening and consideration of new decision, previously denied—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2473-2475 Broadway and 292 West 92nd street, southwest corner (2nd floor); (Block 1239, Lot 55), Borough of Manhattan.

APPEARANCES—
For Applicant: Oscar Goldschlag.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

177-45-A

APPLICANT—Louis M. Notkin, for Irwin I. Schwartz, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decision of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—321-325 East 3rd street, north side, 120 ft. west of Avenue D (Block 373, Lot 44), Borough of Manhattan. .

APPEARANCES—
For Applicant: Louis M. Notkin.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

325-45-A

APPLICANT—Henry George Greene, for Thifort Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945 at 2 P.M., for further consideration.

(Remaining minutes of the meeting of July 24, 1945 will be printed in the Bulletin of August 7, 1945.)

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BULLETIN

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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The Hearing Calendar.

Continuation of Minutes of Regular Meeting of July 24, 1945, Affecting Calendar Numbers 390-27-BZ, 910-42-BZ and 141-42-SA.

Minutes of Special Meeting of Friday Morning, July 27, 1945, Affecting Calendar Numbers 875-41-A, 182-42-A, 216-44-A, 391-44-A, 487-44-A, 593-44-A, 621-44-A, 687-44-A, 721-44-A, 270-45-A, 281-45-A, 302-45-A, 303-45-A, 337-45-A, 338-45-A, 379-45-A, 380-45-A, 381-45-A, 387-45-A, 395-45-A, 396-45-A, 414-45-A, 416-45-A, 417-45-A, 418-45-A, 420-45-A, 422-45-A, 428-45-A, 439-45-A, 441-45-A, 446-45-A, 447-45-A, 448-45-A, 449-45-A, 450-45-A, 451-45-A, 452-45-A, 454-45-A, 461-45-A, 462-45-A, 466-45-A, 467-45-A, 468-45-A, 474-45-A, 342-24-S, 1152-40-A, 579-41-A, 103-43-A, 104-43-A, 635-43-A, 226-44-A, 707-44-A, 299-45-A, 246-38-A, 346-38-A, 407-44-A, 596-44-A, 645-44-A, 677-44-A, 137-45-A, 204-45-A, 340-45-A, 364-45-A, 406-45-A, 421-45-A, 438-45-A, 444-45-A, 455-45-A, 456-45-A, 465-45-A, 746-44-A, 36-45-A, 37-45-A, 212-45-A, 410-45-A, 412-45-A, 453-45-A, 595-44-BZ, 262-41-BZ, 263-41-BZ, 578-41-BZ, 462-44-BZ, 597-44-BZ, 266-44-BZ, 522-44-BZ, 796-41-BZ, 116-44-BZ, 112-45-SM, 113-45-SM, 114-45-SM, and 464-45-GR.

Correction Affecting Calendar Number 312-45-A.

Smoking in Factories, Rules for

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 31, 1945.

Cal. No. *Dept.* *Premises Affected*

462-45-A—F.D—180-188 North 14th street (184 displayed), south side, 100 ft. east of Wythe avenue (Block 2279, Lot 9), Borough of Brooklyn, Decision.

463-45-SM—Stran-Steel Light Weight Steel Framing, manufactured by Stran-Steel Division of Great Lakes Steel Corporation, Material.

464-45-GR—General Resolution re Classification of Portland Cement.

465-45-A—F.D—192 Wallabout street, south side, 450 ft. east of Bedford avenue (Block 2263, Lot 29), Borough of Brooklyn, Decision.

466-45-A—F.D—61-67 North 11th street, north side, 125 ft. west of Wythe avenue and 74-88 Wythe avenue (2nd floor); (Block 2288, Lot 13), Borough of Brooklyn, Decision.

467-45-A—H.B.M—105-111 East 106th street, north side, 55 ft. east of Park avenue and 104 East 107th street (Block 1634, Lots 3 and 69), Borough of Manhattan, Alt. 1237-45 and Misc.F.P.1380-45.

468-45-A—H.B.M—1646-1650 York avenue, east side, 118 ft. 9 in. north of East 86th street (Block 1583, Lots 3 and 152), Borough of Manhattan, Alt. 1057-45.

469-45-A—H.B.Bx—2370 Hoffman street, east side, 269.28 ft. east of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx, Amendment to Alt. 406-45.

470-45-BZ—H.B.Q—137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens, Alt. 1084-45.

471-45-SA—Richards-Wilcox Elevator Door Interlock, Type RW-743-IL, Appliance.

472-45-A—H.B.R—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond, (Under section 35, General City Law re bed of mapped street—Richmond Terrace) B.N. 92-44 and Alt. 50-45.

473-45-BZ—H.B.R—231-253 Bay street, southeast corner of Minthorne street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond, N.B. 90-45.

474-45-A—H.B.M—311 Madison street, north side, 111 ft. 5½ in. west of Gouverneur street (1st floor); (Block 268, Lot 42), Borough of Manhattan, Amendment to N.B. 274-44.

475-45-BZ—H.B.Q—75-03 to 75-17 Rockaway boulevard and 91-02 76th street, northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens, N.B. 533-45.

476-45-BZ—H.B.Q—93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens, Alt. 909-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....May	15, 1945—Vol. 30, No. 20
Fire-resistive, Flameproof Materials, etc., Rules for Testing of ....Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc. ....Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of ....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for ....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules ....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection ....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules ....June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...Feb.	6, 1945—Vol. 30, No. 6
Oil Burner Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Opening Protective Assemblies, Rules for Inspection of ....June	12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules ....May	29, 1945—Vol. 30, No. 22
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules ....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply).Mar.	13, 1945—Vol. 30, No. 11
Procedure, Rules of ....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C..May	29, 1945—Vol. 30, No. 22
Smoking in Factories, Rules for...Aug.	7, 1945—Vol. 30, No. 32
Sprinkler Rules ....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zon-

CALENDAR

ing resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

497-45-BZ—Application, August 10, 1945, under section 21 of the zoning resolution, of George E. Strehan, applicant, on behalf of Fairchild Press Inc., owner, to permit in a retail use B area district, the erection of a covered bridge in the rear yard 3rd story; premises 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars); premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

509-45-A—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

469-45-A—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

529-45-A—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794 (866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens.

483-45-A—Block bounded by Morris avenue to 3rd avenue and from East 139th to East 145th streets (Morris ania Houses); (Block 2321, Lots 1-4, incl., Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7, incl.), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

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SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeal from Administrative Decision.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

CALENDAR

Appeal from Administrative Decision

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of July 24, 1945.)

ZONING APPLICATIONS.

390-27-BZ

APPLICANT—Reginald S. Hardy, for Morben Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the Zoning resolution, permitting in a business use district for a stated term of years, the maintenance of a gasoline service station.

PREMISES AFFECTED—73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on September 18, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

910-42-BZ

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to a welding shop.

PREMISES AFFECTED—2801 West 8th street, 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. T. Jeffrey, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on September 18, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

APPLIANCE SUBMITTED FOR APPROVAL

141-42-SA

APPLICANT—National Powder Extinguisher Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of "All Out" Fire Extinguisher, Model A-16.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee on Tests for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

Adjourned: 5:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

MINUTES

BOARD OF STANDARDS AND APPEALS
SPECIAL MEETING

FRIDAY MORNING, JULY 27, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

875-41-A

APPLICANT—Sam J. Glaberson, for Meyer Parodnek, owner (College Nursery School, lessee).

SUBJECT—Appeal reopened April 10, 1945—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—134 Sterling street, south side, 143 ft. east of Bedford avenue (1st and 2nd floors); (Block 1319, Lot 13), Borough of Brooklyn.

APPEARANCES—
For Applicant: Sam J. Glaberson and D. Lapidus.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (875-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 134 Sterling street, south side, 143 ft. east of Bedford avenue (1st and 2nd floors); (Block 1319, Lot 13), Borough of Brooklyn, was granted by the Board on December 9, 1941, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on April 10, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent acting on Alt. App. 3813-44, dated February 26, 1945, reads:

"8. Plans indicate structure is two stories and basement in height, although schedule sheet denotes cellar and two stories.

9. Application for proposed change of occupancy does not conform to requirements of Sec. 2.1.3.5 Bldg. Code in the following respects:

a. Public bldgs. of Class III construction may not exceed two stories—Sec. 4.2.1. Code.

b. 60 lb. minimum liveload capacity required. Sec. 7.3.2.2.3 Bldg. Code.

c. Two approved stairs with two hour fire resistive rating enclosures required. Sec. 6.1.2.2.3 Bldg. Code.

d. Fire retarded basement ceiling required. Sec. 10.11 Bldg. Code."

and

WHEREAS, the applicant states that the building is now proposed to be occupied as follows: Cellar, boiler room and storage; 1st floor, school 15 persons; 2nd floor, school, 15 persons; and

WHEREAS, the applicant contends as to objection 9a, that while conceding the regulations contained in the Building Code he believes certain facts other than the regulations should be considered for the Board to reach a just and equitable decision; that the Board's attention is directed to the resolution under Cal. 875-41-A, wherein the applicant urged the point that the basement height is 7 ft. 2 in. and the front terrace and rear yard are 3 ft. 6 in. below the basement ceiling; that since the terrace is less than 2 ft. in height, this difference makes for a basement rather than a cellar on the premises; as to item 9b, that while it is conceded a 60 lb. minimum liveload is required to conform with the Building Code, the fact is that there are at all times not more than 12 children on each floor of the building, together with 3 adults; that the children range in age from 2½ to 5½ years, with an average weight of 40-50 pounds; that each group of 12 children occupies the entire floor; as to 9c, that it is submitted for the Board's approval, the present stair hall, first and second floors, be supplied with a sprinkler system; that sprinkler heads be spaced 10 feet apart and a sprinkler system to be installed throughout the entire second floor; that an enclosed covered outside iron stair from 2nd floor to the rear yard be erected; as to item 9d, the Board is respectfully referred to their resolution under Cal. 875-41-A, wherein the Board stated "that the ceiling of the cellar shall be replastered to the satisfaction of the borough superintendent"; it is suggested therefore that in view of this prior decision, that the substance thereof be reconsidered by he Board; and

WHEREAS, the applicant claims that the space referred to as a cellar is actually a basement being more than one half its height above curb.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3813-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to objection 9a, *on condition* that the building shall not be increased beyond the present two-story and cellar (or basement) in height; as to 9b, that the live-load per superficial foot shall not be less than 40 pounds, except that a computation shall be filed with the borough superintendent for approval of a greater load; as to objection 9c, that the primary means of exit as shown on plans filed with this appeal shall be maintained, provided a sprinkler system is provided through the hallways throughout and also including the entire second floor; that such system may be of a type as approved for use in a converted multiple dwelling; that such sprinkler system shall also include any closets opening off the public hall, ventilating shaft and cloak rooms; that in addition, an exterior steel stair shall be provided at the rear, as indicated on plans filed with this appeal, marked "Received March 26, 1945"; as to objection 9d, withdrawn to comply; that the space over the oil burner shall be covered with incombustible material; that the stair door leading to cellar shall be tight-fitting and self closing; that at all times while the school is in session, the children shall be under the supervision and control of responsible instructors; that a fire alarm system shall be installed, if the number of children within the buildinig exceeds thirty (30); that a fire drill shall be maintained at least once every two weeks; that such additional fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

182-42-A

APPLICANT—Sackett, Chapman, Brown and Cross, for New York Tribune, Inc., owner.

SUBJECT—Application reopened and restored to calendar June 12, 1945—re Appeal from a decision re an order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—242 West 41st street, south side, 300 ft. east of 8th avenue (Block 1012, Lot 49), Borough of Manhattan.

APPEARANCES—
For Applicant: Edward S. Manion and A. H. Burns.
For Administration: Peter Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

MINUTES

THE RESOLUTION (182-42-A)

WHEREAS, this appeal from an order and decision of the fire commissioner, affecting premises 242 West 41st street, south side, 300 ft. east of 8th avenue (Block 1012, Lot 49), Borough of Manhattan, was withdrawn on July 23, 1942, and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on June 12, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a decision of the fire commissioner, dated May 18, 1945, reads:

> "In reply to your request to install an automatic fire alarm system with a Local or Central Office alarm signal, in lieu of an automatic sprinkler system, as required by Order 32798-LF.
>
> You are advised that such an alarm system throughout the buildiing may not be accepted. You may submit the matter to the Board of Standards and Appeals for their consideration."

and

WHEREAS, the applicant states that the building is 6 stories (75 ft.) in height, 50 ft. by 90 ft. in area, of class 3 construction, erected in 1897 and occupied as follows: cellar, storage of materials for manufacture of paper boxes, no persons; 1st floor, assembly and manufacture of cardboard boxes, 18 persons; 2nd floor, assembly and manufacture of cardboard boxes and storage of cardboard material, 1 person; 3rd floor, storage of material for cardboard boxes, no persons; 4th floor, storage of equipment and exhibit of dentists' supplies, 2 persons; 5th floor, storage of cardboard box materials and storage of bound copies of newspapers, no persons; 6th floor, manufacture of connectors for electrical conductors, 11 persons; and

WHEREAS, the applicant contends that the cost of installing a sprinkler system throughout the building would be prohibitive; that there is no unusual fire hazard in the premises; that ready access may be gained to the building for the purpose of fire-fighting by means of the vacant lot on the east and on the west side of the building and the open space at the rear; that the number of persons employed in the building is small; that the building is equipped with an interior fire alarm system and water buckets; that exits are installed in compliance with the requirements of the law; that aisle space is maintained throughout the floors where the materials are stored and sufficient clearance is maintained between the top of stored material and the ceiling; that the occupant of the 6th floor manufacuring electrical conductors is engaged in defense work; that in view of these facts, it is requested that the applicant be permitted to substitute for the fixed fire extinguishing system required, an approved thermostatic alarm system, connected to a central station through which an alarm can be transmitted to the Fire Department.

Resolved, that the order of the fire commissioner, acting on Order 32798-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building an approved thermostatic alarm system of a type as approved by the Board, connected to a central station through which an alarm can be transmitted immediately to the Fire Department; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that adequate means of reaching the cellar from the exterior of the building shall be provided; that this variance shall be for a term of not over two (2) years from the date of this resolution, but only so long as the occupancy throughout the building continues substantially as at present without additional hazardous occupancy.

216-44-A

APPLICANT—Beth David Hospital, owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—159-163 East 90th street, north side, 300 ft. east of Lexington avenue (Block 1519, Lots, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (216-44-A)

WHEREAS, the Beth David Hospital, owner, filed on April 10, 1944, an appeal from orders of the fire commissioner, affecting premises 159-163 East 90th street, north side, 300 ft. east of Lexington avenue (Block 1519, Lots 25, 26 and 27), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

391-44-A

APPLICANT—Earl D. Roberts, for Sixty Wall Tower, Inc., owner.

SUBJECT—Application reopened and restored to calendar September 12, 1944—re Appeal from an order of the fire commissioner; previously dismissed for lack of prosecution.

PREMISES AFFECTED—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan.

APPPEARANCES—

For Applicant: None.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (391-44-A)

WHEREAS, this appeal from an order of the five commissioner, affecting premises 56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan, was dismissed for lack of prosecution July 5, 1944; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board of September 12, 1944 and restored to the calendar; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

487-44-A

APPLICANT — 252-258 West 29th Street, Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—252-258 West 29th street, south side, 65 ft. east of 8th avenue (Block 778, Lot 70), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (487-44-A)

WHEREAS, 252-258 West 29th Street, Corporation, owner, filed on August 10, 1944, an appeal from an order and a decision of the fire commissioner, affecting premises 252-258 West 29th street, south side, 65 ft. east of 8th avenue (Block 778, Lot 70), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

593-44-A

APPLICANT—Henry George Greene, for 64 Realty Company, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—221-223 West 64th street, north side, 300 ft. west of Amsterdam avenue (1st, 2nd and 3rd floors); (Block 1156, Lot 19), Borough of Manhattan.
APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (593-44-A)

WHEREAS, Henry George Greene, for 64 Realty Company, Inc., owner filed October 19, 1944, an appeal from a decision of the borough superintendent, affecting premises 221-223 West 64th street, north side, 300 ft. west of Amsterdam avenue (1st, 2nd, 3rd floors); (Block 1156, Lot 19), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 7, 1945, on amendment to Alt. Applic. 258-43, reads:

"Proposed fire escape at front of bldg. is not remote from stairway, as required by Sec. 271 Labor Law."

and

WHEREAS, the applicant states the building is 3 stories (43 ft.) in height, 53 ft. by 95 ft. in area; Class 3 construction; erected in 1907; located in a manufacturing use, B area, Class 1½ height district; used and occupied since 1921 as a storage garage for more than five motor vehicles; proposed to be used and occupied as follows: 1st floor, receiving and shipping metal parts; 2nd floor, manufacturing metal parts, 20 persons; 3rd floor, same, 20 persons; that the building is equipped with one 3 ft. 8 in. wide steel stairs, enclosed with 6 in. terra cotta blocks and equipped with one-hour rating fireproof, self-closing doors, extending from the roof bulkhead directly to the street; and

WHEREAS, the applicant states that Alt. Applic. 258-43 was originally approved, indicating a secondary exit to be erected at the easterly wall of the building and to lead by steel balcony to the stairway of the adjoining building to the east, both buildings being under the same ownership; that permission is now requested to allow a fire escape to be erected on the front of the building, such fire escape to comply in all respects with the requirements of the Labor Law; and

WHEREAS, the applicant contends that the occupancy of various floors is light and the two means of egress proposed would be more than sufficient for these occupants; that it would be impossible to place the fire escape any further towards the west, because of the location of the existing elevator; that the most westerly window will be converted to a doorway to lead to this fire escape.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 258-43, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

621-44-A

APPLICANT—William O. Staber, for Mahar Realty Corp., owner (U. S. Electric Manufacturing Corp., lessee).
SUBJECT—Application reopened June 26, 1945—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—107-109 West 13th street, north side, 105 ft. west of 6th avenue (Block 609, Lot 49), Borough of Manhattan.
APPEARANCES—
For Applicant: William O. Staber.
For Administration: Fred Dahlem. Dep't of Housing and Buildings.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (621-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 107-109 West 13th street, north side, 105 ft. west of 6th avenue (Block 609, Lot 49), Borough of Manhattan, was granted by the Board on November 8, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on June 26, 1945, and restored to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated May 31, 1945, on amendment to Alt. 733-44, reads:

"1. Obtain a variation from the last Board of Standards and Appeals' decision 621-44-A."

and

WHEREAS, the applicant now contends that due to changed requirements, the alterations in the upper floors were not completed, work being confined to the erection of the fire passage on the first floor from the rear fire escape to the street and the extension of the fire escape from the first floor to the cellar; that it is now proposed to utilize the premises for storage only, eliminating all work on the 2nd, 3rd, 4th, 5th and 6th floors; that the building will now be occupied as follows: Cellar, storage, no persons; 1st floor, shipping and packing, 10 persons; 2nd to 6th floors, storage, no persons; that as there will be no human occupancy above the first floor, it is intended to eliminate the fire alarm system and the Board is requested to amend the original resolution and permit the issuance of a temporary certificate of occupancy, covering the proposed use for the duration of the present emergency, as it is intended to restore the premises for use as a public garage after such emergency.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 8, 1944, by adding thereto:

". . . that in the event the owner desires to occupy this building for the same tenant for the storage of merchandise instead of factory work, as herein permitted, such use may be permitted, provided the requirements of this resolution are complied with as to exits and provided the requirements of the zoning law as to loading space shall be complied with."

687-44-A

APPLICANT—Albert Killmeyer, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—4553 Arthur Kill road, west side, 120 ft. south of Kreischer street (cellar); (Block 7596, Lot 250), Charleston, Borough of Richmond.

MINUTES

APPEARANCES—
For Applicant: Albert Killmeyer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (687-44-A)

WHEREAS, Albert Killmeyer, owner, filed November 29, 1944, an appeal from a decision of the borough superintendent, affecting premises 4553 Arthur Kill road, west side, 120 ft. south of Kreischer street (cellar); (Block 7596, Lot 250), Charleston, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated October 30, 1944, on Misc. Applic. 241-44, reads:

"The installation of this device is denied, as gas manufacturing gasoline must be approved by the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 2 stories (28 ft.) in height, 36 ft. by 36 ft. in area; Class 4 construction; erected in 1899; located in a manufacturing use, C area and Class 1 height district and used as a dwelling; and

WHEREAS, the applicant contends that permission is requested for the operation of a Springfield gas machine to supply a gas stove; that this machine is perfectly safe, foolproof and is not a fire hazard; that these machines have been used for many years in private homes and factories; and

WHEREAS, the applicant states that this machine has been in use for thirty (30) years prior to the time that electricity was available, but that he wishes to continue the use of this machine only for manufacturing gas for cooking purposes.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 241-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the installation of the Springfield Gas Burner, as manufactured by Gilbert and Barker, as indicated on plans filed with this appeal, marked "Received November 29, 1944," for a temporary term, subject to submission by the manufacturer of this machine for test and approval, *on condition* that the equipment shall be maintained to the satisfaction of the fire commissioner and that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that this equipment shall be used only for supplying gas to the cooking range.

721-44-A

APPLICANT—Fred G. Williams, for Edmund Shepard, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—168-21 169th street, northwest corner of 107th avenue (Block 1220, Lot 26), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Fred Williams.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (721-44-A)

WHEREAS, Fred G. Williams, for Edmund Shepard, owner, filed December 11, 1944, an appeal from a decision of the borough superintendent, affecting premises: 168-21 169th street, northwest corner of 107th avenue (Block 1220, Lot 26), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 8, 1944, on amendment to N.B. Applic. 5913-39, reads:

"1. The erection of a frame structure in a business use zone is contrary to sec. 4.1.2 B.C."

and

WHEREAS, the applicant states that the building is one story (8 ft.) in height, 12 ft. by 20 ft. in area; Class 4 construction; erected in 1939; located in a business use, D area, Class 1 height district; used as a garage for one car accessory to the one-family dwelling on the lot; and

WHEREAS, the applicant contends that the garage was erected in July, 1939, at which time the architect in charge of building construction in the neighborhood, sanctioned the erection of an old frame one-car garage before his plans were filed and approved and after the building had been erected, a violation was issued; that the interior was relined with brick-veneer in June, 1944; that all existing garages in the neighborhood are of frame construction; that it was not the intention of the owner to violate the law; that the owner has done all in his power to meet the law without demolishing the building; and

WHEREAS, plans filed with this appeal indicate the garage is of frame construction lined on interior with 4 in. masonry veneer, the ceiling is surfaced with plaster on wire lath, the roof is surfaced with asphalt shingles and the exterior of building is surfaced with asbestos shingles; and

WHEREAS, the lot is 23 ft. by 100 ft. in area and is a corner lot occupied by a single family house and the garage under appeal.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 5913-39, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the frame building shall be maintained substantially as proposed and used only as a one-car garage, accessory to the residence building on the lot; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

270-45-A

APPLICANT—International Harvester Co., lessee, for Frederick Hussey Realty Corp., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—534-552 11th avenue, east side, from West 41st to West 42nd street, 553-555 West 41st street and 560-566 West 42nd street (1st floor); (Block 1070, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Chas. Ortman.
For Administration: Inspector Matteis, Fire Dept.
ACTION OF BOARD—Appeal denied.
THE VOTE OT GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (270-45-A)

WHEREAS, International Harvester Co., lessee, for Frederick Hussey Realty Corp., owner, filed May 4, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 553-555 West 41st street, 560-566 West 42nd street and 534-552 11th avenue, east side, from West 41st to West 42nd streets (1st floor); (Block 1070, Lot 1), Borough of Manhattan; and

WHEREAS, Order 40781-LC, issued by the fire commissioner, March 9, 1945, reads:

"Unless the following is complied with, permit No. 193093 dated to expire June 11, 1945, will be revoked:
1. Either discontinue the use of a device employing flame (gas fired cleaning tank) in the above non-storage

garage occupancy except in conformity with Sec. C19-72.0a of the Administrative Code

OR

Submit evidence that the device is approved by the Board of Standards and Appeals under such conditions as may be recommended by the Board."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated April 13, 1945, for the purpose of filing an appeal; and

WHEREAS, the applicant states the building is three stories (55 ft.) in height, 200 ft. by 100 ft. in area; Class 3 construction; erected in 1936; located in an unrestricted use, A area; Class 2 height district and used and occupied since 1936 as follows: Cellar, heating plant and storage of plumbing supplies; 1st floor, sales and service of motor trucks, 35 persons; 2nd floor, office and service of motor trucks, 35 persons; 3d floor, storage of motor trucks, 4 persons; that no change in use or occupancy is proposed; that the building is equipped with a two-source sprinkler system, a standpipe system and an interior fire alarm system and that fire drills are maintained; that there are two interior fireproof stairs leading from the roof to the street, one is 5 ft. 2 in. wide and one 3 ft. 6 in. in width; and

WHEREAS, the applicant contends that the unit in question is being used in a motor truck rebuild shop, where gasoline is not stored, sold or dispensed; that twenty-four hour watchman's service is maintained; that the gas flame used for heating the device is entirely encased in 12-gauge sheet steel and procures its air for combustion from outside the building; that the device is vented to the outside for the purpose of discharging burnt gases or fumes; that the unit is equipped with an automatic heating control, consisting of automatically controlled gas valve, which shuts off fuel according to the desired temperature of the solution in tank and that the thermostat attached to the automatic valve operates by a heat sensitive bulb immersed in the liquid and connected by flexible tubing to the control box; that the device is equipped with a safety pilot control, consisting of thermocouple generator, which turns off gas supply at main gas line when the pilot light is extinguished; that no inflammable mixtures are used in the tank of the unit; that a solution of water and alkali powder is used; that the device is manufactured by the Aeroil Manufacturing Company; and

WHEREAS, the owners of the building state that they do not specifically authorize the appeal for the following reasons:

"1. Excess oil, grease and sludge has been permitted to enter the floor drains and this excess has been directly traceable to inadequate installation and improper utlization of this parts cleaner.

2. We believe any type of gas-heating equipment constitutes a hazard when operated within garage space.

3. The operation of this cleaner constitutes a considerable hazard in that corner of the shop, since it was impossible to prevent an accumulation of waste."

and

WHEREAS, a recent inspection indicates that this equipment is being reinstalled in a manner which, with careful operation, should eliminate the objections listed above under No. 1 and No. 3; and

WHEREAS, it appears that the owner of the building refuses to consent to the use of the gas-fired cleaning tank.

Resolved, that Order 40781-LC issued by the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

281-45-A

APPLICANT—Henry George Greene, for 608 East 133rd Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—608 East 133rd street, south side, 328.56 ft. east of St. Ann's avenue and 605 East 132nd street (Block 2546, Lots 23 and 24), Borough of The Bronx.

APPEARANCES—

For Applicant: H. G. Greene.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (281-45-A)

WHEREAS, Henry George Greene, for 608 East 133rd Street Corporation, owner, filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting 608 East 133rd street, south side, 382.56 ft. east of St. Ann's avenue and 605 East 132nd street (Block 2546, Lots 23 and 24), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 25, 1945, on amendment to Alt. Applic. 559-44, reads:

"10. Building must be of fireproof construction, as it exceeds the area limitation of Section C26-254.0.

11. Exit facilities must comply with Section 270 Labor Law.

12. Standpipes are required in the building in compliance with Section C26-1381.0."

and

WHEREAS, the applicant states the building is two stories (23 ft.) in height; 100 ft. by 200 ft. in area at 1st floor; 25 ft. by 57 ft. in area at 2nd floor located in an unrestricted use, B area, Class 1½ height district; and erected 1924 of Class 3 construction and used and occupied since erection as follows: 1st floor, manufacturing steel sections, 40 persons; 2nd floor, offices, 10 persons, pursuant to Certificate of Occupancy 253, issued on Alt. Applic. 244-24, permitting the use of the building as an iron working shop, 14 persons; that the building is proposed to be used and occupied without change from its present use and occupancy; that the building is equipped with one 3 ft. 6 in. iron stairs, enclosed in brick partitions, equipped wth fireproof self-closing doors, and leading directly to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the building fronts on two streets with a total of 20,000 sq. ft. area; that the nature of the building is such, that in installing cranes, it is advantageous to permit the cranes to travel the full length of the building without intermediate cross walls to interrupt the continuous passage of material; that the work is of a non-hazardous nature; that all machines are primarily used for the bending and shaping of various gauges of steel; that the 2nd story occupies a small area and is used exclusively for offices and has an exit directly to the street without any opening to the shop area; that on the foregoing remarks, it is therefore requested that the Board grant this appeal; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 559-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to objection 10, *on condition* that the building shall be arranged substantially as shown on plans filed with this appeal and as proposed as shown on corrected plan marked "Received July 19, 1945"; that the occupancy of the building shall be solely for the handling of steel products, as proposed, with no storage or processing of combustible material; that this variance shall continue only so long as the building is so occupied, in accordance with this resolution and that in all respects, other than as modified herein, the requirements of the Building Code and all other laws, rules and regulations shall be complied with; as to objection 11, that the requirements of the Labor Law and the Building Code shall be complied with as to the first floor, and that, as to the second

floor, the primary means of exit leading to the street as shown, shall be maintained and in addition, there shall be a door to the roof from such second story, toward the rear, and a steel counterbalanced ladder or stairway installed leading to one of the two streets from such roof; and as to objection 12, withdrawn to comply.

302-45-A

APPLICANT—Grace M. Conlon, lessee, for Windsor Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: A. Lama and Ralph Conlon.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (302-45-A)

WHEREAS, Grace M. Conlon, for Windsor Corporation, owner, filed May 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 43 Windsor place, east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45) Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 4, 1945, on Alt. Applic. 457-45, reads:

"1. Proposed conversion of a dweling to a public building (note-day care nursery) must comply with:

a. Article 6 as to exit.

b. § 7.3.2.3 B.C. as to live loads.

c. § 4.2.1 as to construction of building required to be fireproof."

and

WHEREAS, the applicant states the building is 2 stories and attic (28 ft. 10 in.) in height; 22 ft. by 43 ft. in area; of Class 3 construction; erected 1910; located in a residence use, D area and Class 1 height district and used and occupied since October, 1944, as follows: cellar, storage and boiler room, no persons; 1st and 2nd floors, dwelling, one family, attic, vacant, storage; proposed to be used and occupied as follows: cellar, storage and boiler room; 1st and 2nd floors, day care nursery, 15 persons on the 1st floor and 10 persons on the 2nd floor; attic, vacant; that the building is equipped with one 2 ft. 10 in. wide wood stairs, enclosed in partitions of studs, lath and plaster and leading to the street through a hall; that there is no ladder or scuttle to the roof, which is pitched and that there are no doors on stair enclosure; and

WHEREAS, the applicant states that it is proposed to convert the existing one family brick building into a day care nursery for 25 children from 2 to 6 years of age between 9 A.M. and 4:30 P.M., Monday to Friday, inclusive; that at all other hours and on Saturdays and Sundays, the building will be closed and not in use; that the ground floor will be used for the care of the children and two of the rooms on the 2nd floor for rest rooms, as required by the Board of Health; that these rooms will each contain 3 cots and no other furniture, except the small table in the rear room; that the office contains a desk, a chair and cubicles for clothing, against the brick wall; that besides the 6 children resting, there may be 2 or 3 using the bath room on the 2nd floor, so that the occupancy of the 2nd floor will never be in excess of 9 children and the licensed nursery teachers in attendance; that no portion of the building is to be used for school purposes; that the stairs from the 2nd to 1st story exit either to the rear yard through the kitchen or to the street through the main hall; that the cellar ceiling is fire retarded with half inch rock lath and half inch cement plaster and the cellar stairs are enclosed with 3 in. gypsum block, coated with half in. cement plaster, equipped with fireproof, self-closing door at the bottom; that in view of the limited occupancy of the 2nd floor and the fact that the load imposed on the floor beams is actually less than is usual in dwellings, it is requested that present exit facilities and floor loading be accepted; and

WHEREAS, the applicant further contends that the present 2 in. by 10 in. floor beams, 16 in. on center, are good for a total load of 137 lbs. per sq. ft. on 1st and 2nd stories, if bearing partitions are figured; that if the 2nd tier span is figured between masonry walls, the beams are good for a total of 52 lbs.; and

WHEREAS, the premises were inspected by a committee of the Board and it was found that the cellar is being used for a private wood-working shop and the upper floors for a day-care nursery.

Resolved, that the appeal be and it hereby is *withdrawn* without prejudice.

303-45-A

APPLICANT—Samuel Schlau, for Sterling-Fleetwood Corporation, owner (Steel and Alloy Inc., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel Schlau.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (303-45-A)

WHEREAS, Samuel Schlau, for Sterling-Fleetwood Corporation, owner (Steel and Alloy, Inc., lessee), filed May 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 6113-6123 (6109-6119 displayed) 7th avenue, east side, 100 ft. south of 61st street (ground floor); (Block 5794, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 17, 1945, on Alt. Applic. 888-45, reads:

"1. Temporary occupancy cannot be issued by this Dept. as zone may be changed.

2. Construction of exterior frame wall is contrary to Sect. 3.2.3 of Bldg. Code."

and

WHEREAS, the applicant states that the building is 1 story (15 ft.) in height, 100 ft. by 100 ft. in area, of class 3 construction, erected in 1921, located in an unrestricted use, A area and class 1¼ height district and used and occupied since 1921 as follows: cellar—boiler room—1 person; 1st floor—garage for more than five cars; proposed to be used and occupied: cellar—same; 1st floor—temporary storage of ferrous and non-ferrous products—2 persons; and

WHEREAS, Violation 676-45 was issued February 23, 1945 for erecting a wood stud partition sheathed with wood at the 1st floor and used as an enclosure wall without a permit; and

WHEREAS, the applicant contends that in 1932 the front brick wall on 7th avenue was removed and a new 8 in. brick wall with two 12 ft. openings installed 19 ft. 11 in. back from the building line, to permit the dispensing of

gasoline to the public inside the building line; that this work was done under approved Alt. Applic. 2657-32; that it is now proposed to temporarily utilize the garage space for the storage of non-ferrous metals for a period expiring not later than December 31, 1946, when the use of the premises as a public garage will be resumed; that the present gasoline storage tanks and oil separator are not to be disturbed; that no gasoline will be stored in the tanks; that it is proposed to utilize the open space at the front, by temporarily enclosing the same with a wooden enclosure constructed of 2 in. by 4 in. wood studs, 16 in. on center, resting on a 2 in. by 6 in. sill on the present foundation wall in front of the building and provided with a 2 in. by 6 in. plate on top; that the studs are cross braced with 2 in. by 1 in. studs 16 in. apart; that the wall surface is made of 7/8 in. sheathing and finished with asphalt brick siding, representing a neat finish; that in addition, it is contended that since the building has not been used for garage purposes, the unenclosed space at the front has become a public and private nuisance; that trespass has been committed and the owners are anxious to eliminate this nuisance; it is therefore requested that a variation of the requirements of the Building Code be granted for a temporary period extending not later than December 31, 1946.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 888-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the temporary occupancy as proposed shall not extend for more than two years from the date of this resolution, and that upon termination of such temporary occupancy, the use of the building may be restored to a garage, in accordance with all laws applicable thereto; that if a certificate of occupancy for such garage use has not been obtained, one shall be obtained; that during such temporary occupancy as proposed, the gasoline storage tanks shall be sealed to the satisfaction of the fire commissioner; as to objection 2, that the temporary partition on the building line shall be surfaced on the exterior, as proposed, and the temporary partition, including doors, shall be surfaced on the inside with metal of thickness approved by the borough superintendent or with cement asbestos board not less than 1/8 in. in thickness; that such fire-fighting appliances shall be maintained as the fire commissioner shall direct; that during the term of this variance, no use shall be made of the building for a garage or accessory use thereto; and that the building shall not be increased in height or area.

337-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—Block bounded East Houston street, to East 6th street, between Avenue D and East River Drive (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (337-45-A)

WHEREAS, the New York City Housing Authority, owner, filed May 31, 1945, an appeal from decision of the borough superintendent, affecting premises blocks bounded by East Houston street, East River drive, Avenue D and East 6th Street, (Lillian Wald Houses); (Block 356, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 15, 1945, reads:

> "Receipt is acknowledged of your letter of January 31, 1945, which refers to the report by Moran, Proctor, Freeman and Mueser on the rolled structural steel piles driven and tested at the site of the Abraham Lincoln Houses. You request this Department to approve the use of rolled structural steel piles in the foundations of the Lillian Wald Houses.
>
> Please be advised that this Department may not approve the use of this type of pile for this project, as Section C26-411.1, paragraph (e), of the Administrative Code does not permit their use when driven through materials of the character and thickness indicated by the borings shown on prints of the test borings made by the Raymond Concrete Pile Company and the boring logs and cross sections as shown on drawings of Moran, Proctor, Freeman and Mueser.
>
> No data were submitted concerning subsoil conditions which might cause active rusting or other damage to the piles."

and

WHEREAS, the decision of the borough superintendent, dated May 23, 1945, on N. B. Applications 55 to 71-1945, inc., reads:

> "This letter is written in response to a request from your office for a verification of the objection by this department on February 15, 1945, to the proposed use of rolled structural steel piles in the foundations of the subject project.
>
> With your letter of January 31, 1945, requesting approval, you submitted a report by Moran, Proctor, Freeman & Mueser of three piles of this type driven and tested at the site of the Abraham Lincoln Houses, together with records of borings made throughout the site area.
>
> On the basis of the tests, it is proposed to use these piles to sustain the maximum allowable loads permitted under Administrative Code, Section C26-411.1(f) without the reduction proposed by Administrative Code Section C26-411.1(e) when such piles are driven through materials which presumably furnish no lateral support.
>
> You are advised that the Department on the basis of these tests may not grant a general approval throughout the site for the use of rolled steel piles with no reduction from the maximum allowed capacity load based on the character and thickness of the materials through which the piles are driven.
>
> The report did not include any reference to subsoil conditions which might cause active rusting or other damage to the piles."

and

WHEREAS, the applicant states that the buildings in question will be sixteen Class 1 multiple dwellings, four to thirteen stories in height, located in a residence use, D area and Class 1 height district; and

WHEREAS, the applicant contends that there is an apparent mis-statement in the decision of the borough superintendent, but the Code does permit the use of such piles when driven through "soft" materials, but sets up certain reductions in permissible loading where inadequate lateral support is provided; that the proposal to use rolled structural steel piles for foundations at this particular site and under the conditions to be outlined covering their use, is not a deviation from the intent of the Code provisions cited; that it is the Department's interpretation of the Code and not the intent which has raised his question; that the tests made (the results of which are submitted with this appeal) verify these contentions; that at this site, the soil does furnish continuous adequate lateral support for H-beam piles for the class proposed and when loaded to the allowable maximum capacity stated in the Code; that where H-beam or any other types of piles stand in open water or in a very soft material, the question of lateral support should be investigated and the load capacities of the piles

should be checked against their strength as laterally unsupported column; that this condition does not hold at the site under discussion, where the silt beds underlying the upper sands, while compressible, do have considerable structural strength and have been consolidated for many years under the weight of fill and structures supported by them (Reference is made to the boring records of the Raymond Concrete Pile Co. for borings made at this site and copies of which are incorporated in this appeal as Exhibit A—reference is also made to a report from Moran, Proctor, Freeman and Mueser, Consultant Engineers, dated April 23, 1943, regarding soil conditions at this site, a copy of which is made a part of this appeal as Exhibit B); that a safe check against pile load capacity, and the one intended to be the ultimate check on the safe capacity of any type of pile, is found in Section C26-405.0 of the Administrative Code, Paragraph "d", which provides that where any doubt exists as to the safe load capacity of piles, load tests shall be made with 150% of the proposed pile loads; that acting on this basis, the applicant, in the latter part of 1944, conducted actual load tests on piles driven at the site of Abraham Lincoln Houses, the data on which are already before the Board in another appeal (338-45-A); that the Lincoln site was chosen for the tests because the conditions were less favorable than at the Wald site; that locations were chosen, at the site, which would present the more unfavorable conditions; that three sizes of H-beam piles were driven; that these piles were loaded in two instances to 230% of the proposed load and in the third instance to 270% of the proposed load; that the pile which was loaded to 270% of the proposed load was later extracted for inspection; that there is submitted with this appeal, as Exhibit "C" a copy of a report, dated January 19, 1945, from Moran, Proctor, Freeman and Mueser, Consulting Engineers, summarizing the results of these tests, which were made with the knowledge of and were witnessed by representatives from the Department of Housing and Buildings that the results of these tests verify conclusively, the contention of the applicant, and are applicable, with equal weight to both the Lincoln and the Wald sites; that in analyzing the probable intent of the Code Provision, Sec. C26-411.1 subd. e, it seems apparent that the framers of this section were fearful that the use of this type of pile would be proposed at locations where the existence of so-called Hudson river ooze would raise the question of adequacy of lateral support; that it seems doubtful, however, that the framers of this provision of the Code had in mind soil conditions inland, or of the type involved at the site covered by this appeal; that these conditions are in no way comparable to those existing at the waterfront proper—as reference to the soil sections submitted with this application, under Exhibit "B" will show; that the Board in its action on Cal. 94-39-SM, which covered the use of drilled-in caissons, recognized the principles proposed in this appeal, namely, that soils of even low stability can furnish adequate lateral support for long slender piles; that the provisions of the Code correctly assume that laterally unsupported piles act as free standing columns, a condition which is not actually the case at this site and a condition which cannot arbitrarily be assumed at any site, except where piles stand in open water, or in mud so obviously soft as to be semi-fluid in character; that in Cal. 94-39-SM, the Board also considered the tests made for the Ford Motor Company by Albert Kahn Incorporated which, in their results, corroborates the general contentions made in this appeal; that the applicant is not requesting an increase in the allowable loads permitted under the Code, even though all the evidence from the tests made indicates that this could safely be done at this site; that it is proposed to use these piles at the loads stated in the Code and under the following conditions: (1) It is not proposed to use piles smaller than 12″-53# sections. (2) It is proposed to drive these piles in accordance with the attached specification. (Exhibit "D"). (3) Tests indicated that if piles were driven, in accordance with the specifications, to a resistance of 5 blows to ¼″ of penetration, for 14″ piles and 5 blows to ½″ of penetration for 12″ piles, this would be satisfactory to drive them through all compressible strata and the disintegrated or weathered rock to solid rock with a safe load capacity of about 2 times the maximum allowable pile load as determined by the pile formula in the Code; that no reconciliation is necessary between the requirements that piles be driven to hard bed rock and the boring records indicating mica schist; that most of the caissons, pipe piles and other types of foundations carried to bed rock are supported on mica schist; that cores of the hard rock from the site show that the sound schist is hard and of adequate bearing capacity; that no provision in the Administrative Building Code raises any hard sound rock; that it is proposed to drive these piles either in a single piece or spliced in accordance with the attached drawing (Exhibit "E"); that there are filed engineering computations, showing that the welded splice proposed is stronger than the pile section itself (Exhibit "F"); that where piles are spliced, the pieces would be aligned either by clamps in the leads or by jigs in the field on the ground; that in view of the developed strength of the splice, and the fact that it is stronger than the pile section itself, the location of the splice is immaterial as far as the strength of the pile is concerned; that as to the length of piles available, it will be specified that lengths of not less than 40 ft. be used except for the top piece, which could be of a lesser dimension to make the actual driving length required; that investigation shows that piles of this type can normally be shipped in lengths up to 65 ft.; that however, if the contractor is able to handle longer single pieces, shipment can be made of piles of single lengths up to 120 ft. to 130 ft. lengths, which would be greater than any pile required at this site; that piles driven under these conditions will be safe for the life of the structures proposed; that even a disaster, such as a tidal wave in the East River, would not affect such piles, or any other type of piles, driven into the ground on land; that the report from Moran, Proctor, Freeman and Mueser recommended top lateral support for these piles where the soil at the cap level is weak; that this is not a blanket recommendation applicable throughout the site; that there are a few isolated locations at the site where the soil at top level may not provide proper lateral support; that at such locations, adequate lateral support will be provided at the tops of the piles, but this will be necessary at these locations, regardless of the type of piles used; that it is not indicative of any lesser safety in the use of the H-beam piles; that the applicant knows of no cases of foundation failure due to corrosion of steel pipes or other steel members in the ground; that all indications are that the possibility of any stray electric currents at this site, which could create electrolytic action, is so remote as not to be a factor; that there is attached a report dated March 27, 1945, from Moran, Proctor, Freeman and Mueser, analyzing studies and records of the Consolidated Edison Company as to corrosion, either from electrolysis due to stray currents, or electro-galvanic action resulting from soil and duct conditions in this area (Exhibit G); that the conclusion reached is that there is little possibility, at this site, of corrosion from either sources; that as to driving equipment and procedure the specifications previously referred to as part of this appeal, cover this thoroughly; that recognizing the desirability of accurate records on the piles driven under the conditions covered by this appeal, it is proposed to record for each pile driven, the information listed on the sample field report which is made a part of this appeal, as Exhibit "H"; that the use of long piles of this type in so-called "soft" ground is not a rare occurrence; that such foundations have been used under conditions far more adverse and loadings far more severe than contemplated by this application; that it is pertinent to note that under the provisions of Sec. C26-405.0 for determination of safe loads on piles, the factor of safety might not be over 1.5, whereas under the loadings which are proposed, and on the evidence of the tests actually conducted —the 12″, 53# pile with a maximum allowable Code load

of 55 tons, would have a factor of safety of not less than 2.73 while the 14" H-beams, loaded to 65 tons, would show factors of safety of not less than 2.31; that even with the test loads acutally used, there was no indication of any failure of any of the piles; that it should be noted, also, that test pile #9 at this site was driven in the worst location possible so far as lateral support is concerned and that the average condition throughout the site is better; that the evidence submitted with this appeal shows conclusively that H-beam piles can safely be used under the conditions proposed and that such use is in no way a deviation from the intent of the Code provision, cited as an objection; that the objection arises solely because of an interpretation of the Code and not because of any non-compliance with the intent of the Code, since increase in the allowable loading of the piles has been requested; that it cannot be assumed, from the wording of the Code, that "adequate" lateral support for any piles is lacking, simply because it is driven through a compressible soil; that where doubt exists as to its load-bearing capacity, the Code provision for load-testing (as has been done in this case) insures ample factor of safety in its use; that permission is requested, therefore, to use these piles in accordance with the methods and procedure proposed in this appeal; and

WHEREAS, the Board deemed that the requirements of Section C26-411.1 should be complied with, there being no justification for substituting the results of tests for the requirements of that section, when lateral support is lacking under the Code provisions and particularly where tests have been confined to one selected area and general approval is sought, not only for an extended area adjacent, but also for other areas not in the same locality, but where conditions are assumed to be similar.

Resolved, that the decisions of the borough superintendent, dated February 15, 1945, and May 23, 1945, on N. B. Apps. 55 to 71-45, inc. be and they hereby are *affirmed* and that the appeal be and it hereby is *denied.*

338-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—Block bounded by East 132nd street to East 135th street, between Park and 5th avenues (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage..... 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (338-45-A)

WHEREAS, New York City Housing Authority, owner, filed May 31, 1945, an appeal from decisions of the borough superintendent affecting premises blocks bounded by Park avenue, East 132nd street, Fifth avenue, East 135th street and Madison avenue (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20; Block 1758, Lots 1 and 20; Block 1759, Lots 1 and 21); Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated February 15, 1945, reads:

> "Receipt is acknowledged of your letter of January 31, 1945, together with copy of report by Moran, Proctor, Freeman and Mueser on the rolled structural steel piles driven and tested at the site of the subject project. You request this Department to approve the use of rolled structural steel piles in the foundations of the project.
>
> Please be advised that this Department may not approve the use of this type of pile for this project as Section C26-411.1, paragraph (e), of the Administrative Code does not permit their use when driven through materials of the character and thickness indicated by the borings.
>
> No data were submitted concerning subsoil conditions which might cause active rusting or other damage to the piles."

and

WHEREAS, the decision of the borough superintendent, dated May 23, 1945, relating to N.B. Applications 96 to 109-45, reads:

> "This letter is written in response to a request from your office for a verification of the objection by this Department on February 15, 1945, to the proposed use of rolled structural steel piles in the foundations of the subject project.
>
> With your letter of January 31, 1945, requesting approval, you submitted a report by Moran, Proctor, Freeman & Mueser on three piles of this type driven and tested at the site, together with records and borings made throughout the site area.
>
> On the basis of the tests, it is proposed to use these piles to sustain the maximum allowable loads permitted under Administrative Code Section C26-411.1 (f) without the reduction imposed by Administrative Code Section C26-411.1 (e) when such piles are driven through materials which presumably furnish no lateral support.
>
> You are advised that the Department on the basis of these tests, may not grant a general approval throughout the site for the use of rolled steel piles with no reduction from the maximum allowed capacity load based on the character and thickness of the materials through which the piles are driven.
>
> The report did not include any reference to subsoil conditions which might cause active rusting or other damage to the piles."

and

WHEREAS, the applicant states that the buildings will consist of 14 class 1 multiple dwellings, 6 and 14 stories in height, located in a business and unrestricted use, B area and Class 1½ height district; and

WHEREAS, the applicant contends that there is an apparent mis-statement in the decision of the borough superintendent; that the Code does not permit the use of such piles when driven through "soft" materials, but sets up certain reductions in permissible loading where inadequate lateral support is provided; that the proposal to use rolled structural steel piles for foundations of buildings at this particular site, and under the conditions to be outlined covering their use, is not a deviation from the intent of the Code provisions cited; that it is the Department's interpretation of the Code, and not the intent, which has raised this question; that the tests made verify these contentions; that at this site, the soil does furnish continuous adequate lateral support for H-beam piles for the sizes which are proposed, and when loaded to the allowable maximum capacity stated in the Code; that where H-beam or any other types of piles stand in open water or in a very soft material, the question of lateral support should be investigated and the load capacities of the piles should be checked against their strength as lateral unsupported columns; that this condition does not hold at the site under discussion, where the silt beds underlying the upper sands, while compressible, do have considerable structural strength and have been consolidated for many years under the weight of fill and structures supported by them (Reference is made to the boring records of the Giles Drilling Corporation for borings made at this site and copies of which are filed with this appeal as Exhibit A and reference is also made to a report from Moran, Proctor, Freeman and Mueser, Consultant Engineers, dated January 21, 1944 and supplemented April 25, 1944 regarding soil conditions at this site, a copy of which is made a part of this appeal as

Exhibit B); that a safe check against pile load capacity, and the one intended to be the ultimate check on the safe capacity of any type of pile, is found in Section C26-405.0 of the Administrative Building Code, Paragraph "d", which provides that where any doubt exists as to the safe load capacity of piles, load tests shall be made with 150 per cent of the proposed pile loads; that acting on this basis, the applicant in the latter part of 1944, conducted actual load tests on piles driven at the site; that locations were chosen at the site which would present the most unfavorable conditions and three sizes of H-beam piles were driven; that these piles were loaded in two instances to 230 percent of the proposed load; that the pile which was loaded to 270 percent of the proposed load was later extracted for inspection; that there is submitted with this appeal, Exhibit C, a copy of a report dated January 19, 1945, from Moran, Proctor, Freeman and Mueser, Consulting Engineers, summarizing the results of these tests, which were made with the knowledge of and were witnessed by representatives from the Department of Housing and Buildings; that the results of these tests verify conclusively the contention of the applicant; that in analyzing the probable intent of the Code provision, Section C26-411.1, subd. e, it seems apparent that the framers of this section were fearful that the use of this type of pile would be proposed at locations where the existence of so-called Hudson River ooze would raise the question of adequacy of lateral support; that it seems doubtful, however, that the framers of this provision of the Code had in mind soil conditions inland, or of the type involved at the site covered by this appeal; that these conditions are in no way comparable to those existing at the waterfront proper, as reference to the soil sections submitted with this application under Exhibit B will show; that the Board, in its action on Cal. 94-39-SM which covered the use of drilled-in caissons, recognized the principles proposed in this appeal, namely, that soils of even low stability can furnish adequate lateral support for long slender piles; that the provisions of the Code correctly assume that laterally unsupported piles act as free standing columns, a condition which is not actually the case at this site and a condition which cannot arbitrarily be assumed at any site, except where piles stand in open water, or in mud so obviously soft as to be semi-fluid in character; that under Cal. 94-39-SM the Board also considered the tests made for the Ford Motor Company by Albert Kahn Inc. which, in their results, corroborates the general contentions made in this appeal; that this applicant is not requesting an increase in the allowable loads permitted under the Code, even though all the evidence from the tests made indicates that this could safely be done at this site; that it is proposed to use these piles at the loads stated in the Code and under the following conditions: 1. It is not proposed to use piles smaller than 12"—53# sections; 2. It is proposed to drive these piles in accordance with the specifications under Exhibit D. 3. Tests indicated that if piles were driven in accordance with the specifications, to a resistance of 5 blows to ¼" of penetration, for 14" piles and 5 blows to ½" of penetration for 12" piles, this would be satisfactory to drive them through all compressible strata and the disintegrated or weathered rock to solid rock with a safe load capacity of about 2 times the maximum allowable pile load as determined by the pile formula in the Code; that no reconciliation is necessary between the requirements that piles be driven to hard bed rock and the boring records indicating mica shist; that most of the caissons, pipe piles and other types of foundations carried to bed rock are supported on mica schist; that cores of the hard rock from the site show that the sound schist is hard and of adequate bearing capacity; that no provision in the Administrative Building Code raises any question against sound schist where foundations are required to be carried to hard sound rock; that it is proposed to drive these piles either in a single piece or spliced in accordance with the drawing filed with this appeal, exhibit E; that there are filed engineering computations, showing that the welded splice proposed is stronger than the pile section itself, Exhibit F; that where piles are spliced, the pieces would be aligned either by clamps in the leads or by jigs in the field on the ground; that in view of the developed strength of the splice, and the fact that it is stronger than the pile section itself, the applicant believes that the location of the splice is immaterial as far as the strength of the pile is concerned; that as to the length of piles available, it will be specified that lengths of not less than 40 ft. be used except for the top piece, which could be of a less dimension to make the actual driving length required; that investigation shows that piles of this type can normally be shipped in lengths up to 65 ft.; that however, if the contractor is able to handle longer single pieces, shipment can be made of piles of single lengths up to 120 ft. to 130 ft. lengths, which would be of greater than any pile required at this site; that piles driven under these conditions will be safe for the life of the structures proposed; that even a disaster, such as a tidal wave in the East River, would not affect such piles, or any other type of piles, driven into the ground on land; that the report from Moran, Proctor, Freeman and Mueser recommended top lateral support for these piles where the soil at the cap level is weak; that this is not a blanket recommendation applicable throughout the site; that there are a few isolated locations at the site where the soil at top level may not provide proper lateral support (borings #46 and #47 are typical examples); that at such locations, adequate lateral support will be provided at the tops of the piles, but this will be necessary at these locations, regardless of the type of piles used; that it is not indicative of any lesser safety in the use of the H-beam piles; that the applicant knows of no cases of foundation failure due to corrosion of steel pipes or other steel members in the ground; that all indications are that the possibility of any stray electric currents at this site, which would create electrolytic action, is so remote as not to be a factor; that there is filed with this appeal, a report dated March 27, 1945 from Moran, Proctor, Freeman and Mueser, analyzing studies and records of the Consolidated Edison Co. as to corrosion, either from electrolysis due to stray currents, or electro-galvanic action resulting from soil and duct conditions in this area (Exhibit g); that the conclusion reached is that there is little possibility, at this site, of corrosion from either source; that as to driving equipment and procedure, the specifications previously referred to as part of this appeal, cover this thoroughly; that recognizing the desirability of accurate records on the piles driven under the conditions covered by this appeal, the applicant proposes to record for each pile driven, the information listed on the sample field report which is made a part of this appeal, as Exhibit H; that the use of long piles of this type in so-called "soft" ground is not a rare occurrence; that such foundations have been used under conditions far more adverse and loadings far more severe than contemplated by this application; that it is pertinent to note that under the provisions of Section C26-405.0 for determination of safe loads on piles, the factor of safety might not be over 1.5, whereas under the loadings which are proposed, and on the evidence of the tests actually conducted, the 12", 53# pile with a maximum allowable Code load of 55 tons, would have a factor of safety of not less than 2.73 while the 14" H-beams, loaded to 65 tons, would show factors of safety of not less than 2.31; that even with the test loads actually used, there was no indication of any failure of any of the piles; that it should be noted, also, that test pile #9 at this site was driven in the worst location possible so far as lateral support is concerned and that the average condition throughout the site is better; that the evidence submitted with this appeal shows conclusively that H-beam piles can safely be used under the conditions proposed and that such use is in no way a deviation from the intent of the Code provision, cited as an objection; that it is further contended that the objection arises solely because of an interpretation of the Code and not because of any non-compliance with the intent of the Code, since the applicant is not requesting any increase in the allowable loading of the piles; that it cannot be assumed, from the wording of the Code, that "adequate" lateral support for any pile is lacking, simply because it is driven through a com-

pressible soil; that where doubt exists as to its load-bearing capacity, the Code provision for load-testing (as has been done in this case) insures ample factor of safety in its use; that permission is requested, therefore, to use these piles in accordance with the methods and procedure proposed in this appeal; and

WHEREAS, the Board deemed that the requirements of Section C26-411.1 should be complied with, there being no justification for substituting the results of tests for the requirements of that section, when lateral support is lacking under the code provisions and particularly where tests have been confined to one selected area and general approval is sought, not only for an extended area adjacent but where conditions are assumed to be similar.

Resolved, that the decisions of the borough superintendent dated February 15, 1945 and May 23, 1945, relating to N.B. Applications 96 to 109-45, be and they hereby are *affirmed* and that the appeal be and it hereby is *denied.*

379-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—
For Applicant: None.
For Administration: Inspector Matteis, Fire Dep't.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4
Negative 0

THE RESOLUTION (379-45-A)

WHEREAS, John J. Beatty, for Atco Tank Service Inc., owner, filed June 20, 1945, an appeal from an order and a decision of the fire commissioner, relating to the use of Tank Truck #1272 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 40935-LC of the Fire Commissioner, dated March 27, 1945, and repeated in his decision of June 5, 1945, reads:

> "An inspection of truck #1272, Autocar chassis, used for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-52.0-A. Title C, Part 1, Art. 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:
>
> 1. Provide a tank constructed in accordance with the specifications set forth in Sec. 5.
> 2. Locate engine fuel tank immediately back of rear axle between frame side members. NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle, Section 20.6."

and

WHEREAS, the applicant states that this Tank Truck #1272 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best of the knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel which in it's opinion, is as strong or stronger than 8 gauge O'Neill steel; that the truck was purchased at a time when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested to use the engine fuel tank as now built in its present location behind the Driver's Cab be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the appeal be and it hereby is *dismissed.* Applicant to file with the Fire Department, a corrected application, as the truck does not carry inflammable liquids, but only Bunker "C" oil.

380-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—
For Applicant: None.
For Administration: Inspector Matteis, Fire Dep't.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (380-45-A)

WHEREAS, John J. Beatty, for Atco Tank Service Inc., owner, filed June 20, 1945, an appeal from an order and decision of the fire commissioner, relating to the use of Tank Truck #1274 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 41218-LC issued by the Fire Commissioner, dated April 20, 1945 and referred to in his decision of June 5, 1945, reads:

> "An inspection of truck #1274 with a Freuhaf tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by section C19-52.0-A, Title C, Part 1, Article 2 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:
>
> 1. Provide a tank constructed in accordance with the specifications set forth in Section 5.
> 2. Locate engine fuel tank immediately back of rear axle between frame side members.
> NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle. Section 20.6."

and

WHEREAS, the applicant contends that this tank truck #1274 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel, which in it's opinion, is as strong or stronger than 8-gauge O'Neill steel; that the truck was purchased when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested that the engine fuel tank as now built in its present location behind the Driver's Cab, be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the appeal be and it hereby is *dismissed.* Applicant to file with the Fire Department, a corrected application, as the truck does not carry inflammable liquids, but only Bunker "C" oil.

381-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

MINUTES

SUBJECT—Appeal from an order and a decision of the fire commissioner re: Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—

For Applicant: None.

For Administration: Inspector Matteis, Fire Dep't.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affrmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (381-45-A)

WHEREAS, J. J. Beatty, for Atco Tank Service Inc., owner, filed June 20, 1945, an appeal from an order and decision of the fire commissioner, relating to the use of Tank Truck #1276 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 40934-LC issued by the Fire Commissioner dated March 27, 1945, and referred to in his decision of June 5, 1945, reads:

"An inspection of truck #1276 with a Freuhaf Tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-52.0-A, Title C, Part 1, Art. 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Provide a tank constructed in accordance with the specifications set forth in Section 5.
2. Locate engine fuel tank immediately back of rear axle between frame and side members. NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle. Section 20.6."

and

WHEREAS, the applicant contends that this tank truck #1276 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best of knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel, which in it's opinion is as strong or stronger than 8-gauge O'Neil steel; that the truck was purchased when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested that the engine fuel tank as now built in its present location behind the Driver's Cab, be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the appeal be and it hereby is *dismissed.* Applicant to file with the Fire Department, a corrected application, as the truck does not carry inflammable liquids, but only Bunker "C" oil.

387-45-A

APPLICANT—Shreve, Lamb and Harmon, for Abrast Realty Co., owner (Abraham and Straus, Inc. lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFFECTED—422-438 Fulton street, south side, 93 ft. west of Hoyt street, 14-30 Hoyt street, 177 Livingston street and 15 Gallatin place (2nd, 3rd, 4th, 5th, 7th and 8th floors); (Block 156, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard F. Nauderbeck and R. F. Lamb.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Gunn 3

Negative: 0

Absent: Commissioner Savage 1

THE RESOLUTION (387-45-A)

WHEREAS, Shreve, Lamb and Harmon, for Abrast Realty Co., owner (Abraham and Straus, Inc. lessee), filed June 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 422-438 Fulton street, south side, 93 ft. west of Hoyt street, 14-30 Hoyt street, 177 Livingston street, and 15 Gallatin place (2nd, 3rd, 4th, 5th, 7th and 8th floors); (Block 156, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 3483-45, dated July 18, 1945, reads:

"1. Proposed construction of unprotected steel floors for mezzanines, violating Sec. C26-239.0 Adm. Code 3 hr. fire resistive floors required in structure of Class 1 construction."

and

WHEREAS, the applicant states the building is 11 stories (195 ft.) in height; 181 ft. by 305 ft. irregular in area, Class 1 construction; erected 1928; located in a business use, B area and Class 1 height district and used and occupied since 1929 as a department store under Certificate of Occupancy 58132; and

WHEREAS, it is proposed to erect steel mezzanines of approximately 700 sq. ft. each on the 2nd, 3rd, 4th, 5th, 7th and 8th floors in a space separated from the department store sales area by 3 hour enclosing walls and fireproof self-closing doors and that two exit stairs from each mezzanine will be provided; and

WHEREAS, the applicant contends that drawings filed with the borough superintendent indicate the mezzanines to be hung by steel rods from the fireproofed steel members of the building floor above and the mezzanine floor constructed of steel channels and H. H. Robertson Floor System "Q" with plate on top, finished with asphalt flooring and only locker equipment for employees will be located on each mezzanine and the mezzanines will not be structrual parts of the building as a whole; that the additional thickness of fireproof mezzanine construction required will reduce the height below and above the mezzanine to the extent that their use becomes impractical; it is therefore requested that the Board approve the construction of the mezzanine as filed without fireproofed structural members; and

WHEREAS, the H. H. Robertson Co. Floor System "Q" as proposed, has not been approved by the Board in its action under Cal. 448-40-SM; such "Q" System not having been submitted for approval.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3483-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed mezzanines shall be within the stories as proposed and that each mezzanine shall not exceed an area of approximately 700 square feet and shall be used only as proposed for locker equipment for employees and shall have a floor load of not less than 75 pounds per superficial foot with the H. H. Robertson Co. Floor System "Q" type of construction, as proposed; that the sprinkler system shall be maintained throughout the building, including the spaces over and below the proposed mezzanines; that such spaces where proposed mezzanines are to be constructed, shall be separated as proposed from the sales area by 3-hour enclosing walls and fireproof, self-closing doors.

395-45-A

APPLICANT—Harlowe Drugs, Inc., lessee, for Nivelle Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—53-55 Fifth avenue and 1 East 12th street, northeast corner (basement); (Block 570, Lot 1), Borough of Manhattan.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (395-45-A)

WHEREAS, Harlowe Drugs, Inc., lessee, for Nivelle Corporation, owner, filed on June 20, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 53-55 Fifth avenue and 1 East 12th street, northeast corner (basement); (Block 570, Lot 1), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to the so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

396-45-A

APPLICANT—Boris W. Dorfman, for L. M. Henkin, trustee for D. M. Clements, deceased.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—924-926 65th street, south side, 73 ft. 6 in. west of Fort Hamilton parkway and 6512-6518 Fort Hamilton parkway (1st and 2nd floors); (Block 5750, Lots 18-23-25), Borough of Brooklyn.

APPEARANCES—
For Applicant: Boris W. Dorfman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (396-45-A)

WHEREAS, Boris W. Dorfman, for L. M. Henkin, trustee for D. M. Clements (deceased), filed June 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 924-926 65th street, south side, 73 ft. 6 in. west of Fort Hamilton parkway and 6512-6518 Fort Hamilton parkway (1st and 2nd floors); (Block 5750, Lots 18-23-25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1696-45, dated June 7, 1945, reads:

"1. 1st floor occupancy as a garage for more than 5 cars, within a business use district, is contrary to Art. 2 Sect. 4a 15 of the zoning resolution.

2. Proposed garage on 1st floor of a Class 3 structure, 2 stories in height, is contrary to 4.2.1 of the Code.

3. As there were material changes to this structure, exits to comply with Sect. 270 of the Labor Law.

4. Live load for new occupancy on 2nd floor to comply C26-345 Sect. 7.3.2.3 of the Code."

and

WHEREAS, the applicant states the building is one and two stories (30 ft.) in height, 61 ft. by 106 ft. in area at 1st floor, 30 ft. by 78 ft. in area at typical floor; erected prior to 1911; located in a business use, B area and Class 1¼ height district; used and occupied as follows: 1st floor, public garage automobile display and sales, motor vehicle repair shop and gasoline service station; proposed to be used and occupied as follows: 1st floor, same; 2nd floor, manufacturing, 40 persons; that Certificate of Occupancy 72404, affecting 926-65th street, issued November, 1933 on Permit 531-33, permits the first floor to be used as public garage and paint shop and the second floor as a cabaret (that the public garage and paint shop on 1st floor to remain vacant as long as the 2nd floor is to be used as a cabaret); and

WHEREAS, Certificate of Occupancy 67920 issued July, 1932 on Permit 904-32, permits the use of 6512-6518 Fort Hamilton parkway as follows: 1st floor, public garage, gasoline service station, auto display room and auto repair shop; 2nd floor, public garage for pleasure vehicles; and

WHEREAS, the applicant contends that Alt. 1696-45 was filed to erect a new boiler room and to occupy the first floor as a public garage, motor vehicle repair shop and gasoline station and the second floor for light manufacturing; and

WHEREAS, the applicant contends as to objections 1 and 2, that with the exception of a few months in 1934, the building was continuously used as a public garage, etc., which continued as shown by the records of the Department from 1914 to 1934 and by the granting of an extension to the existing garage, to the front line of 6512-6516 Fort Hamilton Parkway by the Board of Standards and Appeals under Cal. 216-16-BZ, and further, that the records of the Fire Department show a continuous and uninterrupted issuance of yearly permits for the operation of a public garage, etc.; that the only change on the 2nd floor during the last 30 years, consisted of an alteration to the ramp or stairs, which ramp was located entirely outside of the wall of the building; that objection 3 issued by the borough superintendent stating that there were material changes to the structure, is not consistent with the facts and therefore the exits should be permitted to comply with Sec. 270 of Labor Law for buildings erected prior to 1913; and contends as to objection 4, that this objection should be modified for the reason the 2nd story was used from 1914 to 1933 as a public garage and repair shop and the liveload for such use was accepted by the Department and should be considered sufficient for the use of light manufacturing; that the owner surrenders the right to use the 2nd story as a public garage and repair shop and requests the Board to affirm the continuous use of the 1st floor as a public garage, repair shop and gasoline service station and the second story for factory; and

WHEREAS, the applicant states in support of his appeal, that in 1911, R. L. Williams surveyed the premises known as 924-926 65th street, and this survey (filed with this appeal) shows a 2-story brick building with an outside stairs; that in 1914, plans were filed and approved, under Alt. Permit 2591-14 for the erection of a wooden ramp instead of the stairs, with intent to occupy the 1st story as a public garage and 2nd story as garage and repair shop; that upon completion of the work, the building was so occupied; that by 1921 the wooden ramp was worn down and required an alteration and permit 4198-21 was granted for the erection of a reinforced concrete ramp in place of the wooden one; that the occupancy of the building remained substantially the same; that in 1932, plans were filed and approved under Alt. Permit 904-32 for the removal of the rear wall of 924-926 65th street, connecting it with the building known as 6512-6516 Ft. Hamilton Parkway, both buildings having the same occupancy and ownership (D. M. Clements); that upon completion of the alteration, Certificate of Occupancy 67920-32 was issued for the use of the 1st story—public garage, gasoline service station, auto display room and auto repair shop; 2nd story, public garage for pleasure vehicles; that in 1933, plan was filed for the alteration of previously mentioned ramp into a stairs and the installation of an outside counterbalanced ladder, Permit 3556-33; that upon completion of the alteration, Certificate of Occupancy 71328-33 was issued for use of 1st story as "vacant" and 2nd story as "cabaret"; that on November 20, 1933 a new Certificate of Occupancy was issued to 924-926 65th street, for use of 1st story as "vacant" and 2nd story as "cabaret"; this certificate had following note: "Public garage and paint shop on 1st story to remain vacant as long as 2nd floor is used as a cabaret"; that because the cabaret was surrounded by

public garages, gasoline service stations, repair and paint shops and located almost alongside of huge illuminating gas tanks, it could not prosper and in a few months ceased to exist; that later on the 2nd story was rented to a local Athletic Club, activities of which required no license by the Fire Department.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1696-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy of the garage, repair shop and accessory gasoline selling station may be continued as same existed prior to 1916, including the portion permitted by the Board under Cal. 216-16-BZ; that the permits and certificate of occupancy 72404, wherein the garage use was required to be vacated, shall be deemed to have no force and effect; as to objection 2, that the building shall not be increased in height or area; as to objection 3, that the second floor may be permitted to be occupied for factory work, as proposed, *on condition* that the primary means of exit, consisting of an exterior screened stair leading to 65th street, as shown on plans filed with this appeal marked "Received June 20, 1945", is continued and that a secondary means of exit shall be maintained, consisting of a fire escape with counterbalanced stair to the street, complying with the requirements of the Labor Law, erected as shown on the 65th street front of the building; that in all other respects, this portion of the building shall comply with all laws, rules and regulations applicable thereto; as to objection 4, that the liveload of such second story shall not be less than 75 lbs. per superficial foot and floor computation application shall be filed with the borough superintendent for approval; that upon completion, a new certificate of occupancy, superseding Certificate of Occupancy 72404 and 67920, shall be obtained, covering the entire building occupied as herein permitted; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the ceiling of the 1st story, underneath the second story proposed for factory use, shall be fire-retarded; that any boiler-room in the building shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the gasoline station at the corner formerly or now under the same ownership and as granted by variance under Calendar 62-34-BZ, shall comply with the requirements of that resolution.

414-45-A

APPLICANT—Alfred H. Eccles, for Irving and Mildred Wexler, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—32-02 Borden avenue and 51-03 Van Dam street, southeast corner (1st floor); (Block 305, Lot 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: A. Eccles and N. Wexler.

For Administration: Fred Dahlem, Dep't of Housing and Biuldings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (414-45-A)

WHEREAS, Alfred H. Eccles, for Irving and Mildred Wexler, owners, filed June 29, 1945, an appeal from a decision of the borough superintendent, affecting premises 32-02 Borden avenue and 51-03 Van Dam street, southeast corner (1st floor); (Block 305; Lot 17), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 29, 1945, on Misc. Applic. 2568-45, reads:

> "1. Proposition is at variance with resolution adopted by the Board of Standard and Appeals under Cal. 372-36-A and plans lack sufficient details to determine whether the 1500 gallon solvasol tank has been installed in accordance with the requirements of C19-59.0 of the Adm. Code."

and

WHEREAS, the applicant states the building is 3 stories (40 ft.) in height; 144 ft. by 106 ft. in area at 1st floor; 55 ft. by 106 ft. in area at typical floor; of Class 3 construction; erected 1913; located in an unrestricted use, B area and Class 1½ height district and used and occupied: 1st floor, manufacture of paints and wax, shipping and office, 10 persons; 2nd floor, manufacturing paints and wax, 10 persons; 3rd floor, manufacturing paint and wax, 10 persons; that no change in use is proposed, but the occupancy of the 1st floor is proposed to be increased to 15 persons; that the building is equipped with two 3 ft. wide fireproof stairs, enclosed in 6 in. terra cotta blocks, equipped with fireproof, self-closing doors leading directly to the street and one of which leads to the roof bulkhead; and

WHEREAS, the applicant contends that the tank in question is existing and has a capacity of 1500 gallons and used for the storage of solvasol; that the tank was installed about 1924 and is shown on Alt. Applic. 2346-1924, which was not shown on the plans submitted to the Board under Cal. 372-36-A and was not discussed by the Board at the time of its action on that resolution; that the tank is in the same section of the one story fireproof building as the 550 gallon naphtha tank and the 1500 gallon fuel oil storage tank; that the fire department has revoked the permit for the manufacturing of inflammable mixtures, as the tank was not approved for the storage of Solvasol No. 4 and 5; that fire department Order 99084-C, issued March 5, 1945, required the occupant to discontinue the use of an unapproved 1500 gallon tank for the storage of Solvasol No. 4 and No. 5.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 2568-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the 1500 gallon tank for the storage of Solvasol No. 4 and No. 5 and all connections thereto shall meet all requirements of the Administrative Code applicable thereto as to construction, and that the installation shall be duly approved by the fire commissioner as required; that if it is necessary to excavate around the existing tank, to determine whether it complies with the requirements of the Administrative Code, and the conditions shown on plans filed with the borough superintendent, such excavation shall be done; that if found to so comply as to construction and installation, the existing tank shall be subject to a test by the fire commissioner under the rules set forth by the Board in its Oil Burner Rules; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 371-36-A, 372-36-A and 956-38-A; that no tank shall be installed on the premises other than those shown on plans filed with appeal under Cal. 372-36-A and the 1500 gallon storage tank involved herein.

416-45-A

APPLICANT—J. M. Berlinger, for Harlem Savings Bank, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Charles I. Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (416-45-A)

WHEREAS, J. M. Berlinger, for Harlem Savings Bank, owner, filed June 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated June 27, 1945, as to Alt. App. 155-45, reads:

"1. Proposed change from dance hall and offices to ball rooms on entire second floor of this nonfireproof building is contrary to Sections 2.1.3.5 and 4.2.1 of the Building Code.

"3. Provide two fireproof stairways enclosed in three-hour partitions, as per Section 6.4.1.8.1 of the Building Code. Make them of adequate width for proposed number of occupants, as per 6.1.10."

and

WHEREAS, the applicant states the building is two stories (30 ft. 6 in.) in height, 90 ft. 9 in. by 102 ft. 8 in. irregular in area; Class 3 construction; located in a business use, B area and Class 1¼ height district; erected in 1924 and used and occupied since as follows: Cellar, bowling alley and boiler room; 1st floor, stores; 2nd floor, synagogue, dance hall and office, 200 persons; proposed to be used and occupied: Cellar, bowling alley and boiler room; 1st floor, stores; 2nd floor, ballrooms and banquet rooms, 600 persons; and

WHEREAS, the applicant further states that the building is equipped with two interior stairs of iron and marble construction, enclosed in fire-retarded partitions equipped with wood doors, which are not self-closing, and that both stairs lead directly to the street and one to the roof; that one stairway is 4 ft. 6 in. and the other 4 feet wide, and that there are two fire escapes leading from the first floor to the yard by iron stairs; and

WHEREAS, the applicant contends no change is contemplated in the occupancy of the cellar or the first floor; that it is proposed to change the second floor occupancy to ballrooms for receptions, weddings and banquets; that the second floor, which will now be occupied by one tenant, will create no condition more hazardous than existing at present; that in fact, hazards will be reduced, because the exits will be in control of one tenant; that the existing exits are fire-retarded, leading directly to the street, and are 4 ft. 6 in., leading to Burnside avenue and 4 ft. clear, leading to Grand avenue; that both stairways are constructed of fireproof material; that the ceilings of the first floor are protected with sheet metal; that access to the roof is by means of an existing bulkhead and fireproof stair; that it will be a hardship to owner to insist upon strict compliance with the Building Code and it is therefore requested the Board modify such requirements and grant this appeal.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 155-45, objections 1 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

417-45-A

APPLICANT—Arthur F. Winter, for Darold Realty Corp., owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—160-30 Northern boulevard, south side, 509.8 ft. east of 159th street (basement); (Block 5335, Lots 61 and 62), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: C. E. Arthus.
For Administration: Thomas Larkin, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative: Chairman Murdock and Commissioner Blum 2
Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (417-45-A)

WHEREAS, Arthur F. Winter, for Darold Realty Corp., owner (F. W. Woolworth Co., lessee), filed July 3, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 160-30 Northern boulevard, south side, 509.8 ft. east of 159th street (basement); (Block 5335, Lots 61 and 62), Flushing, Borough of Queens; and

WHEREAS, Order 14959-LF, issued by the fire commissioner April 27, 1945 and referred to in decision of the fire commissioner dated June 6, 1945, reads:

"1. Provide in the cellar a fixed fire extinguishing system, or other means for the extinguishment of fire, satisfactory to the Fire Commissioner. Sect. C19-161.0 Adm. Code."

and

WHEREAS, the applicant states the building is one story and penthouse (25 ft.) in height, 57 ft. by 136 ft. in area, Class 3 construction; erected in 1941; located in a business use, C area and Class 1 height district; used and occupied since 1941: basement, storage, boiler room and coal, 3 persons; cellar, paper, refrigerating rooms, 20 persons; 1st floor sales floor and office rooms, toilet, 20 persons; penthouse, girls' restroom, 23 persons; that the building is equipped with two 3 ft. 8 in. wide iron stairs with cement treads, enclosed in terra cotta, equipped with approved metal, self-closing doors and one of the stairs leads to the street; that there is a door from girls' restroom on the penthouse level to the roof; and

WHEREAS, the applicant contends that both stairways lead from the basement to the first floor; that the stairway at the southeast corner of the building leads from the 1st floor to the penthouse; that there are two 3 ft. 8 in. doors from the rear of the store, opening outwardly, which are fireproof, self-closing; that there are two 5 ft. wide entrances at the front; that there is a sidewalk freight elevator and an engineer's exit to the sidewalk; that ventilation is provided by openings in the show window bulkhead; that space marked "D" on plans, is a fireproof enclosed room used for the storage of baled paper, which is baled every night; that from the girls' room on the penthouse story, there is a door leading outwardly to the one-story roof; that the merchandise carried in this basement is common to this type of occupancy; that the amount of celluloid merchandise stored there is approximately .2 of 1% of entire stock; that all aisles are 3 ft. wide and wider and are kept clear at all times; that the basement ceiling is of fire-retarding material and all partitions in basement are fireproof.

Resolved, that Order 14959-LF, of the fire commissioner, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

418-45-A

APPLICANT—Samuel Paul and Associates, for Catherine Woods, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 35), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Catherine Woods.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

MINUTES

THE RESOLUTION (418-45-A)

WHEREAS, Samuel Paul and Associates, for Catherine Woods, owner, filed July 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 35), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 15, 1945, on amendment filed June 14, 1945, to Alt. Applic. 891-45, reads:

"3. Proposed nursing home in a non-fireproof building exceeding 20 ft. in height, is not permitted by Sec. 4.2.1.

"4. Required stairways in public buildings shall be enclosed with walls having a 3-door fire resistive rating, Sec. 6.4.1.8.1."

and

WHEREAS, the applicant states the building is 2 stories (24 ft.) in height; 40 ft. by 67 ft. in area; of Class 3 construction; erected 1924; located in a residence use D area and Class 1 height district and used and occupied since 1924 as follows: cellar, storage and heating; 1st floor, dwellings; 2nd floor, dwellings; proposed to be used and occupied: cellar, laundry, boiler room, kitchen and dining room; 1st floor, nursing home, 20 persons; 2nd floor, nursing home, 20 persons; that the building is equipped with two 3 ft. 2 in. wide frame stairs, enclosed in partitions of studs, lath and plaster, equipped with wood doors which are not self-closing and leading from the roof bulkhead directly to the street; and

WHEREAS, Certificate of Occupancy 20874 was issued March 20, 1926 on N.B. Applic. 26527-24, describing the building as two brick tenements; and

WHEREAS, the applicant contends that it is proposed to convert the two brick attached four-family dwellings to a nursing home, as indicated on plans filed with the borough superintendent; that there will be no additions to the size of the present buildings; that the principal objection of the borough superintendent is that the building is 24 ft. in height; that it is requested that the appeal be granted, due to the fact that the owner purchased the building for the express purpose of converting to a nursing home; that at the present time, the owner is operating a nursing home in a frame building at 171-36 109th avenue, but finds that with the increasing demand for facilities, the present building is inadequate; that it would be a definite hardship to be unable to use the buildings as proposed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 891-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 3, *on condition* that the building shall not be increased in height or exceed the height indicated on plans filed with this appeal and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the approval of the departments of Health and Hospitals, as they may have jurisdiction; and withdrawn as to objection 4 to comply, and that the stairways and hallways shall be protected by a sprinkler system, which may be connected to the house water supply, provided such water service line from the street water supply is not less than 1 inch, after cross-connecting the house supply for each building.

420-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—Block bounded by Park avenue to 5th avenue and between East 132nd and East 135th streets (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis S. Joseph.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (420-45-A)

WHEREAS, New York City Housing Authority, owner, filed June 28, 1945, an appeal from a decision of the borough superintendent, affecting premises bounded by Park avenue to 5th avenue and between East 132nd and 135th streets (Abraham Lincoln Houses); (Block 1757, Lots 1 and 20, Block 1758, Lots 1 and 20 and Block 1759, Lots 1 and 21), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated May 31, 1945, on N.B. Applic. 96-45, affecting Building No. 1, southwest corner East 135th street and Park avenue, reads:

"In reply to your letter of May 23, 1945, concerning the Abraham Lincoln Houses, the Department hereby denies your request for consideration in relation to the three items which follows:

1. To permit a garage for not more than five passenger motor vehicles for the use of the manager and his staff. Garage will be located in Bldg. 1. Construction and maintenance will comply with Section 60 of the M.D.L."

and

WHEREAS, the decision of the borough superintendent, dated May 31, 1945, relating to N.B. Applics. 96 to 109-45, inclusive, reads:

"In reply to your letter of May 23, 1945, concerning the Abraham Lincoln Houses, the Department hereby denies your request for consideration in relation to the three items which follow:

2. To permit incinerator hopper doors to open directly into stair and public halls without an additional fireproof door and assembly. Hopper door and its assembly will meet the one hour fire test requirements."

and

WHEREAS, the applicant states that the buildings will be fireproof, 6 and 14 stories in height; located in a business and retail use, B area and Class 1½ height district and used throughout as multiple dwellings; and

WHEREAS, the applicant contends as to the decision of the borough superintendent relating to the garage to be located in Building No. 1 (60 East 135th street), that the building will be located in a business and retail use district and occupied in the cellar for garage for not more than five cars, incinerator, craft rooms and on the 1st to 14th floors, as a Class A multiple dwelling; that the garage portion will be constructed in accordance with Section 60 of the Multiple Dwelling Law, and ventilating system will be installed, to provide at least 4 changes of air per hour, independent of any other ventilating system; that 9 one-half in. sprinkler heads will be provided, connected to the house water supply, the heads to be not more than 12 ft. on center, nor more than 6 ft. from any wall; that the garage will be used by resident members of the management staff for the storage of not more than five cars; and

WHEREAS, the applicant contends as to the incinerator hopper doors, that the incinerators are of a nonfuel fired type and therefore not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that the incinerator openings will be provided with self-closing hopper doors and frames having a 1 hour fire test rating and therefore it is unnecessary to add any further protection; that in accordance with the Code, any hopper service door placed a foot or more off the required lines of egress travel, would be acceptable without the use of a protective door; that this

could not, therefore be construed to give any more protection to the egress enclosure in which most incinerator openings are located; that in buildings where such protective doors have been installed, said doors have not only been a continual nuisance to the tenants by interfering with the convenient operation of the hopper door, but also have been the cause of people spilling refuse, thereby creating unsanitary conditions; that in general, this additional door is very impractical; that most buildings heretofore using this protective door have been of non-fireproof construction, whereas all these buildings will be Class 1 fireproof structures.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 96-45, to 109-45, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the hopper doors shall be of a type as tested by the Board for meeting the requirements of a one-hour test; and, *withdrawn* to comply, as to objection 1 of N.B. Applic. 96-45.

422-45-A

APPLICANT—George W. Kibitz, for Dr. Henry W. Lloyd, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—5080 Waldo avenue and East side of Fieldston road, 308.68 ft. north of West 250th street (Block 3415Q, Lot 27), Borough of The Bronx.

APPEARANCES—

For Applicant: George W. Kibitz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (422-45-A)

WHEREAS, George W. Kibitz, for Dr. Henry W. Lloyd, owner, filed July 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 5080 Waldo avenue and east side of Fieldston road, 308.68 ft. north of West 250th street (Block 3415Q, Lot 27), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated June 4, 1945, upon amendment to Alt. App. 52-45, reads:

"7. Public buildings used as Hospitals over 20 ft. high, should be of fireproof construction throughout. (Sec. 4.2.1) Portion less than 20 ft. high should be class 3 nonfireproof, separated from taller part by 3 hr. fireproof self-closing doors. Reconsideration denied.

8. Provide two lawful interior stairs, enclosed by fireproof partitions. Public corridors should be fireproof with ¾ hr. fireproof self-closing doors. Reconsideration denied."

and

WHEREAS, the applicant states the building is one and two stories (21 ft.) in height, 24 ft. by 142 ft. in area at 1st floor, 24 ft. by 36 ft. in area at 2nd floor; Class 4 construction; erected prior to 1916; located in a residence use, G area and Class 1 height district; used and occupied as follows: Cellar, laundry and boiler room; basement, nurses' quarters, 20 persons; 1st floor, patients' quarters, 15 persons; 2nd floor, same, 4 persons; that Certificate of Occupancy 40 was issued March 12, 1945, on completion of Alt. Applic. 639-44 and permits the use of the building as follows: Cellar, laundry, boiler room; 1st floor, dwelling for nurses not more than 15 rooms to be used for sleeping purposes; 2nd floor, same; and

WHEREAS, Violation 590 issued April 6, 1944 is for changing the occupancy of a frame building from a nurses' residence to a private hospital occupied by mental patients; and

WHEREAS, the applicant contends as to item 7, that a variation of Section 4.2.1 affecting the type of construction, is requested on the grounds the building is only one story high for 75 feet of its depth and the remainder is only 29 feet high from grade; that the average height of a peak roof (which can be altered to a flat roof thus making the height less than 20 feet), is 21 feet; that the structure will be subdivided into four units by fire walls of masonry construction with fireproof, self-closing doors in longitudinal corridors at each fire wall; that the corridors will be equipped with automatic sprinklers; and contends as to item 8, that a variation of the Building Code affecting the stairways to 2nd story and the public corridors is requested, on the ground the existing stairway serves only four persons on the 2nd floor; that the enclosed stairways and corridors in the 1st and 2nd stories will be equipped with sprinklers; that this request for variation also applies to the ¾ hour corridor doors for the same reason.

Resolved, that the decision of the borough superintendent, on amendment to Alt. Applic. 52-45, objections 7 and 8, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

428-45-A

APPLICANT—Jacob Lubroth, for 245 Lynch Street Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—235-245 Lynch street, north side, 224 ft. east of Harrison avenue (cellar); (Block 2234, Lot 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Lubroth.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION (428-45-A)

WHEREAS, Jacob Lubroth, for 245 Lynch Street Corp., owner, filed July 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 235-245 Lynch street, north side, 224 ft. east of Harrison avenue, (cellar); (Block 2234, Lot 43), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 8, 1945, re Alt. Applic. 2153-45, reads:

"24. Proposed elevator door 5 ft. 10 in. high has insufficient headroom and is considered inadequate and dangerous."

and

WHEREAS, the applicant states the building is four stories (50 ft.) in heigh, 140 ft. by 44 ft. in area; Class 3 construction; located in an unrestricted use, B area and Class 1½ height district; erected in 1881 and used for the manufacturing of shoes on 1st to 4th floors, inclusive and for storage in the cellar, with an occupancy of 10 persons on the 1st floor, 40 persons on the 2nd floor, 50 persons on the 3rd floor and 50 persons on the 4th floor; that there is one 3 ft. 6 in. wide, wood stairs, fire-retarded enclosure, equipped with one-hour rating doors which are self-closing, leading directly to the street and to the roof by a scuttle; that there is also one fire escape at the rear, leading to the roof by a ladder and to the yard by stationery stairs, with egress to the street through a driveway; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant requests permission to install a 5 ft. 10 in. high elevator door in the cellar; and

WHEREAS, the applicant contends that the ceiling height in cellar is only 5 ft. 10 in. and therefore no higher door can be provided.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2153-45, objection 24, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the elevator doors shall comply with all laws, rules and regulations applicable thereto; that this elevator shall be used as a freight elevator only.

439-45-A

APPLICANT—Vincent S. Todaro, for Charles and Thomas Costa, owners (Rose Umberto and Jean Misuraca, lessees).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—49-51 Downing street, north side, 122 ft. 3 in. west of Bedford street (1st floor); (Block 528, Lot 82), Borough of Manhattan.

APPEARANCES—

For Applicant: Vincent S. Todaro and Carmine L. Umberto.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (439-45-A)

WHEREAS, Vincent S. Todaro, for Charles and Thomas Costa, owners (Rose Umberto and Jean Misuraca, lessees), filed July 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 49-51 Downing street, north side, 122 ft. 3 in. west of Bedford street (1st floor); (Block 528, Lot 82), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 3, 1945, on Alt. Applic. 1052-45, reads:

"1. Proposed use of 1st floor as a garage for 4 trucks is contrary to section 4.2.1 Code, as structure is non-fireproof and exceeds one story in height."

and

WHEREAS, the applicant states the building is 4 stories (48 ft.) in height, 39 ft. 6 in. by 87 ft. in area; Class 3 construction; erected prior to 1900; located in a business use, C area and Class 1½ height district; used and occupied since 1925 as follows: Cellar, storage warehouse; 1st floor, garage for four trucks and storage warehouse; 2nd, 3rd and 4th floors, storage warehouse; total number of occupants—two; proposed to be used without change and occupied throughout by three persons; that the building is equipped with one 3 ft. wide iron and concrete stairs, enclosed in partitions of stud and metal lath and ¾ in. portland cement, plastered on both sides, equipped with fireproof, self-enclosing doors, and extending from the roof bulkhead, directly to the street, and one fire escape at the front, extending to the street by a ladder; and

WHEREAS, Certificate of Occupancy 9737 issued July 6, 1925, on Alt. App. 1475-24, permits the use of the building as follows: Cellar, auto storage; 1st floor, garage, 4 autos and dairy; 2nd floor, office and stable; 3rd and 4th floors, stable; and

WHEREAS, this certificate of occupancy was superseded by Certificate of Occupancy 30591 issued November 18, 1944, on Alt. 3549-38, permitting the use of the building throughout for storage; and

WHEREAS, the applicant contends that under Alt. App. 3549-38, the building was altered to a storage warehouse and through an error, request for continuing the then-approved use for first floor for storage of four trucks, was omitted; that Alt. Applic. 1052-45 was filed to rectify this error; that in a storage warehouse trucks must be loaded and unloaded inside the building and loaded trucks must at times be held for hours or days in accordance with schedules; that the building was made to comply with all requirements for garages under Alt. 1475-24; that the work performed under Alt. 3549-38 for the change of use to storage, minimized any fire harard that might have existed; that the objection appealed is of a technical nature, as the department would have readily granted the use of the first floor for storage of four trucks before the issuance of Certificate of Occupancy 30591.

Resolved, that the decision of the borough superintended, acting on Alt. Applic. 1052-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that no portion of the building shall be occupied for garage, except the 1st floor; that on such floor there shall be not be stored at any time more than four (4) motor vehicles; that such motor vehicles shall be the property of the tenant of the entire building and used in connection therewith; that no gasoline storage system shall be maintained on the premises; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a new certificate of occupancy to supersede No. 30591 shall be obtained.

441-45-A

APPLICANT—Joseph Douglas Weiss, for New York Life Insurance Co., owner (Mill Factors Corp., lessee).

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—51 Madison avenue, east side, from East 26th to East 27th streets and from Madison to 4th avenues (1st floor); (Block 956, Lot 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Douglas Weiss, Walter Yankauer, F. W. Schurmann and F. Musselman.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (441-45-A)

WHEREAS, Joseph Douglas Weiss, for New York Life Insurance Company, owner (Mill Factors Corporation, lessee), filed, June 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 51 Madison avenue, entire block bounded by Madison avenue, 26th street, 4th avenue and 27th street, (1st floor); (Block 956, Lot 24), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 18, 1945, on amendment to Alt. Applic. 1074-45, reads:

"1. Repeat, subdividing partitions should be constructed of incombustible material. Note height of bldg. exceeds 150 ft. Sec. 10.9.2.5 B.C.

2. Egress from mezzanine floor should be provided the same as from a separate floor, Sec. 6.1.2.2.4(a) B.C. Note: area mezzanine increased and area exceeds 2500 sq. ft."

and

WHEREAS, the applicant states the building is 36 stories (479 ft.) in height; 197 ft. 4 in. by 414 ft. 11 in. in area; of Class 1 construction; erected 1928; located in a business use, B area, and Class 2 height district and used and occupied as office building with stores, bank and restaurant, 350 persons on the 1st floor, which use and occupancy is proposed to be changed to stores and bank with an occupancy of 350 per-

sons; that the building is equipped with 8 fireproof stairs from the roof bulkhead to the street, a standpipe system and an interior fire alarm system; and

WHEREAS, the applicant contends that it is proposed to alter the former restaurant, into office space as indicated on the 1st and mezzanine floor plans filed with this appeal; that the lessee is forced to vacate present offices and the efficient use of the premises require the installation of partitions now used at the present location; that these partitions are wood and glass and are the lessee's own property; that these partitions are made of walnut and will be 5 ft. 6 in. high, fastened by angle iron clips to the floor; that it is proposed to increase the existing mezzanine from 6300 sq. ft. by adding 795 sq. ft.; that the mezzanine has been used as a restaurant and occupied by at least twice as many persons as it will now be occupied; that the exits are sufficient and satisfactory and served the restaurant well during the last 15 years; that this mezzanine is served by two fireproof stairs, the rear stair is in strict accordance with the requirements of the Code and the front stair, which is 5 ft. wide, is fireproof, but not enclosed and leads into a space enclosed by incombustible materials, which has two exits, one a revolving door directly to the street and another opening to the public vestibule of the building, which is all built of incombustible materials.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1074-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that the subdividing partitions to be in glass, shall not have a total height over 5 ft. 6 in. and shall not be permanently attached to the building, but may be attached only for the purpose of steadying the partitions; as to objection 2, that in view of the mezzanine's being part of the first floor connected by open wells, such space as indicated on plans filed with this appeal marked "Received July 13, 1945" may be accepted as part of the ground floor with exits as shown *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

446-45-A

APPLICANT — Manoug Exerjian, for Bernard Klein, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—35-03 159th street, southeast corner of 35th avenue (Block 5279, Lot 45), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: M. Exerjian.

For Administration—Fred Dahlem, Dept. Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative 0

Absent: Commissioner Savage..... 1

THE RESOLUTION (446-45-A)

WHEREAS, Manoug Exerjian, for Bernard Klein, owner, filed July 16, 1945, an appeal from a decision of the borough superintendent, affecting premises 35-03 159th street, southeast corner of 35th avenue (Block 5279, Lot 45), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough supreintendent, July 12, 1945, re N.B. Applic. 679-45, reads:

"1. The erection of a frame building in a C area zone (fire limits) is contrary to Sec. 4.1.2 Building Code."

and

WHEREAS, the applicant states the proposed building will be two stories (25 ft.) in height, 43 ft. 6 in. by 25 ft. in area; Class 4 construction; located in a residence use, C area and Class 1¼ height district; used and occupied as a one-family dwelling; and

WHEREAS, plans filed with this appeal indicate that the proposed building will be 43 ft. 6 in. by 38 ft. 6 in. in area and that a two car Class 3 garage 20 ft. by 22 ft. in area will be erected on the same lot and that the lot in question is 100 ft. by 100 ft. in area; that the building will be set back from 159th street front, a distance of 18 ft., into which setback, front entrance steps will project; that the building will set back from 35th avenue, a distance of 15 ft., into which setback bay window will project; that the garage will be set back 6 ft. from 35th avenue; that the dwelling will be surfaced on the exterior with masonry veneer, except for a portion of the rear and southerly exterior walls, as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that to construct a fully detached one family private dwelling, Class 3 construction, within the fire limits would be not only expensive, but difficult to make its 8 in. masonry walls watertight and will be difficult to insulate; that the owners have part of the material already on hand and priority requirements have been complied with.

RESOLVED, that the decision of the borough superintendent, acting on N.B. Applic. 679-45. objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all requirements of the zoning resolution and all other laws, rules and regulations applicable thereto; that the building shall be constructed substantially as proposed herein and as indicated on plans filed herein marked "Received July 16, 1945"; that the size of the lot shall not be reduced and the building or garage shall not be increased in height or area.

447-45-A

APPLICANT—Ambassador Upholstery Co., Inc., lessee, for The Philbe Corp., owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMSIES AFFECTED—1270 47th street, south side, 60 ft. west of 13th avenue (1st floor); (Block 5628, part of Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. L. Morn.

For Administration: Thomas Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (447-45-A)

WHEREAS, Ambassador Upholsery Co., Inc., lessee, for the Philbe Corp., owner, filed on July 14, 1945, an appeal from orders of the fire commissioner, affecting premises 1270 47th street, south side, 60 ft. west of 13th avenue (1st floor); (Block 5628, part of Lot 35), Borough of Brooklyn; and

WHEREAS, Order 15287-LF, issued by the fire commissioner, June 14, 1945, reads:

"1. Arrange all bars from all windows on 1st story so as to be readily movable from both sides, in such a manner as to afford the free and unabstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, Order 15288-LF, issued by the fire commissioner, June 14, 1945, reads:

"1. Provided on 1st story a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. Sec. C19-161.0 Administrative Code."

and

WHEREAS, the applicant states the building is 2 stories and attic (27 ft.) in height, 34 ft. by 93 ft. in area; of Class 3 construction; erected 1921; located in a business

use, C area and Class 1 height district, and used and occupied as follows: 1st floor, upholsterer, 5 persons; 2nd floor, dwelling, one family; 3rd floor, dwelling, one family; that no change in use or occupancy is proposed; that the building is equipped with one 32 in. wide wood stair, wood enclosed, equipped with wood doors which are not self-closing and leading to the street through a yard and one fire escape extending to the yard by a sliding drop ladder with egress through the yard to the street; and

WHEREAS, Certificate of Occupancy 110679 issued June 26, 1944 on Alt. Applic. 5798-35, to supersede Certificate of Occupancy 76563, permits the use of the building as follows: cellar, ordinary; 1st floor, furniture upholstering and store; 2nd floor, dwelling, one family and specifies a live load of 100 lbs. on the 1st floor and 40 lbs. above; and

WHEREAS, the applicant contends that the building is frame with a one story brick extension in the rear; that the only portion used for factory is the brick extension, over which no dwelling exists; that there are three exit doors to the street or surrounding yards or alleyways; that these exit doors will be kept in such condition as to be available at all times; that the brick extension is equipped with metal ceiling and metal walls and sufficient fire pails will be maintained; that the nature of the business is such that the hazard of fire is reduced and the installation of the sprinkler system and the necessity of removing the bars from their present state are unnecessary and an unwarranted expense; that the operations carried on consist of upholstery work, assembling and covering upholstery furniture; that at no time are there more than five (5) employees on the premises; that subdivision 9 of Section 272 of the Labor Law provides that the provisions of that chapter, affecting structural changes and alterations, shall not apply to factories where less than six (6) persons are employed; that the alteration required is structural in nature and hence the provisions of Section 272 should not apply; that the materials used in the business are valuable and the stock on hand is in excess of $20,000 in value; that many acts of pilfering and vandalism have occured and the iron bars were installed for the purpose of protecting the property; that if these bars are changed so that they are movable, the hazard of a loss would be greatly increased, which increase is unwarranted in view of the fact that there is ample egress.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order 15287-LF of the fire commissioner and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that no windows shall be barred, except the windows as indicated on plans filed with this appeal marked "Received July 14, 1945", in the rear one story portion of the premises and that bars may be continued on the windows as thereon indicated, provided the exits to the outside, as shown are maintained, as well as a door to the front portion of the building which shall be a door complying with the requirements for one hour; *denied* as to Order 15288-LF.

448-45-A

APPLICANT—Sidney L. Strauss, for General Bronze Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—34-47 10th street, east side, 145.37 ft. north of 35th avenue (1st floor); (Block 325, Lot 7), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (448-45-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corp., owner, filed July 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 34-47 10th street, east side, 145.37 ft. north of 35th avenue (1st floor); (Block 325, Lot 7), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 10, 1945, on Alt. Applic. 1081-45, reads:

> "1. The storage and use of hydrogen in the manner proposed has been duly considered and is disapproved for the reason that the plant is deemed too hazardous for regulation and control, pursuant to the provisions of C19-11.0 and C19-90.0 of the Adm. Code of the City of New York."

and

WHEREAS, the applicant states the building is one story (18 ft.) in height; 45 ft. by 90 ft. in area of Class 3 construction; erected 1902; located in an unrestricted use B area and Class 1½ height district and used for the storage of hydrogen and oxygen with an occupancy of 1 person; and

WHEREAS, the applicant contends that it is proposed to erect a one story extension to an existing building for the purpose of storing hydrogen and oxygen in approved cylinders, connected to a manifold, satisfactory to the fire department and equipped with all the necessary safety devices which the fire department will require; that the owner is a prime contractor for the Armed Forces and the welding process, which is part of the contract now in progress, requires hydrogen and oxygen to be used; that it is proposed to use this installation for the duration of the war only and it is requested that permission be granted by the board for the installation as indicated on plans filed with this appeal; that positive ventilation is to be provided by means of a continuous louver on the roof over the hydrogen storage and a dividing fire wall will be provided between the hydrogen and oxygen storage; that the piping will continue from the manifold to the welding apparatus and will be rigidly supported and protected from mechanical injury and that all electric equipment in the storage area will be of the explosion-proof type.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1081-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the hydrogen to be stored and used on the premises shall be maintained to the satisfaction of the fire commissioner; that not over twenty (20) cylinders of hydrogen shall be stored in the portion of the premises as indicated; that all cylinders shall be stored vertically and held in place with heavy non-ferrous metal straps; that those cylinders in active use shall be similarly supported, when attached to the manifold; that the manifold shall be arranged and maintained to the satisfaction of the fire commissioner; that the piping throughout the factory of hydrogen and oxygen shall be maintained to the satisfaction of the fire commissioner; that an approved type of hydrogen detector equipment shall be used as the fire commissioner shall require, where hydrogen is stored or used; that skylights, as indicated, over such hydrogen storage space, shall have louvered vents, as indicated and the skylights themselves shall be not firmly attached to the roof; that continuous louvers shall be maintained in such skylights, as shown on drawings filed with this appeal marked "Received July 18, 1945"; that this modification shall continue only during the term of the present emergency and not over six months thereafter; that the floor in such hydrogen storage room shall be of the non-spark type; that the installation otherwise, shall be substantially as proposed and to the satisfaction of the fire commissioner.

449-45-A

APPLICANT—Henry George Greene, for Three Hundred Four Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan.

APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (449-45-A)

WHEREAS, Henry George Greene, Three Hundred Four Corporation. owner, filed an appeal from a decision of the borough superintendent, affecting premises 304-306 East 44th street, south side, 100 ft. east of 2nd avenue (Block 1336, Lot 47), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated F.P. Applic. 810-45, reads:

"Request permission to install a two source sprinkler system in building, with city connection and gravity tank.

"1. Disapproved as contrary to C26-1376.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 4 stories and pent house (65 ft.) in height; 50 ft. by 100 ft. in area at 1st floor, 50 ft. by 90 ft. in area, at typical floor, of Class 1 construction; erected 1928; located in an unrestricted use, B area, and Class 1½ height district and used and occupied since 1938 as follows: kitchen and private dining room in the cellar, 3 persons; 1st floor and balcony, exhibitions and executive offices, 70 persons; 2nd floor, classrooms, 50 persons; 3rd floor, studios, 35 persons; 4th floor, studios, 35 persons, pent house, caretakers apartment; proposed to be used and occupied: cellar, boiler room, storage, 3 persons; 1st floor, sound stage, 10 persons; balcony, control room, 5 persons; 2nd floor, sound studio, 30 persons; 3rd floor, offices and recording studios, 20 persons; 4th floor, offices and sound studios, 20 persons; pent house, lounge and office, 5 persons; that the building is equipped with two 3 ft. 8 in. steel stairs, enclosed in terra cotta blocks, equipped with fireproof, self-closing doors and leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that the building will be used as a motion picture sound studio; that the major portion of film will be confined to the 3rd floor; that the film vault, wrapping room, cutting, recording and dubbing are all located on the 3rd floor; that loose film will be handled only on the 3rd floor; that throughout the balance of the building, the use of film will be confined to that in the magazines of the cameras; that it is proposed to install a sprinkler system with a direct connection to the city main and a gravity tank; that permission is requested to eliminate the pressure tank; that the city main connection and gravity tank will be sufficient, as the building is fireproof throughout and will be provided with a central station fire alarm station; that the addition of a pressure tank would not increase the relative safety of the premises, since the building will have very little actual film storage and by far the greatest percentage of film will be in the magazines of the cameras; it is therefore requested that the Board permit the installation of a sprinkler system with a city water supply connection and a gravity tank.

Resolved, that the decision of the borough superintendent, acting on F. P. Applic. 810-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two sources of supply for the required sprinkler system shall be maintained as proposed, namely, direct connection to the city main and a connection from an approved gravity tank on the roof; that in all other respects, the sprinkler system shall comply with the requirements therefor and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

450-45-A

APPLICANT—G. W. Bechtold, for Sylvania Electric Products Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—208-20 Cross Island parkway (rear), south side, 300 ft. east of Roe place (Block 5844, Lot 1), Bayside, Borough of Queens.

APPEARANCES—
For Applicant: G. W. Bechtold.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (450-45-A)

WHEREAS, G. W. Bechtold, for Sylvania Electric Products Company, owner, filed July 17, 1945, an appeal from a decision of the borough superintendent, affecting premises 208-20 Cross Island parkway (rear), south side, 300 ft. east of Roe place (Block 5844, Lot 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1945, on Misc. Applic. 2742-45, reads:

"3. All underground pipes shall comply with the specifications for cast iron pipe of the American Water Works Association, 1908, for the working pressure required. Art. 15.26 (h)."

and

WHEREAS, the applicant states the building is one story (10 ft.) in height, 14 ft. by 21 ft. in area; Class I construction, erected in 1945; located in a residence use, F area and Class ½ height district and proposed to be used for the storage of hydrogen; and

WHEREAS, the applicant contends that there will be three sprinklers installed in the temporary hydrogen building, requiring 1¼ in. pipe for supply; that the supply will be taken from the sprinkler system to be installed in the main building approximately 250 feet away, which system will be supplied by a six-inch connection from the city main; that the American Water Works Association's specifications apply only to four inch and larger cast iron pipe; that as there is no provision in the Code to cover pipe less than 4 inches in size, it is respectfully requested that permission be granted to install this temporary underground line with 2-inch galvanized iron pipe, as it would take many months to secure a small cast iron pipe of this size.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 2742-45, objection 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* to permit the installation as proposed, as a temporary underground line for a term of not over one (1) year from the date of this resolution, *on condition* that in all other respects, the building shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 529-44-A.

451-45-A

APPLICANT—Jules Lewis, for Tercia Industrial Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—137-141 Varick street, and 269 Spring street, northwest corner (Block 579, Lot 70), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: Jules Lewis.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (451-45-A)

WHEREAS, Jules Lewis, for Tercia Industrial Corporation, owner, filed July 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 137-141 Varick street and 269 Spring street, northwest corner (Block 579, Lot 70), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 18, 1945, on Alt. Applic. 1191-45, reads:

"1. Inasmuch as building is being extended in height, building is to be considered erected after 1913 and must comply with Section 270 L.L. in the following respects. Existing building does not comply with Section 270 L.L. as follows:

"a. Width of exterior fireproof stairway and interior stairs to be 44 in. minimum.

"b. Enclosure of interior stairway to be fireproof.

"c. Doors to stairways to be 3 ft. 8 in. minimum and swing outwardly and not obstruct free passage.

"d. Existing bldg. is not provided with an exterior enclosed fireproof stairs to comply with Section 266, L.L.

"2.a All existing windows to be fire windows to comply with Section 264-6 L.L.

"b. Existing elevator shaft to be enclosed in fireproof material, Sections 260 and 270 L.L."

and

WHEREAS, the applicant states the building is 8 stories (97 ft. 10 in.) in height; 72 ft. by 160 ft. in area, of Class 1 construction; erected 1895; located in an unrestricted use, B area, and Class 1¼ height district and used and occupied since 1895—cellar, storage; 1st floor, bank and salesrooms, 50 persons; 2nd floor, offices and stockrooms, 50 persons; 3rd floor, same; 50 persons; 4th floor, offices and manufacturing electronic equipment, 110 persons; 5th floor, offices, multigraphing, addressing and printing, 110 persons; 6th floor, offices and manufacturing slippers, 110 persons; 7th and 8th floors, same, 110 persons each; proposed to be used and occupied as follows: cellar, same; 1st floor, offices, sales rooms and factory, 50 persons; 2nd floor, offices and factory, 50 persons; 3rd floor, same; 50 persons; 4th floor, manufacturing electronic equipment, 110 persons; 5th floor, multigraphing, addressing and printing, 110 persons; 6th to 12th floors, manufacturing slippers, 110 persons each; that the building is equipped with a standpipe and two source sprinkler system, two interior 3 ft. 6 in. wide fireproof stairs, enclosed at the front with 4 in. terra cotta blocks, plastered on both sides and at the rear with brick; that both stairways lead from the roof bulkhead, directly to the street; and

WHEREAS, Certificate of Occupancy 16921 issued October 16, 1930, permits factory and office use, with a 220 lb. live load; and

WHEREAS, the applicant states it is proposed to increase the building to 12 stories (144 ft. 10 in.) in height and that this addition to the building will have a 120 lb. live load and will be made to conform to all existing laws in every respect; and

WHEREAS, the applicant contends as to Objection 1a, that the width of the existing stairs is 3 ft. 6 in., only 2 in. short of the required width; that these stairs are adequate for the number of occupants; as to 1b, the rear stair is enclosed in brick; that this objection refers only to the front stairways enclosed in 4 in. terra cotta blocks, plastered on both sides; that this enclosure is far greater protection than that allowed under Section 271 of the Labor Law, which permits a fire resistance partition in buildings erected before 1913; as to Objection 1c, that the actual stair door conditions vary from those shown on the plans of the original building; that the door to the front stair on each floor is fireproof, self-closing, 3 ft. 6 in. wide, swinging outwardly; that the floor landing is 5 ft. wide; that there is no obstruction to free passage, as the direction of passage is such that it tends to open the stair door; that the doors to the rear stairs consist of two 2 ft. 6 in. fireproof, self-closing doors, which will be arranged so as not to obstruct the passage, by installing a chain to prevent full opening of easterly leaf and yet providing a total of over 4 ft. wide opening; as to Objection 1d, the Board is requested to waive the requirement and accept the existing stairs with the following improvements: (A) The open grille enclosure around the elevator within the rear stairway to be covered on both sides with ½ inch transite. (B) A duct to be installed within the rear stairway, (which is brick enclosed) with a vent grille at each floor. This duct is to be extended to the roof and will be mechanically ventilated; and contends as to Objection 2a, that the present windows are of wood, glazed with ⅛ in. thick glass and not self closing; that it is requested the Board accept these windows, as with the exception of the windows on the 1st story street front, all other windows are provided with panes less than 720 sq. in.; that there are no buildings opposite the building in question, within 30 ft.; that all lot line windows, located within 50 ft. vertically above the roof of adjoining building, are equipped with shutters; that the building is fully sprinklered with heads located 5 ft. 2 in. from the windows on the north and south walls and 3 ft. 6 in. from the windows on the east and west walls; that the present height of the building is 97 ft. 10 in. and the proposed height will be 144 ft. 10 in., which is less than the 150 ft., which is the limit for buildings erected prior to 1913 and contends as to Objection 2b, that the front elevator shaft enclosure consists of 4 in. terra cotta blocks, plastered on both sides, which the Board is requested to accept; that one of the elevator shafts at the rear is enclosed in brick and the other which is now enclosed with a wire screen, is proposed to be enclosed with ½ inch transite on both sides of the screen; that this construction is proposed so as not to encroach on the stairway.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1191-45, and that the appeal be and it hereby is *granted* as to objections 1a, b, c and d, *on condition* that the existing building shall comply in all respects with the requirements of the building code and the Labor Law for a factory erected prior to 1913; and that the proposed extension in height shall comply with the requirements of the Building Code and the Labor Law for a new building; as to objection 2a, that the existing windows, where more than 30 feet away horizontally from any adjoining building and more than 50 feet above any adjoining building, may have wood sash, glazed with double thick glass with no light of glass exceeding 720 square inches, provided that the two-source sprinkler system is maintained throughout the entire building, with a sprinkler head opposite each window and not over 5 feet therefrom; and that in addition, all lot line windows, located within 50 feet vertically from the roof of the adjoining buildings, shall be equipped with shutters; as to objection 2b, that the existing elevator shaft, within the rear stair enclosure shall be protected as herein proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the zoning resolution; that the building shall not be increased further in height or area; that the sprinkler and standpipe systems shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner.

452-45-A

APPLICANT—S. Walter Katz, for 30 West 12th Street Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—30 West 12th street, south side, 325 ft. west of 5th avenue (1st floor); (Block 575, Lot 38), Borough of Manhattan.

APPEARANCES—
For Applicant: S. Walter Katz and S. Raymond Ragusa.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (452-45-A)

WHEREAS, S. Walter Katz, for 30 West 12th Street Corp., owner, filed July 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 30 West 12th street, south side, 325 ft. west of Fifth avenue (1st floor); (Block 575, Lot 38), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1945, on amendment to Alt. Applic. 1132-44, reads:

"This application and plans were approved on the basis there would be no printing press maintained on these premises."

and

WHEREAS, the amendment dated July 13, 1945, upon which this decision was issued reads:

"In conjunction with book publishing store on first floor a printing press is maintained, to print the books written and published by the proprietor and owner of the store, and we request an interpretation of the approval granted for that store."

and

WHEREAS, Violation 3737 issued June 29, 1945, reads:

"Occupying 1st floor as printing shop and office without first obtaining a certificate of occupancy as required by law."

and

WHEREAS, the applicant states the building is five stories (55 ft.) high, 25 ft. by 102 ft. in area; Class 3 construction; erected about 1855; located in a residence use, B area and Class 1½ height district; used and occupied since erection as follows: Cellar, storage; 1st floor, book publishing store and printing, 4 persons; 2nd, 3d, 4th and 5th floors, vacant; proposed to be used and occupied: Cellar, boiler room and storage; 1st floor, book publishing store and printing, 4 persons; 2nd to 5th floors, inclusive, two apartments on each floor; that the building is equipped with a one-source sprinkler system, one 3 ft. wide iron stairs, metal lath and ¾ in. portland cement mortar enclosure, equipped with fireproof, self-closing doors leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that this is an appeal for interpretation of the approval granted by the borough superintendent; that the first floor was approved as a book publishing store and it was the applicant's understanding that the definition of such an establishment included the writing, binding, selling and printing of books; that the proprietor of the store is an author, who also transcribes books into different languages, prints, binds his own works and then sells them at this store; that only four persons are employed by him; that as a result of complaints received by the Department of Housing & Buildings because of noise caused by the operation of this printing press, the question arose as to the approval of the press in the store; that the owner has awarded a contract to eliminate the noise caused by the press; it is therefore requested that the Board interpret the approval as to whether a printing press is to be operated in conjunction with a publishing store, as approved; and

WHEREAS, the Board deemed that the use of a printing press constituted factory work and constituted an extension of use not permitted under Section 6A of the Zoning Resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1132-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

454-45-A

APPLICANT—Herbert Sachs Hirsch, for David Weil's Sons Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—313-323 Berry street, southeast corner of 3rd street (street floor); (Block 2430, Lot 2), Borough of Brooklyn.

APPEARANCES—
For Applicant: H. S. Hirsch.
For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (454-45-A)

WHEREAS, Herbert Sachs Hirsch, for David Weil's Sons Realty Corp., owner, filed July 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 313-323 Berry street, southeast corner of 3rd street (street floor); (Block 2430, Lot 2), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 18, 1945, on B. N. 846-45, reads:

"Bolts on doors is contrary to Section 272 subdivision 3 of the Labor Law."

and

WHEREAS, the applicant states the building is 7 stories and basement (79 ft. 1 in.) in height, 118 ft. 9 in. by 103 ft. 6 in. in area; Class 1 construction; erected in 1924; located in an unrestricted use, B area and Class 1½ height district; used and occupied: Cellar, storeroom and boiler room, 2 persons; 1st floor, office, shipping room, stockroom and folding box factory, 27 persons; 2nd floor, lithographing and printing shop, 19 persons; 4th to 7th floors, inclusive, machine shop, 70, 60, 55 and 33 persons respectively; that no change in use or occupancy is proposed; that the building is equipped with a 2-source sprinkler system, two 3 ft. 3 in. wide concrete stairs, enclosed with brick and equipped with underwriters self-closing doors, leading from the roof bulkhead, directly to the street; and

WHEREAS, Certificate of Occupancy 30482 issued November 20, 1944, permits the use of the building throughout as a factory, 620 employees; and

WHEREAS, the applicant contends that permission is requested to install panic bolts on one of the exit doors of the building; that the door in question leads from one of the fire stairs to the sidewalk, but is not the main entrance of the building; that inasmuch as some of the tenants are operating on three shifts, it is required this door be kept open at all times; that this entrance and stairway are not used for regular entrance and egress and thus provide an excellent hiding place for children in the neighborhood, which use has been reported to the police several times; that if the door is permitted to be equipped with a panic bolt, it will provide an exit for emergency, but will keep unauthorized persons from entering the staircase at night; and

WHEREAS, the plans filed with this appeal indicate that it is proposed to install panic bolts on the door leading to the street, front stairway on the South 3d street front of the building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent,

dated July 18, 1945, on B.N. 846-45, and that the appeal be and it hereby is *granted on condition* that no panic bolts or other equipment to prevent exit doors from being opened from the exterior and interior, shall be installed on any exit doors, except on the door at the first floor leading to the street on the fireproof enclosed stairway leading to South 3d street, as indicated on plans filed with this appeal; that such panic bolts shall be of an approved type; that the two-source sprinkler system shall be maintained in accordance with requirements and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 685-41-S, which variance terminates December 7, 1945.

461-45-A

APPLICANT—Joseph Linde, for Frank Cantasano, Inc., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118,, Lot 8), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: Peter Maher, Fire Dept.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (461-45-A)

WHEREAS, Joseph Linde, for Frank Cantasano, Inc., owner, filed on July 24, 1945, an appeal from an order and a decision of the fire commissioner affecting premises 442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

462-45-A

APPLICANT—Chesterfield Spring Products, Inc. (lessee), for I. Shapiro and N. Pashman, owners.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—180-188 (184 displayed) North 14th street, south side, 100 ft. east of Wythe avenue (Block 2279, part of Lot 9), Borough of Brooklyn.
APPPEARANCES—
For Applicant: Charles Chester.
For Administration: Fred. Dahlem, Dept. of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (462-45-A)

WHEREAS, Chesterfield Spring Products, Inc. (lessee), for I. Shapiro and N. Pashman, owners, filed July 25, 1945, an appeal from a decision of the fire commissioner, affecting premises 180-188 (184 displayed) North 14th street, south side, 100 ft. east of Wythe avenue (Block 2279, part of Lot 9), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated July 16, 1945, reads:

"Re 184 North 14th Street, Brooklyn, N. Y..

This will acknowledge receipt of your letter of July 13th, wherein you request a permit for employees to smoke in certain areas of your factory building situated at the above mentioned premises.

You are advised that your request must be denied, for the reason that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is one story (14 ft.) in height, 85 ft. by 100 ft. in area; erected in 1925; located in an unrestricted use, A area, and Class 1¼ height district; Class 3 construction; used and occupied: Cellar, boiler room; 1st floor, manufacturing bed springs and mattresses, 12 persons; and

WHEREAS, the applicant contends that the building is of brick construction with concrete floors and is equipped with a sprinkler system having two sources of supply; that the office is located in the southeast corner of the building, partitioned off with metal partitions from the floor to the ceiling, and with a floor of concrete; that permission is sought for the office help and executives in the office area to smoke; that the reason permission is sought for smoking is that representatives of various mills and factories call on the applicant daily and it places the applicant in an embarrassing position to ask them to refrain from smoking; and

WHEREAS, Certificate of Occupancy 101900, issued on 1962-41, permits the use of the building for factory.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited a decision of the fire commissioner, dated July 16, 1945, and that the appeal be and it hereby is *granted on condition* that no smoking shall be permitted within the building, except within the office, as proposed and indicated on plans filed with this appeal, marked "Received July 25, 1945"; that such office shall be separated from the balance of the floor by metal partitions as proposed and with a reasonably tight-fitting door; that not more than one door shall lead from such room to the hallway, as shown; that the partition separating such hallway from the balance of the factory, may be of wood, provided it is not less than 8 feet in height and covered on the hallway side with incombustible material satisfactory to the fire commissioner; that the entrance of such doorway leading to the factory shall be similarly protected and made tight-fitting and self-closing; that no storage of paint or dipping or spraying of paint shall be carried on within approximately forty feet from such office; that such signs shall be posted within such office as the fire commissioner shall determine, stating that smoking is therein permitted; that in all other respects the Smoking in Factory Rules of the Board shall be complied with; that the sprinkler system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

466-45-A

APPLICANT—Arkell Safety Bag Company, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—61-67 North 11th street, north side, 125 ft. west of Wythe avenue and 74-88 Wythe avenue (2nd floor); (Block 2288, Lot 13), Borough of Brooklyn.
APPEARANCES—
For Applicant: I. Donaldson.
For Administration: Thomas Larkin, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative: Deputy Chief Gunn..... 1

THE RESOLUTION (466-45-A)

WHEREAS, Arkell Safety Bag Company, owner, filed on July 25, 1945, an appeal from a decision of the fire commissioner affecting premises 61-67 North 11th street, north side, 125 ft. west of Wythe avenue and 74-88 Wythe avenue (2nd floor); (Block 2288, Lot 13), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated July 25, 1945, reads:

"In answer to your letter of July 25, 1945 requesting permission to smoke in the above mentioned premises, we are sorry to state we are without authority to grant such permission."

and

WHEREAS, the applicant states the building is 3 stories (50 ft.) in height; 110 ft. by 100 ft. in area, of Class 3 and Class 6 construction; erected 1898; located in an unrestricted use, A area and Class 2 height district and used and occupied since 1916; cellar, storage and shipping of paper, 25 persons; 1st floor, same; 2nd floor, stock, 4 persons; 3rd floor, sewing of paper bags, 85 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system and an interior fire alarm system; that there are three interior wood stairs, approximately 4 ft. in width, one of which leads to the roof bulkhead and directly to the street; that all stairways are enclosed in sheet metal partitions, equipped with fireproof doors, which are not self-closing; that there are two exterior stairs or fire escapes on the east side of the building, one of which extends to the roof by stairs, both extend to the street by stairs; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that they recently completed a rest room for the female employees; that the War Man Power Commission endorsed this project; that most industrial plants today are permitting women to smoke in the rest rooms and it is requested that permission be granted as requested, so that the applicant can be placed in the same position as other manufacturing concerns in this area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated July 25, 1945, and that the appeal be and it hereby is *granted on condition* that no smoking shall be permitted on the premises, except within the rest room on the 2nd floor, as indicated on plans filed with this appeal marked "Received July 25, 1945"; that such rest room shall be separated from all other portions of the second floor by partitions covered with metal from the floor to the ceiling; that in all other respects the Rules for Smoking in Factories adopted by the Board shall be complied with; that such signs shall be posted as required by the fire commissioner, indicating spaces where smoking is hereby permitted; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

467-45-A

APPLICANT—M. Milton Glass, Mayer and Whittlesey, for Television, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—105-111 East 106th street, north side, 55 ft. east of Park avenue and 104 East 107th street (Block 1634, Lots 3 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: M. Milton Glass and Irwin A. Wolfson.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD——Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (467-45-A)

WHEREAS, M. Milton Glass, Mayer and Whittlesey, for Television, Inc., owner, filed July 26, 1945, an appeal from decisions of the borough superintendent, affecting premises 105-111 East 106th street, north side, 55 ft. east of Park avenue and 104 East 107th street (Block 1634, Lots 3 and 69), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, July 25, 1945, re alt. Applic. 1237-45, reads:

"1(a) Provide an exterior fireproof stairway to comply with Sections 266 and 270-3 Labor Law.

(b) Treads on stairways not to be less than 10 in. wide. Section 270-4 Labor Law.

(c) All stairways to lead to roof, Section 270-4, Labor Law.

(d) All windows to be fire windows to comply with Section 264-6 Labor Law."

and

WHEREAS, the decision of the borough superintendent, acting on F.P. Applic. 1380-45, dated July 25, 1945, reads:

"1. The conversion of this building for use as 'storage, developing and printing of Motion Picture film' is contrary to C19-117.0 subd. and subd. 1 inasmuch as a place of public assembly is situate within 50 ft. 0 in. thereof."

and

WHEREAS, the applicant states that the building is 11 stories (143 ft. 1½ in.) in height, 100 by 100 ft. 11 in. in area at 1st floor, 100 ft. by 90 ft. in area at typical floor; Class 1 construction; erected in 1928; located in a business use, B area and Class 1½ height district; used and occupied as follows: Cellar, boiler room, bowling alleys, kitchen, storage and toilets, 20 persons; 1st floor, lounge and restaurant and toilets, 200 persons; 2nd floor, studio, 1000 persons; 3rd floor, studio mezzanine, 200 persons; 4th floor, studios, offices and storage and toilets, 110 persons; 5th floor, studios, dressing rooms, offices and storage, 200 persons; 6th floor, offices and storage, 10 persons; 7th floor, studios, showrooms, dressing rooms and offices, 200 persons; 8th floor, studio viewing rooms, 30 persons; 9th floor, studios, showrooms, dressing rooms and offices, 200 persons; 10th floor, studio, viewing rooms, 30 persons; 11th floor, studios, showrooms, dressing rooms and offices; proposed to be occupied: Cellar, same; 1st floor, motion picture film laboratory, machine shop, film vaults and offices, 200 persons; 2nd floor, studio, dressing and toilet rooms; film storage cabinet, 215 persons; 3rd floor, studio mezzanine, sound-recording room and toilets, 170 persons; 4th floor, projection room, projection booth, film vaults, cutting rooms, offices and toilets, 170 persons; 5th floor, studios, film cutting room, recording rooms, dressing rooms and office, 170 persons; 6th floor, projection booths, recording rooms, shop and toilets; 7th floor, studios, recording rooms, cutting rooms, offices and dressing rooms, 170 persons; 8th floor, offices, projection booths, dressing rooms and toilets, 30 persons; 9th floor, studios, office and dressing rooms, 170 persons; 10th floor, studio viewing rooms and office, 30 persons; 11th floor, studios, showrooms, dressing rooms, offices and film vaults, 170 persons; that all studios will be used for the production of motion pictures and/or for television broadcasts; that the building is equipped with a sprinkler system and an interior fire alarm system, two interior stairs 4 ft. 11 in. in width of fireproof construction, one of which leads from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends as to objections 1a, b and c issued by the borough superintendent on Alt. Applic. 1237-45, that the building now has two stairways remotely located from each other on all floors and completely enclosed and separated from the rest of the building by 6 in. terra cotta block partitions, plastered on both sides; the stairs are of steel construction, 59 in. wide in the clear throughout (34 percent wider than required by Labor Law for occupancy of each floor) with wide, well-lighted platforms and landings; that risers are not over 7¾ in. and treads, exclusive of nosings are 9½ in.; that all doors

thereto are 3 ft. 8 in. wide, fireproof, self-closing and swing in direction of egress, without encroaching on minimum width of stair landings; that whereas the law requires but one standpipe in a building of this character, this building has two 6 in. standpipes, one in each stairway with 100 feet of 2½ in. hose on each floor; that it is also equipped with an approved type fire-alarm system; that in addition, it is proposed to install a two-source automatic sprinkler system for the entire building, in accordance with Art. 16 of the Building Code; and contends as to objection 1d, that a variation of Section 264, subdivision 6, of Labor Law is requested, to permit the windows in existing toilet rooms on the 4th, 6th, 8th and 10th floors to remain; that the existing toilet windows in the front wall are out-swinging, steel casement sash and the windows in the rear wall are double-hung, kalamein; that all other windows, both existing and new, will be made to conform with the requirements of the law; and contends as to objection 1, issued by the borough superintendent on F.P. Applic. 1380-45, that the place of public assembly referred to in this objection, is a small 6-story brick settlement house with a small auditorium, the nearest wall of which is 25 ft. east of the easterly wall of subject building and separated from it by a 4-story brick dwelling; that there will be no openings in the easterly wall of the building to be converted and all vaults for storage of motion-picture film, as well as receptacles for same, will be at least twenty-two feet westerly of easterly lot line of building or 47 feet from the place of public assembly; that between the nearest vaults and the east lot line, there will be two lines of fireproof partitions 4 in. and 6 in. thick in addition to the vault walls and the building wall, which is 18 in. thick up to the 4th floor; that each vault will have a volume not exceeding 750 cubic feet and be constructed to conform with the Administrative Code; that the building will conform in all other respects with all applicable provision of the Labor Law, Fire Prevention and Building Codes.

Resolved, that the decision of the borough superintendent, acting on F.P. App. 1380-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be no openings in the easterly wall of the building in the direction of the place of public assembly; and, *granted* as to Alt. Applic. 1237-45, objection 1, a, b and c, *on condition* that the two existing interior stairs may be accepted, provided they comply with the requirements of the Labor Law and the Building Code therefor, in all respects, except that the treads may be 9½ in. in width instead of 10 inches; that such stairways shall have bulkheads to the roof; as to objection 1d, that all windows shall be made to comply with the requirements of the Labor Law, except those to toilet rooms on the 4th, 6th, 8th and 10th floors, which may be continued as they now exist, provided the partitions separating the toilet room from the corridors are maintained from the floor to the ceiling, as indicated on plans filed with this appeal, marked "Received July 26, 1945"; that the proposed two-story extension to 107th street shall comply in all respects with the requirements therefor; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

468-45-A

APPLICANT—William Schoen, for Jewish Child Care Association of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1646-1650 York avenue, east side, 118 ft. 9 in. north of East 86th street (Block 1583, Lots 3 and 152), Borough of Manhattan.

APPEARANCES—

For Applicant: William Schoen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION (468-45-A)

WHEREAS, William Schoen, for Jewish Child Care Association of New York, owner, filed July 24, 1945, an appeal from a decision of the borough superintendent, affecting premises 1646-1650 York avenue, east side, 118 ft. 9 in. north of East 86th street (Block 1583, Lots 3 and 152), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 1057-45, dated July 9, 1945, reads:

> "1. The extension of a building located within a residence use, B area district not conforming with the regulations of the use district, is contrary to Art. II, Secs. 3 and 6 of Zoning Resolution."

and

WHEREAS, the applicant states that 1646-1648 York avenue is 33 ft. front by 45 ft. in depth, 4 stories (43 ft.) in height and occupied as follows: Cellar, storage and boiler room; 1st floor, offices, 35 persons; 2nd floor, director's room and offices, 25 persons; 3rd floor, offices, 15 persons; 4th floor, offices and janitor's apartment, 15 persons; that 1650 York avenue is 16 ft. 1 in. front by 45 ft. in depth, 4 stories (43 ft.) in height; Class 3 construction; erected in 1868 and arranged for occupancy as a private dwelling, vacant since 1940; that it is proposed to combine 1650 York avenue with the present building 1646-1648 York avenue, which is occupied under Certificate of Occupancy 11956 issued on Alt. App. 1961-25, permitting its use as follows: Cellar, boiler room and storage; 1st floor, offices; 2nd floor, offices and director's room; 3d floor, offices; 4th floor, offices and janitor's apartment; and

WHEREAS, the applicant contends that the Jewish Child Care Association of New York has occupied 1646-1648 York avenue since 1926 and it is the purpose of the present alteration to combine this building with the building at 1650 York avenue and make them into one building, to be used in the same manner as the existing building; that the Association is a non-profit organization, affiliated with the Federation of Jewish Philanthropies of New York, to take care of dependent and neglected Jewish children in cooperation with the Department of Welfare in New York City; that the Association is in urgent need of this additional space to carry on its greatly expanded work and for the proper execution of its obligations; that the use proposed is philanthropic and eleemosynary under Section 3, subdivision 5 of the Zoning Resolution, this type of occupancy is permitted; that the alterations will consist of cutting openings on all floors and connecting with the present fireproof stair and enclosure as shown on the plans filed with this appeal; that the front stoop and entrance will be removed and new windows built and the stonework will be repaired and painted to match the present occupied building; that the interior will be subdivided with new partitions; that one entrance will serve the combined buildings; and

WHEREAS, Alt. Applic. 1057-45, filed with the borough superintendent, does not contain the statement that the existing building or proposed extension are operated as a philanthropic or eleemosynary institution, except in the report of the inspector, dated July 3, 1945; that 1646 York avenue is used for offices of the Jewish Children's Clearing Bureau; and

WHEREAS, Certificate of Occupancy 11958 issued on Alt. App. 1961-25, described the building as business and residence building, located in a business use district; and

WHEREAS, Alt. Applic. 1961-25 indicated that the proposed use of the building as altered, would be as an office of Children's Clearing Bureau; and

WHEREAS, the premises are now located in a residence use district, having been changed from business use to residence use in 1930; and

WHEREAS, in the opinion of the Board, the use of the present building and the proposed use of the extension, is a permitted use within a residence use district, as a philanthropic institution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1057-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the extension of the main building shall be used only for a philanthropic use, as permitted in a residence use district; that in all other respects, the building and occupancy shall comply or be made to comply with all laws, rules and regulations applicable thereto; that a new certificate of occupancy, superseding certificate of occupancy 11958, shall be issued upon completion of the building as extended; that this variance shall continue only so long as the building is occupied for administrative offices of a philanthropic organization, a permitted use within a residence use district.

474-45-A

APPLICANT—Paul Friedman, for Bella Heimowitz, owner (Monroe Self-Service Laundry, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—311 Madison street, north side, 111 ft. 5½ in. west of Gouverneur street (1st floor); (Block 268, Lot 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Fred Dahlem, Dept. Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

Absent: Commissioner Savage 1

THE RESOLUTION (474-45-A)

WHEREAS, Paul Friedman, for Bella Heimowitz, owner (Monroe Self-Service Laundry, lessee), filed July 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 311 Madison street, north side, 111 ft. 5½ in. west of Gouverneur street (1st floor); (Block 268, Lot 42), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 19, 1945, on amendment to N. B. Applic. 274-44, reads:

"4. Repeat. Steam or wet wash laundry is not a permitted use in a Retail District, Sec. 4A of Zoning Resolution. Note that above machines constitute a steam laundry as defined by department memorandum.

5. Repeat. No manufacturing permitted in a retail district other than manufacturing incidental to conduct of a retail business and such manufacturing as permitted in a business district, provided such manufacturing does not exceed more than 5% of floor area of bldg. Sec. 4A of Zoning Resolution."

and

WHEREAS, the amendment to N. B. Applic. 274-44, filed with the borough superintendent July 18, 1945, upon which such decision was based reads as follows:

"It is intended to install four washing machines: two of 250 pounds and two of 35 pound capacity.

It is further intended to occupy more than 25% of area of building for manufacturing. Occupancy on first floor only. Manufacturing in connection with conduct of retail laundry."

and

WHEREAS, the applicant states that the proposed building will be one story (13 ft.) in heigiht, 26.6 ft. by 89 ft. 1 in. in area; Class 3 construction; located in a retail use, D area and Class 1 height district; used as a retail laundry and

WHEREAS, the applicant contends that the proposed building will be used as a retail (self-service) laundry; that the Board has jurisdiction to grant the relief sought herein under Section 666, paragraph 6 of the New York Charter; that on January 19, 1945, the Borough Superintendent approved the following amendment to Alt. Applic. 274-44:

"4. It is intended to establish a retail laundry and not a 'steam' laundry as defined in Article 2, Sec. 4a, sub. 51 B.Z: Steam boiler below 15 lb. pressure; No supervision of licensed engineer required.

No washing machine over 35 lb. and not more than four washing machines will be installed.

Total power for operating all washers, extractors, and tumblers not over ten Horse Power and Power for operating any washing machine less than 3 H. P.

No arrangements made to allow drain water for any machine to pass over the floor before entering house drain."

and

WHEREAS, thereafter, on July 18, 1945, an amendment was filed to said application, proposing to install four washing machines; two of 250 pound capacity and two of 35 pound capacity; that this application was denied by the borough superintendent on July 19, 1945, for the reason that a steam or wet wash laundry is not a permitted use in a Retail District, Sec. 4A of Zoning Resolution, noting that 'above machines constitute a steam laundry as defined by department memorandum'; and

WHEREAS, the applicant contends that the proposed substitution of two 250 pound capacity washing machines for two 35-pound capacity machines does not change the character of the occupancy from a permitted use to a prohibited use in a retail use district; that the distinction made by the borough superintendent between the two types of machines has no basis in law; that the Borough Superintendent has no legislative power with respect to the Zoning Resolution and specifically that the Borough Superintendent, under the guise of issuing memorandum interpretations, has no power to create distinctions which are legislative in character; that the applicant submits that the owner proposes to use the two 250 pound capacity machines, because she now owns them at another location from which she is being forced to move, because the landlord wants the space for his own business; that the operation of the larger machines is more efficient, economically and substantially no different from that of the smaller machines from the standpoint of noise, odor, dust, vibration, smoke, fire-hazard or any other factor which distiuguishes a permitted use from a prohibited use in a business or retail district; it is therefore submitted that there is no basis either in the letter or spirit of the law for the distinction made by the Borough Superintendent, under which a laundry using 35 lb. capacity washing machines is a permitted use in a retail district (as per approval dated January 19, 1945), while a laundry using more than 35 lb. capacity washing machines is a prohibited use in a retail district; that the applicant further contends that the proposed use will be a retail self-service business, serving only individual customers who bring in and carry out their own washables; that the proposed occupancy is neither a wholesale nor an industrial laundry; that no washables are picked up or delivered by truck; that the proposed occupancy will be a convenience to residents in the neighborhood; will safeguard the public health and welfare, and will be so operated as to be a benefit, rather than a detriment to the community; and

WHEREAS, the departmental memorandum referred to in the decision of the borough superintendent, dated July 19, 1945, reads:

"At the joint meeting of the Superintendents, Chief Inspectors of Housing and Administrative Assistants, held on March 7, 1941, the following interpretation of the term 'Steam Laundry' was adopted.

For the purpose of Art. 2, Sec. 4 (a) Subdivision 51 of the Zone Resolution, a 'Steam Laundry' is de-

fined as an establishment that contains any one of the following features:

1. A steam boiler requiring the supervision of a licensed operating engineer under Section C26-213.0 of the Admin. Code.

2. A washing machine the capacity of which exceeds 35 pounds, or more than four (4) such machines, each not exceeding 35 pounds capacity.

3. Total power required for the operation of the washing machines in excess of three horsepower, or more than ten horsepower for all washers, extractors and tumblers.

4. An arrangement whereby the drain-water from any of the washers, extractors or tumblers is allowed to pass over the floor before entering the house drain.

Bernard J. Gillroy
First Deputy Commissioner."

and

WHEREAS, in the opinion of the Board, the memorandum adopted by the Department of Housing and Buildings under date of April 1, 1941, purporting to interpret the zoning resolution so as to indicate that a steam or wet wash laundry may be permitted in a business use district, provided certain requirements are met, including that washing machines shall not exceed 35 pounds, has no legal force and effect, in view of the wording of the prohibition of the zoning resolution, Art. II, Section 4, paragraph 51; and

WHEREAS, in the opinion of the Board, such memorandum of interpretation should be rescinded.

Resolved, that the decision of the borough superintendent acting on N. B. App. 274-44, objections 4 and 5, *be* and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

342-24-S

APPLICANT—Frank Fried, for Noswals, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—2871-2879 Broadway and 600-602 West 112th street, south west corner (Block 1894, Lot 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Fried.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (342-24-S)

WHEREAS, this application from a decision of the superintendent of buildings affecting premises 2871-2879 Broadway and 600-602 West 112th street, southwest corner (Block 1894, Lot 52), Borough of Manhattan, was granted by the Board on June 3, 1924, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 3, 1924, by adding thereto:

"that in the event the new owner, Noswals, Inc., desires to continue the occupancy of the 3rd story as a school, as permitted under Certificate of Occupancy 9138-25, and to change the type of school to studio for art instruction and also as a factory for producing art products, and to reduce the number of persons on the 3rd floor to sixty (60), such change may be permitted, provided the means of exit, as indicated on plans filed with the borough superintendent, are maintained, and in addition, the exterior screened stairways to the north and south on the west wall of the building, lead from the roof through all stories to the side yard through which unimpeded access is provided to West 112th street; that the means of reaching the roof from the third story balcony of each fire escape may be a goose-neck ladder; that the floor loads shall be maintained as provided under Alt. Applic. 666-23 and shall be so posted; that Certificate of Occupancy 9138-25 shall be superseded by a new certificate of occupancy, which shall include the proposed use and the floor loads previously approved; that the building shall not be increased in height or length; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

1152-40-A

APPLICANT—Clayton G. Shirkey, for Playland Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—125 Beach 97th street anad 97-02 to 97-10 Ocean Drive, northwest corner (Block 636, Lot 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey and Paul Friedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

THE RESOLUTION (1152-40-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 125 Beach 97th street and 97-02 to 97-10 Ocean Drive, northwest corner (Block 636, Lot 1), Rockaway Beach, Borough of Queens, was granted by the Board on January 7, 1941, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 7, 1941, by adding thereto;

"that in the event the owner desires to reconstruct the one story brick concession building, 90 ft. by 100 ft. in area so as to include therein the motion picture theatre, complying in all respects with the requirements therefor, nothing in this resolution shall be deemed to prevent such inclusion (Alt. Applic. 897-45)."

579-41-A

APPPLICANT—Hazeltine Electronics Corp., owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Appeal from a decision of the borough superintendent, previously granted on condition for a temporary term of two years.

MINUTES

PREMISES AFFECTED—58-25 Little Neck parkway, east side, 382.57 ft. south of 58th avenue (Block 8400, Lot 134), Little Neck, Borough of Queens.

APPEARANCES—
For Applicant: Jerome Kennedy.
For Administration: Fred Dahlem, Dep't. of Housing & Buildings.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

THE RESOLUTION (579-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 58-25 Little Neck parkway, east side, 382.57 ft. south of 58th avenue (Block 8400, Lot 134), Little Neck, Borough of Queens, was granted by the Board on July 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on July 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 15, 1941, as amended July 13, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"that this variance may continue for a term of two years from the date of this *amended* resolution; and that other than as *amended* herein, the resolution adopted by the Board July 15, 1941, as amended July 13, 1943, shall be complied with in all respects (N. B. Applic. 3537-41)."

103-43-A

APPLICANT—Jno. B. Snook Sons-Victor C. Farrar, for The Gerry Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the borough superintendent previously granted on condition.

PREMISES AFFECTED—355-359 Greenwich street and 22, 26 and 28 Harrison street, northeast corner Block 181, Lot 7), Borough of Manhattan.

APPEARANCES—
For Applicant: Abraham Schlossie and Charles Vogel.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

THE RESOLUTION (103-43-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 355-359 Greenwich street and 22, 26 and 28 Harrison street, northeast corner (Block 181, Lot 7), Borough of Manhattan, was granted by the Board on April 27, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of time, relative to the reconstruction of a marquee.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 27, 1943, only so far as it has reference to the time within which to reconstruct a marquee, so that as amended, this portion of the resolution shall read:

" . . . *granted on condition* that the marquee shall be reconstructed within two (2) years from the date of this *amended* resolution, and other than as herein *amended,* the conditions of the resolution of April 27, 1943 shall be complied with."

104-43-A

APPLICANT—Jno. B. Snook Sons-Victor C. Farrar, for the Gerry Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—361 Greenwich street, east side, 50 ft. 9 in. north of Harrison street (Block 181, Lot 9), Borough of Manhattan.

APPEARANCES—
For Applicant: Abraham Schossie and Charles Vogel.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (104-43-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 361 Greenwich street, east side, 50 ft. 9 in. north of Harrison street (Block 181, Lot 9), Borough of Manhattan, was granted by the Board on April 27, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of time, relative to the reconstruction of a marquee.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 27, 1943, only so far as it has reference to the time within which to reconstruct a marquee, so that as amended this portion of the resolution shall read:

". . . *granted on condition* that the marquee shall be reconstructed within two (2) years from the date of this *amended* resolution, and that other than as herein *amended,* the conditions of the resolution of April 27, 1943 shall be complied with."

635-43-A

APPLICANT—Tugneles Real Estate Co., Inc., for Oquossoc Realty Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—3859-3861 10th avenue, east side, 99 ft. 11 in. south of West 207th street (Block 2203, Lot 3), Borough of Manhattan.

APPEARANCES—
For Applicant: M. Selengut.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (635-43-A)

WHEREAS, this appeal from a decision of the borough superintendent affecting premises 3859-3861 10th avenue, east side, 99 ft. 11 in. south of West 207th street (Block 2203, Lot 3), Borough of Manhattan, was granted by the Board on March 28, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, relative to the occupancy of the building.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 28, 1944, only as to the statement made by the applicant as to the occupancy of the building, so that as amended the applicant's statement shall read:

"WHEREAS, the applicant states the building is 2 stories (25 ft. 11 in.) in height, 53 ft. 8 in. by 85 ft. in area;

of Class 3 construction, located in a business use, B area district, and occupied since 1931 as follows (as to area): cellar, storage, 66 percent; boiler room, 9 percent; carpet cleaning, 25 percent. . . ."

Resolved further, that other than as *amended* herein, the conditions of the resolution of March 28, 1944, shall be complied with.

226-44-A

APPLICANT—Lama and Proskauer, for Paramount Macaroni Mfg. Co., Inc., owner (Victory Coat Company, lessee).

SUBJECT—Appeal for consideration—amendment of resolution—re a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—171-173 Wilson avenue, north side, 50 ft. west of DeKalb avenue (Block 3235, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (226-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 171-173 Wilson avenue, north side, 50 ft. west of DeKalb avenue (Block 3235, Lot 3), Borough of Brooklyn, was granted by the Board on July 25, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 748-44 and that the appeal be and it hereby is *granted on condition* that manufacturing shall be restricted to the second (top) floor of the building; that the exits, as indicated and as were approved for the former dance hall occupancy, shall be maintained; that the first and basement floors shall remain vacant; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied in accordance with the requirements of this resolution.

Resolved, further, that the Board of Standards and Appeals does *hereby amend* the resolution adopted on July 25, 1944, by adding thereto:

". . . that the factory use herein permitted may be placed on the first floor above the basement, instead of the second floor as proposed, *on condition* that the 2nd floor of the building shall either be left vacant or used for storage only of the type not deemed extra hazardous by the borough superintendent and the fire commissioner."

707-44-A

APPLICANT—James Whitford, for St. Joseph's Hill Academy, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—205 Major avenue, northeast corner of Sand Lane (1st floor); (Block 3095, Lot 21) Arrochar, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford and Charles Bergean.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (707-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 205 Major avenue, northeast corner of Sand Lane (1st floor); (Block 3095, Lot 21), Arrochar, Borough of Richmond, was granted by the Board on January 23, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the decision of the borough superintendent, dated July 16, 1945, on amendment to Alt. Applic. 46-44, reads:

"4. Construction approved under modification of Board of Standards & Appeals on January 23, 1945, referred to, plans dated December 5, 1944. Extension of use beyond that of modification must be referred to the Board of Standards & Appeals for amendment of Cal. 707-44-A. Denied."

and

WHEREAS, the applicant states that on January 23, 1945, the Board granted permission to build the hung ceiling in the first half of this extension with 4 in. by 4 in. purlins spaced 4 ft. on centers with 2 in. by 4 in. beams cut in between same 16 in. on centers; that the 4 in. by 4 in. purlins to be hung to steel framing with ¾ in. rods bolted thru, and the under side of the beams to be covered with rock lath and plastered two coats; that the entire ceiling was insulated with pulverized rock wool, thoroughly filling between the beams and extending to a point 1 in. above the top of the beams; and

WHEREAS, it is now proposed to continue this extension across the entire front of the building and use this same construction for the hung ceiling as was used in the first half, in the part that is now under construction; and

WHEREAS, the applicant contends that the fireproof furring and wire lath are still unobtainable and requests the Board to grant permission to continue the half of the building now under construction the same as the portion already completed, in accordance with the resolution adopted by the Board January 23, 1945.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 23, 1945, by adding thereto:

". . . that the decision of the borough superintendent acting on Alt. Applic. 46-44, Objection 4, is hereby *modified* and that the appeal be and it hereby is *granted on condition* that the extension proposed to the east shall comply with all the requirements of the Board, except as herein modified and that such modification shall apply to the extension to the west as well as the extension to the east, as shown on revised plans marked "Received July 16, 1945."

299-45-A

APPLICANT—William J. Minogue, for Unexcelled Manufacturing Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—appeal from an order of the fire commissioner, previously granted on condition.

PREMISES AFFECTED—1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1) Graniteville, Borough of Richmond.

MINUTES

APPEARANCES—
For Applicant: W. Minogue, G. Ross, T. Jardine and C. H. Tuttle.
For Administration: Insp. Matheis, Fire Dep't.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (299-45-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 1208 Richmond avenue, west side, 400 ft. south of Lisk avenue (Block 1655, Lot 7 and Block 1660, Lot 1), Graniteville, Borough of Richmond, was granted by the Board on May 29, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 29, 1945, only so far as it refers to the portion of the resolution which reads:

"As to Item 8, that the two existing magazines of Class 5 construction,—located at least 175 ft. from adjoining buildings, and approved by the U. S. Army for such use, may be continued, provided not more than a total of 50 lbs. of explosives is permitted within each building," so that as amended this clause of the resolution will be worded as it is at the present time, except that the 175 ft. requirement shall be amended to read: "—located at least 90 ft. from adjoining buildings and approved by the U. S. Army for such use under the Ordnance Safety Manual of the U. S. Army, such magazines being located as indicated on revised plans marked "Received July 25, 1945," and then the words may be continued, "provided not more than 50 lbs. of explosives is permitted within each building. . . . " and that other than as herein *amended,* the conditions of the resolution of May 29, 1945, shall be complied with."

246-38-A

APPLICANT—National Can Corporation, owner.
SUBJECT—Application reopened February 27, 1945—re Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—52-08 Grand avenue, south side, 431 ft. 9 in. west of 53rd (Sophie) street (1st floor, Building 3); (Block 2616 (2317), Lot 1), Maspeth, Borough of Queens.
APPEARANCES—
For Applicant: P. E. Tichone.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

346-38-A

APPLICANT—Oscal Goldschlag, for Estate of Pauline S. Murray (P. R. Coudert, trustee), owner (M. & H. Realties, Inc., lessee).
SUBJECT—Application reopened July 24, 1945—re Appeal from a decision of the borough superintendent; previously denied.
PREMISES AFFECTED—2473-2475 Broadway and 292 West 92nd street, southwest corner (2nd floor); (Block 1239, Lot 55), Borough of Manhattan.
APPEARANCES—
For Applicant: Oscar Goldschlag.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

407-44-A

APPLICANT—Regal Chemical Corporation, lessee, for 115 Dobbin Street Corporation, owner.
SUBJECT—Application reopened April 17, 1945—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: E. Norman Clarke.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage 1

596-44-A

APPLICANT—Thirty Central Park South, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—30 Cenrtal Park South, south side, 320 ft. east of Sixth avenue (2nd to 13th floors); (Block 1274, Lot 60), Borough of Manhattan.
APPEARANCES—
For Applicant: J. B. Newman and F. A. O'Neill.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn in view of action taken under Cal. 595-44-BZ.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

645-44-A

APPLICANT—Dominick Salvati, for Isaac Putterman and Robert Levine, owners (Moy Him, lessee).
SUBJECT—Application reopened and restored to calendar April 24, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—534-538 Eastern parkway, southwest corner of Nostrand avenue (2nd floor); (Block 1268, part of Lot 38), Borough of Brooklyn.
APPEARANCES—
For Applicant: Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing & Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

MINUTES

677-44-A

APPLICANT—Sidney Daub, for Herbert A. Wolff, Trustee for Bond & Mortgage Co., owner (Dumont Electric Co., lessee).
SUBJECT—Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.
PREMISES AFFECTED—34-44 Hubert street, and 398-408 Washington street, northwest corner (Block 217, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Sidney Daub.
For Administration: Insp. Matteis, Fire Dept.
ACTION OF BOARD—Appeal withdrawn. Applicant to submit corrected plans.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

137-45-A

APPLICANT—Philip Freshman, for Milkin Realty Corp., owner (Tung Sol Electric Corp., lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.
APPEARANCES—
For Applicant: P. Freshman, M. Franklin and W. Hammond.
For Administration: Insp. Matteis, Fire Dept.
ACTION OF BOARD—Appeal withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

204-45-A

APPLICANT—S. Walter Katz, for Patrick Mulkern, owner (Hobo News, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—115-119 West 52nd street, north side, 200 ft. west of 6th avenue (Block 1005, Lots 22, 23 and 24), Borough of Manhattan.
APPEARANCES—
For Applicant: S. Walter Katz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

340-45-A

APPLICANT—Evans Brothers, Inc., lessee, for Charles W. Ogden, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—1004 Westchester avenue, south side, 122.82 ft. west of Simpson street (basement, street and 1st floors); (Block 2724, part of Lot 32), Borough of The Bronx.
APPEARANCES—
For Applicant: Jerome S. Evans.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

364-45-A

APPLICANT—George G. Miller, for Bluefields Co., Inc., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—400-404 West 25th street and 241-243 9th avenue, southwest corner (Block 722, Lot 43), Borough of Manhattan.
APPEARANCES—
For Applicant: George G. Miller.
For Administration: Insp. Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

406-45-A

APPLICANT—Sidney L. Strauss, for Splendid Realty Corp., owner (E. L. Cournand and Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—3835 9th avenue, east side, from West 205th to West 206th streets (basement and 1st floors); (Block 2186, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

421-45-A

APPLICANT—Samuel Rice, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2956 Brighton 5th street, west side, 120 ft. north of Ocean View avenue (Block 7284, Lot 472), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel Rice.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn, pending approval by the Board of an application to be filed for test and general approval of the type of construction.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn 3
Negative 0
Absent: Commissioner Savage 1

438-45-A

APPLICANT—Clayton G. Shirkey, for Playland Holding Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—141 Beach 97th street, northwest corner of Shore Front parkway (Block 636, Lot 11), Rockaway Beach, Borough of Queens.
APPEARANCES—
For Applicant: Clayton G. Shirkey and Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn in view of action taken on Calendar 1152-40-A.

MINUTES

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

444-45-A

APPLICANT—Leonard S. Wegman, for H. M. Rubin Co., owner.
SUBJECT—Appeal from a decision of the commissioner of Marine and Aviation.
PREMISES AFFECTED—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3-15), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Leonard S. Wegman, Andrew A. Bato and Harry M. Rubin.
For Administration: Charles Pekies, Dep't of Marine & Aviation.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

455-45-A

APPLICANT—The Union News Co., lessee, for Pennsylvania Railroad, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—382-418 7th avenue, entire block from 7th to 8th avenues and West 31st to West 33rd streets (Milk Bar, north end, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: C. Schutz.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

456-45-A

APPLICANT—The Union News Co., lessee, for Pennsylvania Railroad, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—382-418 7th avenue, entire block from 7th to 8th avenues and West 31st to West 33rd streets (Storeroom, Long Island Exit Concourse); (Block 781, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: C. Schutz.
ACTION OF BOARD—Appeal withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

465-45-A

APPLICANT—Vincent S. Todaro, for Sonabend and Katz, Inc., owners.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED: 192 Wallabout street, south side, 450 ft. east of Bedford avenue (Block 2263, Lot 29), Borough of Brooklyn.
APPEARANCES—
For Applicant: V. Todaro.
For Administration: Insp. Matteis, Fire Dept.
ACTION OF BOARD—Appeal withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

746-44-A

APPLICANT—Sidney Daub, for Central Hanover Bank and Trust Co. and Thomas C. Meeks, trustee for Estate of Lee Kamineer, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—709-715 8th avenue and 300 West 45th street, southwest corner (Block 1035, Lot 36), Borough of Manhattan.
APPEARANCES—
For Applicant: S. Daub.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

36-45-A

APPLICANT—Irving Soloway, for Emma E. Smith, owner (National Maple Products Co., Inc., lessee).
SUBJECT—Appeal reopened and restored to calendar, June 12, 1945—re Appeal from a decision re an order of the fire commissioner.
PREMISES—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to September 25, 1945, at 2 P.M. for an inspection by a committee of the Board.

37-45-A

APPLICANT—William Shary, for Wedgewood Realty Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.
APPEARANCES—
For Applicant: William Shary.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to September 25, 1945 at 2 P.M. for an inspection by a committee of the Board.

212-45-A

APPLICANT—Herman Kron, for Long Acre Properties, Inc., owner (Lewis J. Hoffman, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.
APPEARANCES——
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to September 25, 1945, at 2 P.M. for further consideration.

MINUTES

410-45-A

APPLICANT—L. E. Driver, for New York Dock Co., owner (Atlantic Basin Iron Works, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Conover street, east side, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Eweler.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to September 25, 1945 at 2 P.M., for an inspection by a committee of the Board.

412-45-A

APPLICANT—Herman E. Horwood, for Elizabeth A. Stevenson, owner (Eugene Lackenbach, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Laid over to September 25, 1945 at 10 A.M. for an inspection by a committee of the Board.

453-45-A

APPLICANT—Fred Liese, for Amanda C. Wood, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Fred Liese.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1945 at 2 P.M., for further consideration after an inspection by a Committee of the Board.

ZONING APPLICATIONS

595-44-BZ

APPLICANT—Thirty Central Park South, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7d, 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of doctors' and dentists' offices in a residence building, some of whom do not reside on the immediate premises.

PREMISES AFFECTED—30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan.

APPEARANCES—

For Applicant: J. B. Newman and F. A. O'Neill.

For Opposition: None.

For Administration: Fred Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (595-44-BZ)

WHEREAS, Thirty Central Park South, Inc., owner, filed October 19, 1944, an application under sections 7d, 7e and 21 of the zoning resolution, to permit in a residence use district, the maintenance of doctors' and dentists' offices in a residence building, some of whom do not reside on the immediate premises; affecting premises: 30 Central Park South, south side, 320 ft. east of Sixth avenue (Block 1274, Lot 60), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 6, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Central Park South is in a residence use, B area and Class 2 height district; West 58th Street is in a retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1944, re Alt. Applic 538-43 reads:

"A 13. Repeat. Arrangement and occupancy including affidavits are not acceptable. Doctor's offices in a Residential District are contrary to Section 3 of Article 2 of the Zoning Resolution of the City of New York. Plans not further considered at this time."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage by 100.5 ft. in depth, on which is located a 14-story and penthouse residence and professional building (doctors' and dentists' offices) and that it is proposed to maintain this use; and

WHEREAS, the applicant contends that this is an appeal for a variation of Section 3 of Art. 2 of the zoning resolution, as applied to the above premises, arising from a decision of the Borough Superintendent of Buildings in connection with Alt. Applic. 538-43; that the alteration application among other matters, was filed to provide for the removal of Violation 13 in Superintendent's decision is a restatement of said violation, the subject matter being . . . "In that of changing approximately 50% of the building from use as a Hotel (residential) to use as Offices for doctors who do not reside on the premises (commercial office building use) this change of use is contrary to Certificate of Occupancy 3156. This building is located in a residence district."; that this building was constructed in 1919; that the original approved plans now on file in the Building Department show two doctors' offices with laboratories on the first floor and also a large restaurant on the first floor, with a basement kitchen; that there also appears on the front of the 7th floor, a large doctor's office and that these plans were approved; that the present owner took control of these premises in 1925, at a time when the plans indicated that six other apartments in use as joint offices and apartments, were occupied by doctors who might or might not make their residence on these premises; that this building outside of its own office, has 45 tenants; that there are 29 apartments occupied by 39 doctors; that as this is a residentially zoned district, occupants must use the same as a residence and can carry on only such personal professional business as a doctor might carry on in his own residence; that the present Certificate of Occupancy specifies the use of this building for residence and hotel purposes; that medical offices have been in it since its construction, without any violation having been filed by the city authorities, up to current violation; that it appears that business as such in this zone has not been strictly enforced and many medical offices exist between Fifth Avenue and Columbus Circle on Central Park South; that there are 27 names of doctors in front of various buildings in said section, while there are no names whatever on the front of this building; that in the block between Sixth and Seventh avenues on Central Park South, are the names of 24 doctors, and between Seventh avenue and Columbus Circle, are many more; that there are three stores between 5th and 6th Avenues, with entrances from the sidewalk and with windows for display of goods; there are also two hotels on this block, the Plaza and St. Moritz; that apparently because of the lack of objection thereto, many doctors sought space in this building and their occupancy has been altogether unobjectionable; that the hardship accruing to these 39 doctors by the enforcement of this zoning ordinance at this time after its violation had been known and approved for years by the Department of Housing and

Buildings, would be unconscionable; that the Department of Housing and Buildings has condemned this building for non-compliance with the zoning ordinance, claiming that the exercise of the medical profession is business within the meaning of the ordinance and 39 doctors must forthwith remove from these premises; that the records here will show that in 1921, the department specifically authorized changes necessary to accommodate Dr. John M. Wheeler and others, and for the past 24 years no objection has been raised to their occupancy; that Certificate of Occupancy 19676 was issued for the building in 1934, at which time 44 out of 56 apartments were occupied by doctors; that to condemn these doctors as violating this zoning ordinance at this late day after they have established their practices, particularly at a time when they cannot obtain space elsewhere, would make them the victims of the laches of the Dept. of Housing and Buildings and cause irreparable damage; that the operation of this ordinance against them will bring up the general question of whether any doctor may maintain an office in a residence structure and will have a serious effect upon the whole medical profession; that it appears in the leases signed by these doctors, that the premises are limited to use as residence and medical office and it further appears that for the convenience of medical men, alterations in the original construction have been made in 20 apartments in the last twenty years; that to comply with the zoning ordinance, it would be necessary to restore the said 20 apartments to their original construction and would mean complete loss of revenue from them while alterations are in progress, as well as time lost in securing new tenants; that the cost of such alteration has been estimated at $30,000; that the removal of the doctors' offices would be of no benefit to the public and would be unfair to these doctors that when in 1934, a certificate of occupancy was granted for this building, 44 out of 56 apartments were being occupied by doctors and the owner was confirmed in his understanding, that their presence in the building was not a violation of the zoning ordinance; that an inspection of the building will disclose that their existence in the building is practically unknown, as there are no signs on the outside and nothing whatever offensive in their occupancy; **and**

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, report of which reads as follows:

REPORT OF COMMITTEE

RE: Cal. No. 595-44-BZ
Cal. No. 596-44-A
Premises 30 Central Park South, July 25, 1945
MANHATTAN.

An application for a zoning variance and an appeal from the provisions of the Building Code have been filed and public hearing thereon held.

The building is a fourteen-story and pent-house residence building, on a plot 50′ by 100.5′, erected under N.B. Application 227 of 1919. Plans were filed for approval under the requirements of the Building Code then in force—as a "hotel arranged in suites of two rooms". The building was described as 50′ x 78′5″, 14 stories, 150 feet in height, with a floor load throughout of 40 lbs. (per superficial foot).

After the approval of the plans and application on November 18, 1919, which included a pent-house to be used "exclusively as a sun parlor", new plans were filed and later approved on May 4, 1921, which, while not changing the general proposed use of the building, did include some basic changes, such as eliminating one of the two enclosed stairs for the full height of the building and including a restaurant on the first floor, rear.

The Code required at that time two stairways when the area of the building exceeded 2,500 square feet. This building has a gross area per floor of, approximately, 3,900 square feet. The requirement for the second stair was waived by the Building Superintendent, who also approved a 40-lb. floor load for the first-floor restaurant, instead of 100 lb. as required by the Code, on the ground that the restaurant "will not be a public restaurant but a private dining room for the people living in the building". Certificate of Occupancy #3516 was issued in 1921 as a hotel. This was superseded by Certificate of Occupancy #19676 in 1934, which changed the use of the pent-house to a "restaurant accessory to hotel", with a live load of 40 lbs. (instead of 100 lbs.) and an occupancy of 50. This was in addition to the restaurant and kitchen permitted on the 1st story.

There was permitted by the Superintendent of Buildings, Doctors' offices in several spaces in the building, apparently upon the mistaken interpretation of a General Resolution adopted December 5, 1916, by this Board under Cal. No. 262 of 1916, which was later rescinded on June 5, 1928, due to "the misapprehension and unwarranted interpretation between a doctor's personal practice and an office building for doctors."

At the present time, this building has more than half of the apartments throughout the building occupied as doctors' offices without the usual living accommodations and furniture which would generally be found in the residence of a doctor who also maintained his professional office in his home, as permitted under the Zoning Resolution. The Zoning Resolution has at no time permitted a doctors' office building in a residence district, nor a doctor's office, except such as may be within the premises in which he resides. The provision as presently worded permits in a residence use district "the practice of a profession within the premises in which the practitioner resides"—Art. II, Section 3, paragraph 9(c).

This building in 1929, upon the adoption by the State Legislature of the Multiple Dwelling Law, became a Class A Heretofore Erected Multiple Dwelling. The lot upon which the building is erected has been within a residence use district since July 25, 1916.

The decision appealed from in the application for a zoning variance is that "Doctors' offices in a residential district are contrary to Section 3 of Article 2 of the Zoning Resolution". The Board can find no fault with this objection, but the applicant claims (1) that plans for several of the doctors' offices were approved by the Building Department and (2) that the doctors' offices are the "residences" of the doctors and that when Certificate of Occupancy #19676 was issued in 1934, 44 out of 56 apartments were occupied by doctors. It should be noted that this Certificate makes no mention of doctors' offices but instead refers to the use as a Hotel with restaurant accessory to a hotel in the pent-house. This Certificate of Occupancy is, of course, incorrect. The building has never been a hotel. It was erected under the Building Code as a so-called "apartment hotel" with not more than two families maintaining cooking accommodations, so as to avoid the terms of the Tenement House Law, and since 1929 classed as a Class A Multiple Dwelling, in which cooking is permitted if in compliance with Section 33 of that law, and in which business is also permitted provided separate stairs are provided and the Zoning requirements do not prohibit such use.

A careful inspection has been made of every apartment in the building and the furniture contained in each noted. While for the purpose of a "voting" residence, the law may be complied with, there can be no question that the spaces occupied by doctors are offices and not living apartments. The use as doctors' offices must be considered as a business use and not a residence use.

The restaurant in the pent-house is occupying more than the pent-house and storage space in the cellar as apartments on the top floor have been added to the restaurant space. A new second means of exit has been provided, with the approval of the Department, from the pent-house floor to the top floor corridor, but this leads at the top floor only to the single enclosed stairway in the building. The restaurant is admittedly a public restaurant and is not confined to serving only the occupants of the building.

If this building were used throughout as a doctors' office building, with no other tenants occupying living apartments, there might be presented a new application for a zoning variance, but as occupied, the Board is estopped from considering a variance because of the provisions of the Multiple Dwelling Law, which the Board has no power to vary.

It is recognized that the establishment of doctors' offices, without bona-fide living quarters connected therewith, in apartment houses in residence use districts has spread unduly throughout the city and should be regulated for the benefit and health of residents, who should not be subjected to having sick persons and others needing medical attention circulating throughout the building in which they have their homes. These conditions exist in this building and others nearby, as to which violations may not have been issued as has been in this case (Violation 3067-1944—"changing approximately 50% of the building from the use as a hotel residential) to use as offices for doctors who do not reside on the premises . . . change of occupancy contrary to C.O. 3156." (This C. of O. 3156 was superseded by C.O. 19676 in 1934).

The Committee recommends that the application for a zoning variance be denied for the reasons set forth above and that, if this action is taken by the Board, the appeal from the requirements of the Building Code be dismissed as academic at this time.

(Sgd.) HARRIS H. MURDOCK,
Chairman,
BERNARD A. SAVAGE
CHARLES M. BLUM
JOHN E. GUNN
Committee.

and

WHEREAS, the Board deemed that there is no basis for the claim of laches; that the owner had constructive notice of the provisions of law, as to the lawful occupancy of the building and that no lawful rights can ensue from unlawfully issued permits; and

WHEREAS, the Board deemed that there was no justification for the use of its discretion under the provisions of Sections 7d and 7e of the zoning resolution and that the applicant failed to substantiate a basis of appeal under Section 21 thereof and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 538-43, objection A13, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

262-41-BZ

APPLICANT—William S. Worrall, Jr., for Cord Meyer Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, permitting partly in a business use and partly in an unrestricted use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—86-18 to 86-24 Whitney avenue and 43-02 to 43-12 88th street, southwest corner (Block 1579, Lot 24), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: William S. Worrall, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (262-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the parking and storage of more than five motor vehicles for a temporary term of two years, affecting premises 86-18 to 86-24 Whitney avenue and 43-02 to 43-12 88th street, southwest corner (Block 1579, Lot 25), Elmhurst, Borough of Queens, was grantend by the Board on July 8, 1941, on certain conditions; and

WHEREAS, the permit was extended on July 27, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 8, 1941, as amended July 27, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

> "*Granted* for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of July 8, 1941, shall be complied with and that a certificate of occupancy shall be obtained. (Misc. Applic. 1288-41)."

263-41-BZ

APPLICANT—William S. Worrall, Jr., for The Cord Meyer Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles for a term of two years.

PREMISES AFFECTED—88-02 to 88-10 43rd avenue and 43-03 to 43-13 88th street, southeast corner, (Block 1583, Lot 30), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: William S. Worrall, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (263-41-BZ)

WHEREAS, this application under section 7h of zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles for a temporary term of two years, affecting premises 88-02 to 88-10 43rd avenue and 43-03 to 43-13 88th street, southeast corner (Block 1583, Lot 30), Elmhurst, Borough of Queens, was granted by the Board on July 8, 1941, on certain conditions; and

WHEREAS, the permit was extended on July 27, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 8, 1941, as amended July 27, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

> "*Granted* for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . and that other than

as herein *amended,* the conditions of the resolution of July 8, 1941, shall be complied with and that a certificate of occupancy shall be obtained. (Misc. Applic. 1289-41)."

578-41-BZ

APPLICANT—Hazeltine Electronics Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under sections 7e and 21 of the zoning resolution, permitting for a term of two years, in an F area and also on the residence portion of a plot located partly in business and partly in residence use districts, the erection and maintenance of a factory building, and also omission of the required rear yard.
PREMISES AFFECTED—58-25 Little Neck parkway, east side, 382.57 ft. south of 58th avenue (Block 8400, Lot 134), Little Neck, Borough of Queens.
APPEARANCES—
For Applicant: Jerome Kennedy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (578-41-BZ)

WHEREAS, this application under section 7e and 21 of the zoning resolution, permitting for a temporary term of two years, in an F area and also on the residence portion of the plot, located partly in a business and partly in a residence use district, the erection and maintenance of a factory building, a driveway to the said building, and also the omission of the required rear yard, affecting premises 58-25 Little Neck parkway, east side, 382.57 ft. south of 58th avenue (Block 8400, Lot 134), Little Neck, Borough of Queens, was granted by the Board on July 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on July 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 15, 1941, as *amended* July 13, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"xxxx *granted* under section 7e as to use and 21 as to area for a temporary term of two years from the date of this *amended* resolution, and that other than as *amended* herein, the resolution adopted by the Board July 15, 1941, as amended July 13, 1943, shall be complied with in all respects (N.B. Applic. 3537-41)."

462-44-BZ

APPLICANT—Walter Lang and Son, Inc., lessee, for Walter Lang and Son, Inc. and Macoy Holding Corporation, owners.
SUBJECT—Application for consideration—reopening and approval of plans re Application (decision of Commissioner of Marine and Aviation) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station.
PERMISES AFFECTED—3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn.
APPEARANCES—
For Applicant: Harry Lang and A. Kopf.
ACTION OF BOARD—Application reopened and plans approved.
THE VOTE TO REOPEN AND APPROVE PLANS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (462-44-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station, affecting premises 3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn, was granted by the Board on October 17, 1944, on certain conditions; and

WHEREAS, time was extended on January 23, 1945, within which to submit to the Board, plans for approval, in compliance with the resolution of October 17, 1944; and

WHEREAS, the applicant has submitted to the Board, plans for approval.

Resolved, that the Board of Standards and Appeals does hereby *approve* plans marked "Received July 18, 1945," 10 sheets, 3 copies of plans submitted, as being in substantial compliance with the requirements of the resolution adopted by the Board on October 17, 1944, only so far as it has reference to the uses therein permitted, and the general arrangement; that nothing in this approval shall be deemed to modify the requirements of the resolution adopted October 17, 1944, other than the requirement for submission of complete working drawings, which as submitted, are hereby *approved* today as herein stated.

597-44-BZ

APPLICANT—Lama and Proskauer, for Abraham, Morris and Samuel Sorkin, owners.
SUBJECT—Application for consideration—reopening and approval of plans and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under sections 7c and 21 of the zoning resolution, permitting partly in an unrestricted and partly in a residence use, C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughterhouse and reconstruction as a gasoline service station and motor vehicle repair shop, omitting rear yard, required under the provisions of Section 17 Zoning Resolution.
PREMISES AFFECTED—2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3955, Lot 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, resolution amended and plans approved.
THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (597-44-BZ)

WHEREAS, this application under sections 7c and 21 of the zoning resolution, permitting partly in an unrestricted and partly in a residence use, C area district, the demolition of a gasoline service station, motor vehicle repair shop and poultry slaughterhouse and reconstruction as a gasoline service station and motor vehicle repair shop, omitting rear yard, required under the provisions of Section 17 Zoning Resolution, affecting premises 2987-2997 Atlantic avenue and 205-221 Elton street, northeast corner (Block 3955, Lot 48), Borough of Brooklyn, was granted by the Board on March 6, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and the approval of plans as in compliance with the resolution of March 6, 1945.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 6, 1945, so that as amended the resolution shall read:

"*Granted* under section 7c, as to use and 21 as to area *on condition* that the existing buildings and uses shall be entirely removed from the premises and the premises shall be arranged substantially as indicated on plans filed with this appeal (working drawing plans marked "Received May 29, 1945" 4 sets), *on condition* that the accessory building as shown, shall comply with the requirements of the Building Code therefor in all respects; that no openings shall be constructed in the rear or side walls; that along side lot lines to the east, there shall be constructed a brick wall, suitably coped to a height of 7 ft. as indicated; that a similar wall shall be constructed on the rear lot line from the accessory building to Elton street; that any gasoline dispensing pumps erected on the premises shall be erected not nearer than 10 ft. to the street building line; that premises, where not covered by accessory building, wall and pumps, shall be paved with concrete or tarvia; that not more than six 550 gallon storage tanks shall be maintained on the premises; that the entrance to the premises may be two from Atlantic avenue, as indicated, with curb cuts not exceeding 30 ft. in width each, and one from Elton street of similar width; that no part of any curb cut shall be nearer than 10 ft. from the intersection of Elton street and Atlantic avenue or nearer than 5 ft. from the easterly side lot line; that new sidewalks and curbs shall be constructed, as may be required by the Borough President; that advertising shall be restricted to a permanent sigh attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs, but permitting the erection within the building line of two post standards as indicated, each for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line to a distance of not more than 5 ft.; that at the intersection within the building line, there shall be a segmental section of concrete extending along either building line for a distance of not less than 10 ft. and not less than 12 in. in height; that the accessory building may be occupied for the uses as indicated, namely, the rear building as a repair shop continuing the present permitted use and the front portion as office, lubritorium and laundry; that all greasing equipment shall be of the hydraulic type; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution; that the plans marked "Received May 29, 1945," four sheets, are hereby *approved,* as in compliance with the requirements of this resolution, except in so far as the resolution requires otherwise."

266-44-BZ

APPLICANT—Emil Koeppel, for Jenne D'Urso, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district the erection of a temporary shed in rear of building used as welding shop on 1st story, dwelling above and ten 1-car garages on premises.

PREMISES AFFECTED—857-865 60th street, (859 displayed), north side, 140 ft. west of 9th avenue (Block 5707, Lots 53-56, inclusive) Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (266-44-BZ)

WHEREAS, Emil Koeppel, for Jenne D'Urso, owner, filed on May 3, 1944, an application from a decision of the borough superintendent, affecting premises 857-865 60th street (859 displayed), north side, 140 ft. west of 9th avenue (Block 5707, Lots 53-56, inclusive), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

522-44-BZ

APPLICANT—Roy Clinton Morris, for Grace Castoro, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7-i of the zoning resolution, to permit in a business use district the use of a store for auto body and fender repair shop.

PREMISES AFFECTED—8232 18th avenue, west side, 23 ft. north of 84th street (Block 6314, Lot 76), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (522-44-BZ)

WHEREAS, Roy Clinton Morris, for Grace Castoro, owner, filed on September 11, 1944, an application from a decision of the borough superintendent, affecting premises 8232 18th avenue west side, 23 ft. north of 84th street (Block 6314, Lot 76), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

796-41-BZ

APPLICANT—Lama and Proskauer, for Elizabeth Murphy, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—207-07 to 207-19 Linden boulevard, north side, 197.46 ft. west of Springfield boulevard (Block 11082, Lots 3, 6 and 8), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

116-44-BZ

APPLICANT—Herman Kron, for Bessie Deutch, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a building used as garage for more than five motor vehicles and show rooms.

PREMISES AFFECTED—337-339 Roebling street, east side, 61.9 ft. north of Division avenue (Block 2149, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

Materials Submitted for Approval

112-45-SM

APPLICANT—George E. Strehan, for Lastik Products Co., Inc., owner.

SUBJECT—Lastik Precast Channel Slabs, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (112-45-SM)

WHEREAS, George E. Strehan, for Lastik Products Co., Inc., owner, filed on March 5, 1945, an application with the Board of Standards and Appeals for approval of the material known as Lastik Precast Channel Slabs; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

Report of Committee on Tests

Cal. 112-45-SM

Subject: Lastik Precast Channel Slabs. Approval of.

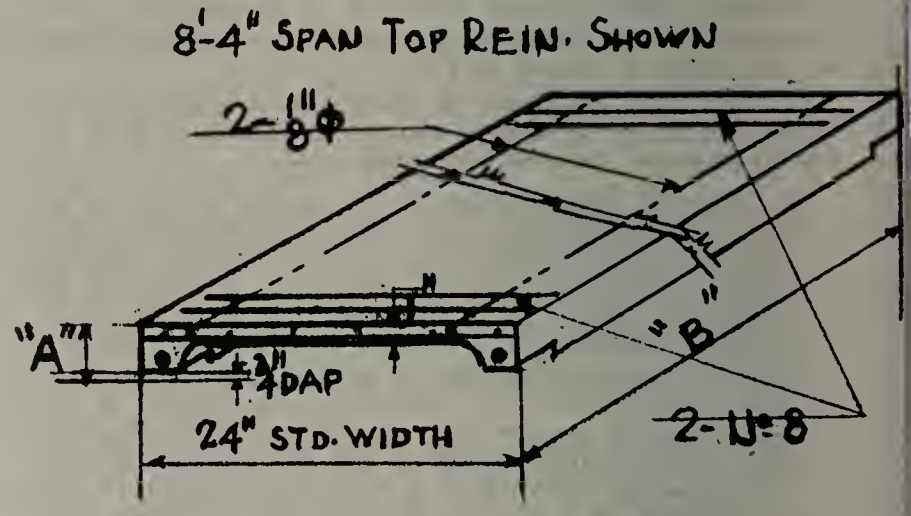
George E. Strehan, Consulting Engineer for Lastik Products Co., Inc., filed an application with the Board of Standards for approval of Lastik Precast Channel Slab for floor and roof construction under the provisions of C26-618.0—C26-625.0 and C26-626.0 Administrative Building Code. (See Fig. 1).

Description

Lastik Precast Channel Slabs are manufactured of concrete, consisting of 1 part Portland Cement and 3¾ parts of aggregate, in equal proportions of Haydite and sand cast in *vibrated* metal forms.

Standard BX Haydite graded to ½ in. maximum size is mixed with well graded Ohio Lake sand meeting B.C. specifications. (See attached Report of Rubber City Sand and Gravel Company). The mix is turned over for two minutes in a 2 yard rotary batch mixer with sufficient water added to make a viscous mix capable of being worked in the forms.

The channel slabs are either 3½ or 2¾ inches deep, 24 inches wide, with 1 inch thick webs and 2 inch thick flanges reinforced with either one ⅜ or one ½ inch deformed rod in each flange protected by ½ inch of



"A" DEPTH	"B" MAX. LENGTH	REINFORCEMENT	WT. SQ. FT.
2¾"	6'-6"	SEE NOTE	12 LB.
3½"	8'-4"	SEE NOTE	14 LB.

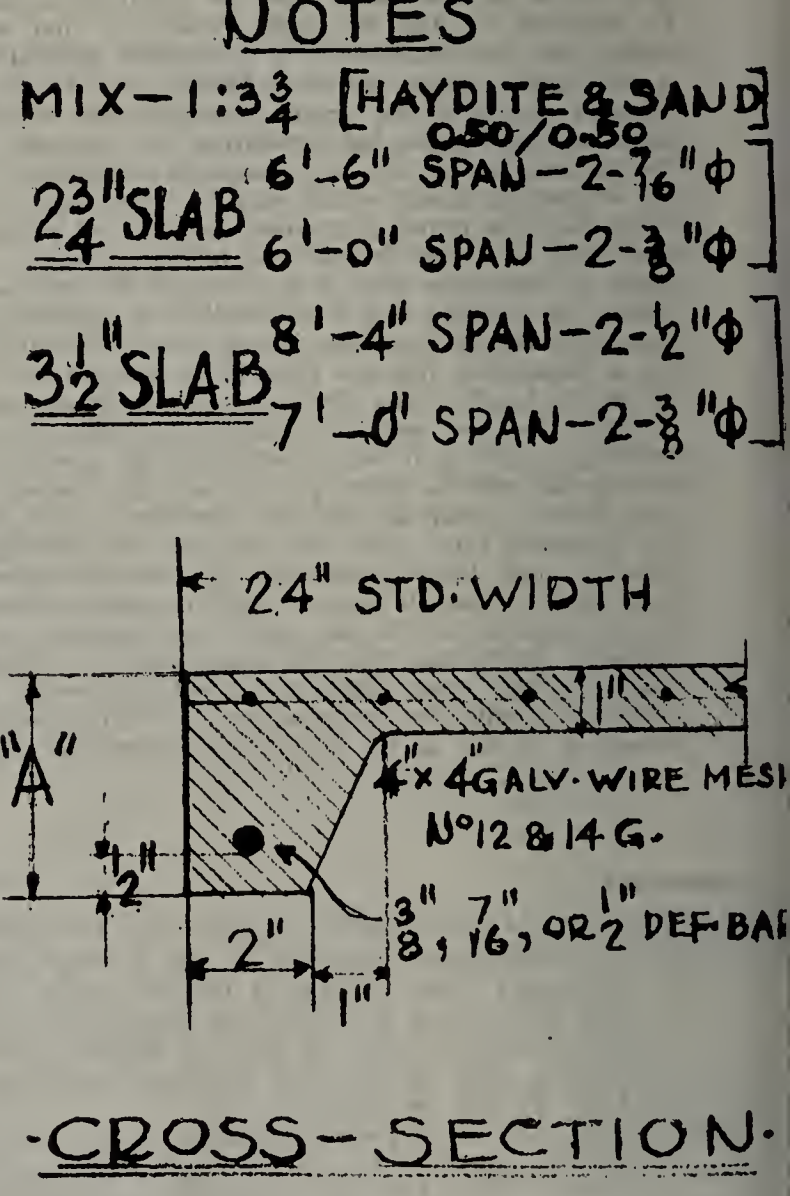


FIG. 1.

concrete and with a 4 inch by 4 inch welded mesh reinforcement in the web of No. 12 and No. 14 gauge wires.

The 3½" slabs are reinforced with two ½ in. rods for spans up to 8 ft. 4 in. and with two ⅜ in. rods for spans up to 7 ft. 0 in. The 2¾ in. slabs are reinforced with two 7/16 in. rods for spans up to 6 ft. 6 in. and with two ⅜ in. rods for spans up to 6 ft. 0 in. All slabs are cured in air a minimum of 10 days before shipment. The original approval under Cal. No. 578-39-SM was based on tests of slabs made at the Lincoln, N. J. plant of the Federal-American Cement Tile Co. On April 13, 1945, a Committee of the Board witnessed the manufacture of the slabs at the Wampum, Pa. plant, checked the process of manufacture and quality of the materials used which conformed with the original test. Samples of the specimens were marked for identification and shipped to the Board for record.

The deformed steel bar reinforcement is bent on the ends over the daps in the forms to insure ½" protection from the lower side of the channel flange and approximately 1 inch on either side of the legs. To insure proper placement of the mesh in the web, an indented bar is used to locate the mesh at the center of the web thickness and the reinforcement is tamped in place.

To prevent breakage in handling the 8 ft. 4 in. span is reinforced with two ⅛ in. top rods and two No. 8 transverse rods each end; the 7 ft. 0 in. span has two No. 8 transverse rods each end; the 6 ft. 6 in. and the 6 ft. 0 in. spans have one No. 8 transverse rod each end.

TESTS

The test loads applied through 2 inch bearings at the Third Points resulted in the following averages:

TYPE-1: 3½ in. Channel Slab, reinforced with ½ in. round rods and 4 in. by 4 in. rectangular mesh Nos. 14 and 12 gauge wires with 2⅛" Top Longitudinals and 2 No. 8 transverse rods for handling each end, for use on spans of 8 ft. 4 in. center to center of steel supports, 8 ft. 0 in. clear span, safe superimposed load 55 lbs./ sq. ft.

TYPE-2: 3½ in. Channel Slab, reinforced with ⅜ in. round rods and 4 in. by 4 in. rectangular mesh Nos. 14 and 12 gauge wires, for use on spans of 7 ft. 0 in. center to center of steel supports, 6 ft. 8 in. clear span, safe superimposed load 58 lbs./ sq. ft.

TYPE-3: 2¾ in. Channel Slab, reinforced with 7/16 in. round rods and 4 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires, for use on spans of 6 ft. 6 in. center to center of steel supports, 6 ft. 2 in. clear span, safe superimposed load 72 lbs./ sq. ft.

TYPE-4: 2¾ in. Channel Slab, reinforced ⅜ in. round rods and 5 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires, for use in spans of 6 ft. 0 in. center to center of steel supports, 5 ft. 8 in. clear span, safe superimposed load 58 lbs./ sq. ft.

NOTE: The safe superimposed load noted above is obtained by applying a factor of 4 to the ULTIMATE THIRD POINT test load and dividing by the area of slab, center to center of supports of test load.

TYPE 1

Average Sq. Ft. Breaking Load	218 lbs. sq. ft.
Safe Working Load	55 lbs. sq. ft.
Deflection before failure	1⅛ in.
Deflection at Working Load	⅛ in.
Failure in Bond and Diagonal Tension	
Dead Load of slab	14 lbs. sq. ft.
Span C. to C. of supports	8 ft. 4 in.

TYPE 2

Average Sq. Ft. Breaking Load	228 lbs. sq. ft.
Safe Working Load	57 lbs. sq. ft.
Deflection before failure	1⅛ in.
Deflection at Working Load	⅛ in.
Failure in Bond and Diagonal Tension	
Dead Load of slab	14 lbs. sq. ft.
Span C. to C. of supports	7 ft. 0 in.

TYPE 3

Average Sq. Ft. Breaking Load	289 lbs. sq. ft.
Safe Working Load	72 lbs. sq. ft.
Deflection before failure	1⅛ in.
Deflection at Working Load	⅛ in.
Failure in Bond and Shear	
Dead Load of Slab	12 lbs. sq. ft.
Span C. to C.	6 ft. 6 in.

TYPE 4

Average Sq. Ft. Breaking Load	232 lbs. sq. ft.
Safe Working Load	58 lbs. sq. ft.
Deflection before failure	1¼ in.
Deflection at Working Load	⅛ in.
Failure in Diagonal Tension	
Dead Load of Slab	12 lbs. sq. ft.
Span C. to C. of supports	6 ft. 0 in.

TEST CYLINDERS

Aver. Compressive Strength— Standard Mix	4261 lbs. sq. in.
Aver. Compressive Strength— Nailing Compound	937 lbs. sq. in.

Three (3) cylinders of the Standard Mixture were made for test and tested at the Pittsburgh Testing Laboratory at the age of 28 days with an average strength of 4261 lbs. sq. in. The Laboratory Report No. 363 383 is attached hereto.

Analysis of the sand used in the Wampum Plant was furnished by the Rubber City Sand and Gravel Co. and complies with the Building Code specifications.

RECOMMENDATION

On the basis of these tests and the report of inspection, the Committee recommends the approval of the slabs as listed below as meeting the requirements of C-26-619.0 Administrative Code (10.3.1.B.C.) for roofs of Class 1 and Class 2 construction where the fire protection covering is omitted from the roof trusses as provided in C26-618.0 Administrative Code (10.2.8.B.C.) under C26-620.0 Administrative Code (10.3.2.3 subdiv. 2 B.C.) as the concrete top slab provided for therein, under C26-670.0 Administrative Code (10.12.1 B.C.) as a floor or roof slab as provided for therein, and under C26-626.0 Administrative Code (10.3.8 B.C.) for use on simple spans under the following building conditions:

1—3½ in. channel with ½ in. rods Max. Span 8 ft. 4 in. Superimposed Load 55 lbs. sq. ft.

2—3½ in. channel with ⅜ in. rods Max. Span 7 ft. 0 in. Superimposed Load 57 lbs. sq. ft.

3—2¾ in. channel with 7/16 in. rods Max. Span 6 ft. 6 in. Superimposed Load 58 lbs. sq. ft.

4—2¾ in. channel with ⅜ in. rods Max. Span 6 ft. 0 in. Superimposed Load 58 lbs. sq. ft.

The span herein specified is measured center to center of steel supporting beams. When concrete channel slabs are shipped at an age of 10 days or less, approved high early strength Portland Cement shall be used; and in all cases cylinders of the standard Haydite Concrete mix shall develop a compressive strength of a least 3000 lbs. sq. in. at end of 28 days.

The Committee recommends further that care shall be exercised to avoid undue concentration of loads; that

precaution shall be taken to provide at least 2 inches bearing on the steel supports; that all structural steel beams or purlins supporting these slabs shall be properly aligned; and that each slab made for use under this approval shall be marked as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. 112-45-SM."

Or in lieu thereof, a stamp bearing the following inscription within a circle: around the periphery at the top, the word "APP'V'D"; along the bottom, "B.S & A"; and in the center, two lines, upper line reading "N.Y.C." and lower line reading "112-45-SM."

(Sgd.) BERNARD A. SAVAGE
Commissioner

CHARLES M. BLUM
Commissioner

LESLIE V. HUBER
Chief Engineer
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lastik Precast Channel Slabs, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

113-45-SM

APPLICANT—George E. Strehan, for Lastik Products Co., Inc., owner.

SUBJECT—Lastik Featherweight Nailing Concrete Roof Slabs, approval of.

APPEARANCE—
For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (113-45-SM)

WHEREAS, George E. Strehan, for Lastick Products Co., Inc., owner, filed on March 5, 1945, an application with the Board of Standards and Appeals for approval of the material known as Lastik Featherweight Nailing Concrete Roof Slabs; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

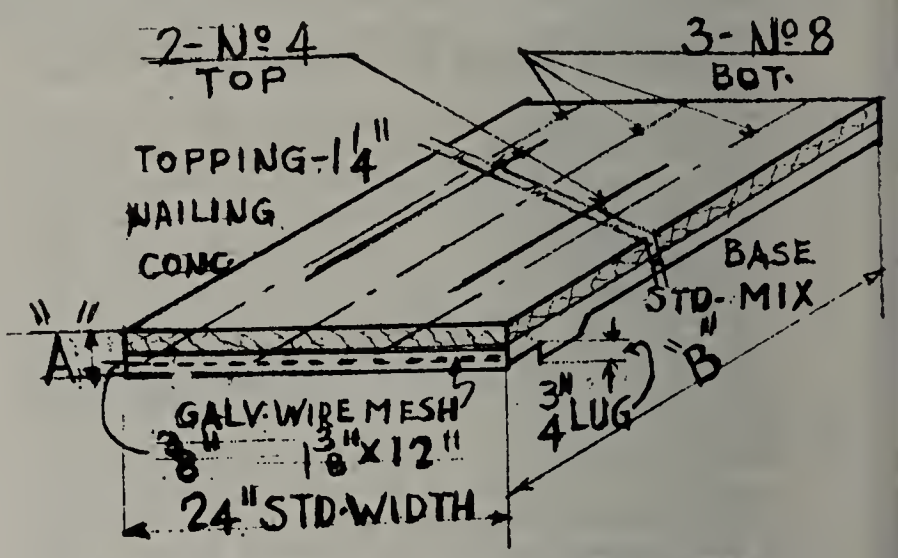
Cal. 113-45-SM

Subject: Lastik Featherweight Nailing. Concrete Roof Slabs. Approval of.

George E. Strehan, Consulting Engineer, for Lastik Products Co., Inc., filed an application with the Board of Standards and Appeals for approval of the material known as Lastik Featherweight Nailing Concrete Roof Slabs under the provisions of the Administrative Building Code as hereinafter provided, in accordance with the requirements of C26-178.0,b and under Sec. C26-619.0, C26-618.0, C26-620.0, C26-626.0 and C26-670.0 Administrative Building Code. (See Fig. 1).

DESCRIPTION

These slabs are manufactured with a base of Standard Mix consisting of 1 part of Portland Cement to 3¾ parts of aggregate proportioned of equal parts of



"A" DEPTH	"B" MAX. LGT.	REINFORCEMENT	WT. SQ. FT.
2½"	5'-4"	SEE NOTE	20 LB
3"	6'-4"	SEE NOTE	23 LB

NOTES

BASE—1:3¾ HAYDITE & SAND 0.50/0.50

TOPPING—1:2:3 CORK & HAYDITE

2½" SLAB 5'-4" SPAN 18-№11G & 17G. TRANS.

3" SLAB 6'-4" SPAN 18-№10G & 17G. TRANS.

HANDLING REINF. IN 6'-4" SP. SHOWN.

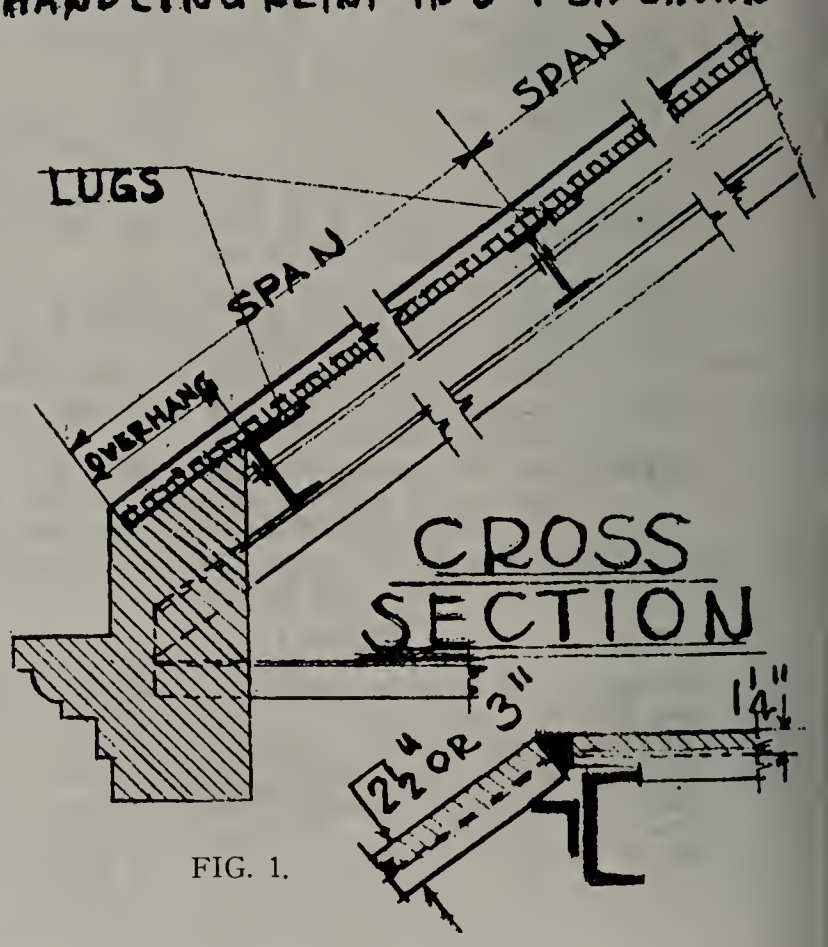


FIG. 1.

Haydite and sand, and with a 1¼ inch top layer of 1 part of Portland Cement and 2 parts of cork and 3 parts of Haydite poured with an internal vibrator to secure a dense homogeneous mix.

Standard ½ in. BX Haydite is used and the mixture made sufficiently dry to prevent segregation and floating of the cork. The slabs are cast 24 in. wide upside down and the base coat incorporated in intimate contact with the topping, throroughly tamped and vibrated with a pneumatic hammer, 3 in. thick for a span 6 ft. 4 in. center to center and 2½ inches thick for a span 5 ft. 4 in. center to center of supporting beams. The 3 inch slab is reinforced with 18 #10 gauge longitudinal wires with ⅜ inch protection and #17 gauge tie wires at 12 inches on centers—The 2½ inch slab is reinforced with 18 number 11 gauge longitudinal wires also with ⅜ inch protection and #17 gauge cross wires at 12 inches on centers. To prevent breaking in handling two additional #4 wires are installed ¾ inch from the top about 4 feet long and 3 number 8 longitudinal wires at the bottom for the full length of the 3 inch slab. To provide quick setting and hardening, ¾ gallon of calcium chloride solution is added per bag of cement to the mix, using 2 lbs of the salt to a gallon of water.

The slabs are stripped after 24 hrs. and kept damp in stock piles for 10 days before shipment. The reinforcement is located in the steel forms at the proper height by means of a notched placement bar, and the reinforcing rods for handling insurance by means of a wood yoke to insure uniformity of spacing and protection. The original approval under Cal. No. 1170-39-SM was based on test of slabs made at the Lincoln, N. J. plant of the Federal American Cement Tile Company. On April 13, 1945, a Committee of the Board inspected the Wampum, Pa. plant and checked the manufacture and the quality of the materials used which conformed with the original test samples and the process of manufacture. Samples of the specimens were marked for identification and shipped to the Board for record, and test cylinders of the concrete mixes were cast for test at the Pittsburgh Testing Laboratories.

TESTS

The test loads applied through 2 in. bearings at the Third Points resulted in the following averages:

TYPE-1: 3 in. featherweight nailing slab reinforced with 18 No. 10 gauge longitudinal wires and No. 17 gauge cross-wires 12 ins. on centers at the bottom; and 2- No. 4 gauge rods by 4 ft. long at the top and 3- No. 8 gauge rods for the full length at the bottom, for use on spans of 6 ft. 4 in. C. to C. 6 Ft. 0 in. in clear span, safe superimposed load 70 lbs. sq. ft.

TYPE-2: 2½ in. featherweight nailing slab reinforced with No. 18 11 gauge longitudinal wires and No. 17 g. cross-wires 12 ins. on centers at the bottom, for use on spans of 5 ft. 4 in. C. to C., 5 ft. 0 in. clear span, safe superimposed load 59 lbs. sq. ft.

NOTE: The safe superimposed load noted above is obtained by applying a factor of 4 to the ULTIMATE THIRD-POINT test load and divided by the area of the slab, center to center of supports of test load.

TYPE 1

Average Sq. Ft. Breaking Load.....275 lbs. sq. ft.
Safe Working Load ..... 70 lbs. sq. ft.
Deflection at Working Load ..... ⅛ in.
Failure in Concrete Compression.....
Dead Load of Slab ..... 23 lbs. sq. ft.
Span C. to C. of Supports..... 6 ft. 4 in.

TYPE 2

Average Sq. Ft. Breaking Load.....235 lbs. sq. ft.
Safe Working Load ..... 59 lbs. sq. ft.
Deflection at Working Load ..... 1/16 in.
Failure in Concrete Compression.....
Wt. of Slab ..... 20 lbs. sq. ft.
Span C. to C. of supports..... 5 ft. 4 in.

TEST CYLINDERS

Average Compressive Strength .....4261 lbs. sq. in.
Average Compressive Strength
topping concrete ..... 937 lbs. sq. in.

On the basis of these tests, the Committee recommends the approval of the slabs as listed below as meeting requirements of C26-619.0 Administrative Code (10.3.1 B.C.) for roofs of Class 1 and Class 2 construction where the fire protection is omitted from the roof trusses as provided in C26-618.0 Administrative Code (10.2.8 B.C.), under C26-620.0 Administrative Code (10.3.2.3 Subdiv. 2 B.C.) as the Concrete top slab provided for therein, under C26-670.0 Administrative Code (10.12.1 B.C.) as a floor or roof slab as provided for therein, and under C26-626.0 Administrative Code (10.3.8 B.C.) for use on simple spans under the following building conditions:

1. 3 in. slabs with No. 10 g. longitudinals and No. 17 g. cross-wires MAX. SPAN 6 ft. 6 in.
   Superimposed Load 70 Lbs. sq. ft.
2. 2½ in. slabs with No. 11 g. longitudinal and No. 17 g. cross-wires MAX. SPAN 5 ft. 4 in.
   Superimposed Load 59 lbs. sq. ft.

Span herein specified is measured center to center of supporting beams. When nailing concrete roof slabs are shipped at an age of 10 days or less, approved high early strength Portland Cement shall be used; and that in all cases cylinders of the standard Haydite concrete mix shall develop a compressive strength of at least 3000 lbs. sq. in. at the age of 28 days.

RECOMMENDATION

The Committee recommends further that care should be exercised to avoid undue concentration of loads; that precaution shall be taken to provide at least 2 inches bearing on the steel supports; and that all structural beams or purlins supporting these slabs shall be properly aligned; and that each slab made for use under this approval shall be marked as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. 113-45-SM."

Or in lieu thereof, a stamp bearing the following inscription within a circle: around the periphery at the top, the word "APP'V'D", along the bottom "B.S. & A.", and in the center two lines, the upper line reading "N.Y.C." and the lower line reading "113-45-SM."

(Sgd.) Bernard A. Savage
Commissioner

Charles M. Blum
Commissioner

Leslie V. Huber
Chief Engineer
Committee on Tests.

and

Whereas, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lastik Featherweight Nailing Concrete Roof Slabs, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

114-45-SM

APPLICANT—George E. Strehan, for Lastik Products Co., Inc., owner.

SUBJECT—Lastik Red Interlocking Roof Slabs, approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (114-45-SM)

WHEREAS, George E. Strehan, for Lastik Products Co., Inc., owner, filed on March 5, 1945, an application with the Board of Standards and Appeals for approval of the material known as Lastik Red Interlocking Roof Slabs; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 114-45-SM.

Subject: Lastik Red Interlocking Roof Slab. Approval of.

George E. Strehan, Consulting Engineer, for Lastik Products, Inc., filed an application with the Board of Standards and Appeals for approval of the material known as Lastik Red Interlocking Reinforced Concrete Roof Slabs under the provisions of the Administrative Building Code as hereinafter provided, in accordance with the requirement of C26-178.0,b and under Sec. C26-619.0, C26-618.0, C26-626.0 and C26-670.0, Administrative Building Code. (See Fig. 1).

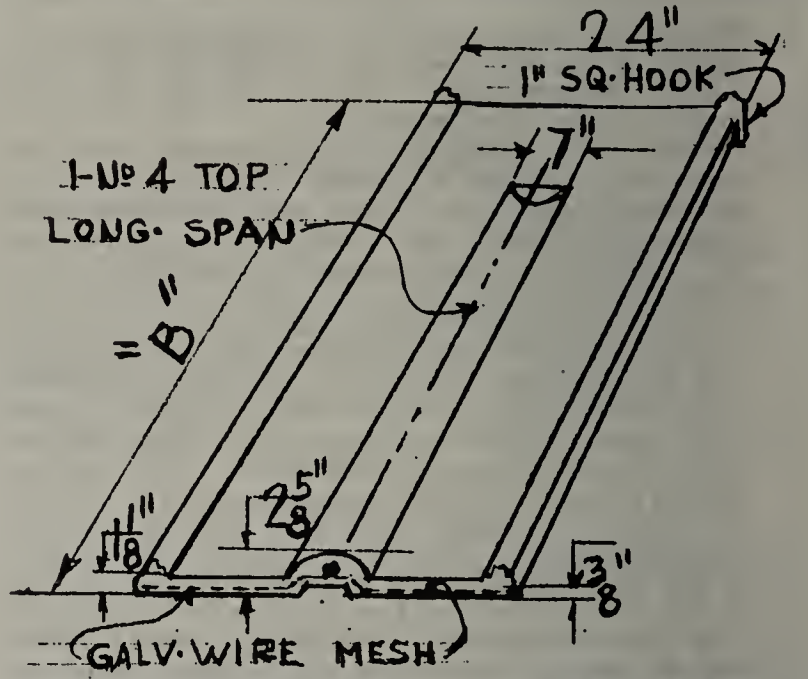
DESCRIPTION

These slabs are manufactured of a 1:3½ mixture of washed, well-graded sand and approved Portland Cement in metal forms, a one-half inch layer of the mix being first deposited, screeded and tamped and the reinforcement placed in position with a formed bar to insure uniformity in placing of the mesh. The tile are cast 24 ins. in width and in two lengths, 52 in. and 64 in. for use on spans of 4 ft. and 5 ft. respectively b. to b. of supporting channels. The washed lake sand complies with the provisions of the Building Code (See report on tests of sand attached hereto) and turned over 2 minutes in the batch mixer with sufficient water to make a dry comprehensible mix, easily handled in the forms. The 52 in. are 1⅛ in. thick reinforced with 1⅜ in. by 2 in. mesh No. 12½ and No. 17 gauge wires and the 64 in. tile are 1⅛ in. thick reinforced with 1⅜ in. by 2 in. mesh No. 11 and No. 17 gauge wires, all with a minimum of ⅜ in. covering. The tile are further strengthened with ribs formed by a patterned screed, 2⅝ in. and 2⅛ in. in height. The top layer of concrete is partially colored with red oxide and a finish coat of cement, sand and red oxide is sprinklered on the top surface. The wet tile are allowed to set 2 days on the wood pallets and then stored damp in the stock pile for at least 10 days.

One extra No. 4 longitudinal is placed in the 64 in. tile for safeguarding against breakage.

TESTS

The test specimens were manufactured at Wampum, Pa., and marked for identification on April 13, 1945. Three specimens of each span were tested to failure at the Pittsburgh Testing Laboratory with THIRD POINT LOADS, applied through 2 inch bearings on a simple span at an age of 28 days (see Report No. 362216 Pittsburgh Testing Laboratory). A sketch of the method of test is



	"B"	SPAN b. TO b. OF D	WT. SQ. FT.
STAND	52"	3'-9" TO 4'-0½"	19 LBS
MAX.	64"	4'-2" TO 5'-0"	21 LBS

NOTES

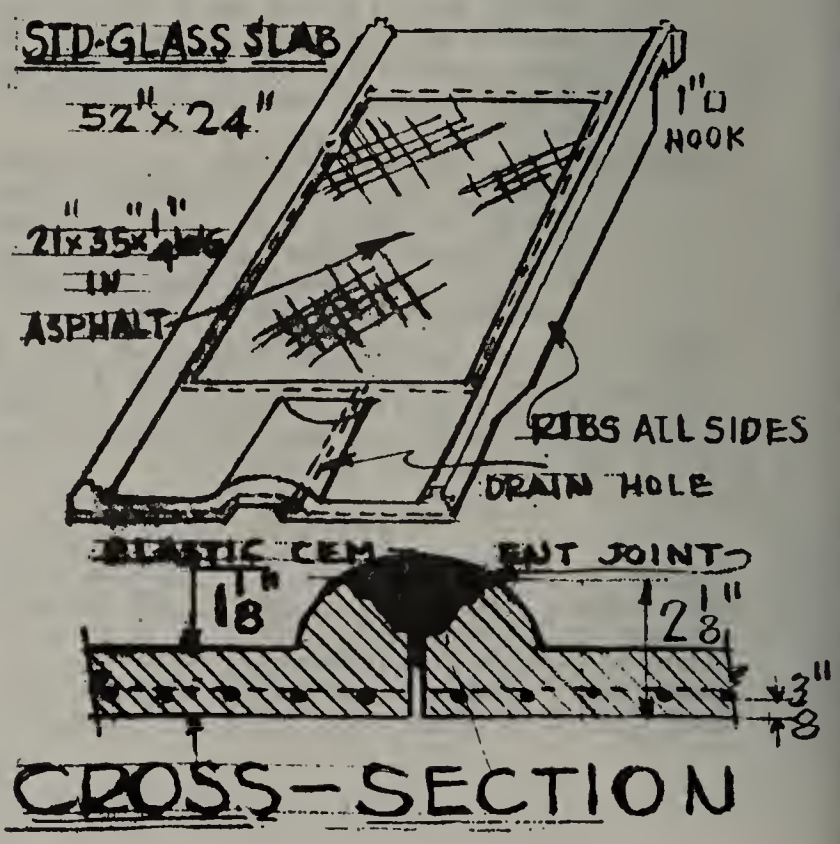
MIX—1:3½ CEMENT & SAND

REINF. 52" TILE No 12½ & 17 G. WIRE

64" TILE No 11 & 17 G. WIRE

ALL MESH 1⅜" x 2"

ALL EXPOSED SURFACES-WATERPROOF RED COLOR FINISH.



CROSS-SECTION

FIG. 1.

attached hereto. Test cylinder of the 1:3½— mix were also cast and tested at 28 days. The distance between centers of supports was 48 ins. for the 52 in. tile and 60 ins. for the 64 in. tile. A 1 ft. section was cut from each type of test slab and filed with the Board for record. Copies of slab and cylinder test reports are attached hereto.

TYPE-1. 52 in. by 1⅛ in. Standard Interlocking Tile (Federal Type) with No. 12½ and No. 17 g. wires, 1⅜ in. by 2 inch mesh, for use on pitched roof, span 3'-9" to 4'-0½" b. to b. of supporting channels, safe superimposed load 54 lbs. sq. ft.

TYPE-2. 64 in. by 1⅛ in. Standard Interlocking Tile (Federal Type) with No. 11 and No. 17 g. wires, 1⅜ in. by 2 in. mesh, for use on pitched roofs, span 4'-2" to 5'-0" b. to b. of supporting channels, safe superimposed load 53 lbs. sq. ft.

NOTE. The safe superimposed load above is obtained by applying a factor of 4 to the ultimate THIRD-POINT test load and dividing by the area of slab, center to center of supports of test load.

Following is a resume of the tests showing progressive loads and deflections:

TYPE 1

Standard 52 in. Tile—12½ and 17 g. wires

TEST-1

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
48 ins.	152	8	150	19	0.00
			200	25	.01
			400	50	.02
			600	75	.04
			800	100	.05
			950	119	.14
			1000	125	.35
			1200	150	.42
			1400	175	.50
			1600	200	.83

TEST 2

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
48 ins.	150	8	150	19	0.00
			200	25	.00
			400	50	.02
			600	75	.03
			800	100	.05
			1000	125	.06
			1100	138	.08
			1200	150	.51
			1400	175	.54
			1600	200	.67
			1800	225	1.13

TEST 3

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
48 ins.	148	8	150	19	0.00
			200	25	.00
			400	50	.02
			600	75	.04
			800	100	.05
			1000	125	.06
			1200	150	.07
			1250	156	.09
			1400	175	.36
			1600	200	.52
			1750	219	.89

Average Sq. Ft. Breaking Load.....215 lbs. sq. ft.
Safe Working Load..... 54 lbs. sq. ft.
Deflection at Failure..... 1 in.
Deflection at Working Load..... 1/32 in.
Failure in Transverse cracks at center and load points.....
Dead load of slab..... 19 lbs. sq. ft.
Max. Purlin Spacing..... 4'0½"

TYPE 2

Standard 64 in. Tile — 11 and 17 g..wires

TEST 1

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
60 ins.	217.5	10	150	15	0.00
			200	20	.01
			400	40	.02
			600	60	.04
			800	80	.05
			1000	100	.07
			1200	120	.26
			1400	140	.37
			1600	160	.48
			1800	180	.66
			2000	200	.91
			2200	220	1.37
			2350	235	1.81

TEST 2

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
60 ins.	207	10	150	15	0.00
			200	20	.00
			400	40	.03
			600	60	.04
			800	80	.06
			1000	100	.07
			1150	115	.09
			1200	120	.29
			1400	140	.49
			1600	160	.85
			1750	175	1.28

TEST 3

Span C. to C.	Wt. Lbs.	Area Sq. Ft.	Tot. Load Lbs.	Sq. Ft. Load Lbs.	Deflect. Ins.
60 ins.	214	10	150	15	0.00
			200	20	.01
			400	40	.03
			600	60	.04
			800	80	.06
			1000	100	.07
			1150	115	.10
			1200	120	.33
			1400	140	.51
			1600	160	.67
			1800	180	.76
			2000	200	.91
			2200	220	1.04
			2300	230	1.36

Average Sq. Ft. Breaking Load.....213 lbs. sq. ft.
Safe Working Load..... 53 lbs. sq. ft.
Deflection at Failure..... 1 13/16 ins.
Deflection at Working Load..... 1/32 ins.
Failure in transverse cracks at center and load points
Dead Load of Slab..... 21 lbs. sq. ft.
Max. Purlin Spacing..... 5'-0"

TEST CYLINDERS

Average Compressive Strength.....4653 lbs. sq. in.

MINUTES

RECOMMENDATION

On the basis of these tests, the Committee recommends the approval of the concrete tile as listed below as meeting the requirements of C26-619.0 Administrative Code (10.3.1. subdiv. b BC) for roofs of Class 1 and Class 2 construction where the fire protection covering is omitted from the roof trusses, as provided in C26-618.0 Administrative Code (10.2.8 BC), under C26-670 Administrative Code (10.12.1 BC) as a roof slab as provided for therein, and under C26-626.0 Administrative Code (10.3.8.BC) for use on simple spans under the following building conditions:

1 — 52 in. by 1⅛ in. red interlocking tile with 1⅜ in. by 2 in. mesh No. 12½ and No. 17 g. wires, Max. Span. 4 ft. —0½ ins.
Superimposed Load 54 lbs. sq. ft.

2 — 64 in. by 1⅛ in. red interlocking tile with 1⅜ in. by 2 in. mesh No. 11 and No. 17 g. wires, Max. Span. 5 ft. 0 in.
Superimposed Load 53 lbs. sq. ft.

Span herein specified is measured back to back of supporting channels. When interlocking tile is shipped at an age of 10 days or less, approved high early strength Portland Cement shall be used.

The Committee recommends further that precaution shall be taken to provide proper alignment in all steel purlins supporting these tile with uniform bearing on the top slab and lugs properly engaged over the flanges; and that each tile made for use under this approval shall be marked as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 114-15-SM."

Or in lieu thereof, a stamp bearing the following inscription within a circle: around the periphery at the top, the word "APP'V'D"; along the bottom, "B. S. & A." and in the center, two lines, upper line reading "N.Y.C.", lower line reading "114-45-SM."

(Sgd.) Bernard A. Savage,
Commissioner

Charles M. Blum,
Commissioner

Leslie V. Huber,
Chief Engineer
Committee on Tests.

and

Whereas, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lastik Red Interlocking Roof Slabs, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

GENERAL RESOLUTION

464-45-GR

SUBJECT—General Resolution re classification of Portland Cement—A.S.T.M.D., C-9-38 and A.S.T.M.D., C-74-38 to be superseded by A.S.T.M. C150-44, under Authority vested in Board under C26-189.0,c., Administrative Building Code.

APPEARANCES—
E. M. Fleming, C. L. Davis and A. G. Watt.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—General resolution adopted.

THE VOTE TO ADOPT GENERAL RESOLUTION—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (464-45-GR)

Whereas, C26-312.0,c,1 provides that "Cement shall comply with the standard specifications of the A.S.T.M.D., C-9-38, or A.S.T.M.D., C74-38, for portland cement; and

Whereas, A.S.T.M. have superseded A.S.T.M.D., C9-38 and A.S.T.M.D., C74-38 by A.S.T.M., C150-44 which provides a new classification of 5 types of portland cement; and

Whereas, the Board is informed that the cement producers are now complying with A.S.T.M., C150-44, by manufacturing cement in accordance with such specification; and

Whereas, the Board is informed that portland cement of a type complying with A.S.T.M.D., C9-38 and A.S.T.M.D., C74-38 are no longer being manufactured by the cement producers; and

Whereas, the Board has power to supersede the specification in accordance with the authority of C26-189.0,c.

Resolved, that the Board does hereby declare that A.S.T.M.D., C-9-38 and A.S.T.M.D., C-74-38 as provided in C26-312.0,c.1 are hereby superseded by A.S.T.M., C150-44.

Resolved further, that existing approvals of each manufacture of portland cement issued by the Board shall remain in force, provided such manufacturer promptly files and completes an application and obtains the approval of the several types of portland cement as may be manufactured for use in New York City.

Resolved further, that A.S.T.M.D., C-150-44 be supplemented as follows:

That compressive and tensile strength tests shall be based on an average of six specimens.

That in no event shall the compressive strength test be waived.

That compressive and tensile strength specimens be aged 3, 7 and 28 days, except in the case of Type III cement, that the tests shall, in addition, include compression and tensile strength tests after 1 day aging.

That each type of cement be legibly marked on each container, in addition to the labeling requirements of the Board's approval.

Adjourned, Tuesday, July 31, 1945, at 1:00 P.M.

Joseph J. Doyle,
Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 3, 1945, as they appeared in Bulletin No. 28, Vol. 30, are hereby corrected to read as follows:

312-45-A

APPLICANT—Morris Bernard Adler, for Minger Holding Corp., owner (Central Tire Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floor); (Block 6774, Lots 55-61), Borough of Brooklyn.

APPEARANCES—
For Applicant: Morris Bernard Adler and Nathan Gordon.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3
Negative 0
Absent: Commissioner Savage..... 1

MINUTES

THE RESOLUTION (312-45-A)

WHEREAS, Morris Bernard Adler, for Minger Holding Corporation, owner (Central Tire Company, Incorporated, lessee), filed May 21, 1945, an appeal from a decision of the borough superintendent affecting premises 1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floor); (Block 6774, Lots 55-61, inclusive), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 9, 1945, on Alt. Applications 778 to 784-45, inclusive, reads:

> "5. The proposed new extension is contrary to Art. IV, Section 13b of the zoning resolution and is not acceptable under Section 19g, as in the opinion of the superintendent the arrangement is not solely for parking and unloading, but also for the servicing and installation in the cars of merchandise sold on the premises."

and

WHEREAS, the applicant states that the building is 2 stories and cellar (22 ft.) in height; 20 ft. by 64 ft. in area of Class 3 construction; erected 1924, located in a business use, C area and Class 1½ height district and used and occupied as follows: cellar, ordinary and stock storage; 1st floor, stores; 2nd floor, two apartments each building, and proposed to be used and occupied as follows: cellar, ordinary and stock storage; 1st floor, stores, driveway and parking and unloading space; 2nd floor, two apartments each; and

WHEREAS, the applicant states the building is equipped with one 3 ft. wide wood stairs, fire retarded enclosure, equipped with wood doors which are self-closing and leading directly to the street and a ladder and scuttle to the roof is provided; and

WHEREAS, plans filed with this appeal indicate that the premises consist of 7 two story, Class 3 buildings, each 20 ft. front, 64 ft. in depth with the exception of No. 2003 (2001 displayed) Coney Island avenue, which has an existing one-story extension at the rear, running to the rear lot line with a total depth of 100 ft. and that each building is provided with an interior stair leading to the second story; and

WHEREAS, Certificate of Occupancy 26748, issued June 27, 1924, on Permit No. 2643-24, permits the use and occupancy of 10 buildings as stores and two families; and

WHEREAS, is is proposed to erect a one-story extension at the rear, 120 ft. in width by 36 ft. in depth, to be used for parking and unloading space and to alter two of the stores for use as driveways, all as indicated on plans filed with this appeal marked "Received May 21, 1945"; and

WHEREAS, the applicant states the premises are occupied by the Central Tire Company, who are wholesale and retail tire dealers and also deal in kindred automobile appurtenances, such as batteries, radios, heaters, etc.; that the business of necessity requires that the automobile be brought to the premises; that coupled with the other establishments on the block dealing in similar automobile products, a very serious automobile parking problem arises during business hours; that it is the intent of the owners of these premises to erect the subject extension in order to alleviate this parking problem insofar as their own clientele is concerned, by providing a parking space where their customers may park their cars during the transaction of their business on the premises; that after they have made their purchases, their respective automobiles can be moved to one side of the driveway, where the product purchased may be installed in the automobiles; that provision is also made for the unloading of deliveries to the storage spaces provided in the cellars of the respective buildings, as stairs are provided from the parking and unloading space to the storage cellars, in each building; that it is the intent of the owners to make only such installations in automobiles as are permitted in a business district as defined by the Zoning Resolution, and then only when the product to be installed has been purchased on the premises; that such installation will not be made in the space allotted for the parking and unloading of automobiles, but in areas distinctly separate and away from said parking and unloading spaces, as per signed and sworn to affidavit submitted; that in view of the above, the applicant contends that he comes within the provision of Section 19g and that the additional area be permitted to be erected and occupied; and

WHEREAS, the Board deemed that a correct interpretation of Section 19, sub. div. g, permits the construction as stated in the following resolution and that a variance of Zoning Resolution is not required for the construction and use of the building, as stated in the resolution.

Resolved, that the decision of the borough superintendent on Alt. Applications 778 to 784-45 inclusive, as to Objection 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the space permitted to be covered under the provisions of Section 19, subd. g, of the Zoning Resolution with a C area district shall be used for no other purpose than for the parking and unloading as permitted under such section; that under the parking use, there shall be no storage of motor vehicles and no fees paid or collected for such storage; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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* Correction—The measurement "80 ft. in width by 86 ft. in depth" changed to "120 ft. in width by 36 ft. in depth" in line 46 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, nd to all lawyers, architects and engineers representing wners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack f prosecution is likely to result.

Second, That due and ample notice of the date set for earing is provided in the publication of this BULLETIN of ne calendars of the Board, each case being set down by alendar Number and the premises under the date of the earing.

Third, That no plea of ignorance of the date of the earing can be entertained in view of this publication and f the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or mounmental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Rules Directory.

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Rules governing the use of equipment for spraying and drying of paints, varnishes, lacquers and other flammable surface coatings and storage of such materials.

Smoking in Factories, Rules for

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 21, 1945.

Cal. No. *Dept.* *Premises Affected*

477-45-SA—Air-O-Flame Pot Type Oil Heater, Model 103.79502, Appliance.

478-45-SA—General Controls Co., Solenoid (Electric) Valve, Series K-10, Appliance.

479-45-BZ—H.B.B.—1424-1426 Pitkin avenue, south side, 118 ft. west of Howard avenue and 1255 East New York avenue (Block 1477, Lots 34 and 35), Borough of Brooklyn, Alt. 1770-45.

480-45-BZ—H.B.Q.—58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 3678, Lots 1 and 9), Maspeth, Borough of Queens, Alt. 1003-45.

481-45-BZ—H.B.M.—1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan, Amendment to Alt. 520-45.

482-45-A—H.B.Q.—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens, Misc. 2341-45.

483-45-A—H.B.Bx.—Block bounded by Morris to 3rd avenues and from East 139th to East 145th streets (Block 2321, Lots 1-4 inclusive, Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7 inclusive); (Morrisania Houses), Borough of The Bronx, Decisions re N.B. 103-44 to N.B. 117-44, inclusive.

484-45-BZ—H.B.M.—101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan, Alt. 739-45.

485-45-A—F.D.—West side of wharf, Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Pier 26, East River, Borough of Brooklyn, 8845-LF and Decision.

486-45-SM—Henry Spen and Co. 275 gallon Fuel Oil Tank, manufactured by Henry Spen and Co., Material.

487-45-SA—Harris Calorific Regulators, Types 93-SC, 92-SC, 443, 441 and 40, Appliance.

488-45-SM—Diebold, Inc., Hollow Metal Door (Flush Type), manufactured by Diebold, Inc., Material.

489-45-A—H.B.Q.—96-45 222nd street, southeast corner of Lawrence street (2nd floor); (Block 10809, Lot 10), Queens Village, Borough of Queens, Alt. 1042-45.

490-45-SM—Corbin Automatic Exit Fixtures, Types 3552, 3552½, 3557 and 3557½, manufactured by P. and F. Corbin, Material.

491-45-SM—Corbin Automatic Exit Fixtures, Types 2452½, 2350½, 2557½, 2452, 2454, 2652, 2654, 2552, 2554 and 2557, manufactured by P. and F. Corbin, Material.

492-45-SM—Vitroliner Type "E" Flue, manufactured by Condensation Engineering Corp., Material.

493-45-BZ—H.B.B.—287-305 McKibben street, 69-85 White street, northwest corner and 296-302 Boerum street (Block 3082, Lot 47), Borough of Brooklyn, C.O. Applic. 917-45.

494-45-SM—A. B. C. Kalamein Door Co. and Acme and Dorf Metal Door Corp., ¾ Hour Kalamein Window, manufactured by A.B.C. Kalamein Door Co. and Acme and Dorf Metal Door Corp., Material.

495-45-A—H.B.B.—4218 Fort Hamilton parkway, northeast corner of 43rd street (1st floor); (Block 5596, Lot 51), Borough of Brooklyn, Alt. 1598-45.

496-45-A—F.D.—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan, Decision re 34040-LF.

497-45-BZ—H.B.M.—3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan, Alt. 1098-45.

498-45-A—H.B.Bx—592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx, Amendment to F.P. 47-45.

499-45-SM—Plymouth Welding Co., 275 Gallon Obround Oil Storage Tank, manufactured by Plymouth Welding Co., Material.

500-45-A—H.B.B.—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn, Alt. 2037-45.

501-45-SA—Taco Oil Preheaters, Appliance.

502-45-SM—Western "S" Standard Concrete Piles as formed by Western Concrete Pile Corp., Material.

503-45-A—H.B.B.—638 Flatbush avenue, west side, 200 ft. south of Chester Court (1st floor); (Block 5026, Lot 191), Borough of Brooklyn, Alt. 1200-45.

504-45-A—H.B.M.—41-47 Columbus avenue and 33-43 West 61st street, northeast corner (1st floor); (Block 1114, Lot 1), Borough of Manhattan, Amendment to Alt. 951-45.

505-45-A—H.B.Q.—131-31 Merrick boulevard, northwest corner of 179th place (front and rear buildings); (Block 12696, Lot 26), Springfield, Borough of Queens, Alt. 620-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

CALENDAR

RULES

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Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
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Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28. No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
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Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
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Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

497-45-BZ—Application, August 10, 1945, under section 21 of the zoning resolution, of George E. Strehan, applicant, on behalf of Fairchild Press Inc., owner, to permit in a retail use B area district, the erection of a covered bridge in the rear yard 3rd story; premises 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins,

CALENDAR

Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars): premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

555-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

509-45-A—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

469-45-A—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

529-45-A—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794 (866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens.

483-45-A—Block bounded by Morris avenue to 3rd avenue and from East 139th to East 145th streets (Morris ania Houses); (Block 2321, Lots 1-4, incl., Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7, incl.), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

CALENDAR

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

519-45-A—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

485-45-A—Pier 26, East River, Wharf, west side of Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Borough of Brooklyn.

496-45-A—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

624-39-BZ—Application of Lama & Proskauer, applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

514-45-BZ—Application, August 17, 1945, under section 7c of the zoning resolution, of Max Siegel, applicant, on behalf of Flatbush Motors, Inc., owner, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles; premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

Appeal from Administrative Decision

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 11), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an individual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the .spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1. Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustible materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1" of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8" unsanded gypsum plaster or 7/8" of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house draining system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-opening.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the

gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4. SPECIFICATIONS FOR DUCTS, PIPES AND FANS

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.
Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.
Ducts exceeding thirty-six (36") inches in diamteer No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and pipe protected from the woodwork by at least a 1" blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact, with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, fluorescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10') feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmosphere and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10') feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2. Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug when the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully en-

gaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinets ventilated to the outer air. Such cabinet to be metal covered on all sides, including the doors and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Stand-

ards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accummulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule **1.3.4** Heating of Rooms.

Rule **3.1** Air Exhaust System.
3.2 Air Supply and Mixing.

Rule **4.0** Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electrical Lighting.

Rule **5.1** Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule **6.** **Material,** Storage and Mixing.

Rule **7.** General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or mounmental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN
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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Petitions For Certiorari Orders Served on the Board of Standards and Appeals.

Court Decision.

Docket.

Rules Directory.

The Hearing Calendar.

Rules—Extracts From the Administrative Code of the City of New York, Relating to Refrigerating Systems.

PETITIONS FOR CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On August 9, 1945, copy of petition and order of certiorari was served on this Board by Bond & Babson, attorneys, on behalf of Atlantic Leasing Co., Inc., owner, in re decision of the Board on July 3, 1945, denying extension of sign beyond street building line in a retail-1 district; Cal. No. 345-45-A; premises 1580-1590 Broadway, east side, 710-720 Seventh Avenue and 200 West 48th Street, Borough of Manhattan.

On August 21, 1945, copy of petition and order of certiorari was served on the Board by Hartman & Hartman, attorneys, on behalf of Helen Hartman, objector in the application granted by the Board on July 10, 1945, under section 21 of the building zone resolution, to permit in a business use, C area district the extension in area of a bank building; Cal. No. 43-45-BZ; premises 1269—48th Street, Borough of Brooklyn.

On August 29, 1945, copy of petition and order of certiorari was served on the Board by Chambers & Chambers, attorneys for Robitzek, Inc., Corp., owner, and Colonial Beacon Oil Co., lessee, in re decision of Board on July 24, 1945, revoking Certificate of Occupancy and dismissing that part of appeal relating to review of action of Borough Superintendent on F.P.App. 70-44; Cal. No. 744-44-A; premises 2592 Bruckner Boulevard (1st floor), 447 ft. east of Brush Ave., Borough of The Bronx.

COURT DECISION

Matter of Hoffman vs. Murdock—On September 14, 1943, the Board modified a decision of the Borough Superintendent as to keeping pigeons in a residence use district by restricting the number to fifteen, confined in a coop; Cal. No. 332-43-A; premises 77-52—74th St., Glendale, Queens. Upon court review, Mr. Justice Daly, in Special Term, Supreme Court, found that, in view of the lack of evidence that the keeping of pigeons was carried on as a business enterprise, there is no provision of law to prevent keeping of pigeons as a hobby. The court found that there is presently no provision in the Sanitary Code under which the Health Department can regulate the keeping of pigeons as a health measure; also, that if the keeping of pigeons is to be regulated, it is a matter for legislative determination. (N.Y.L.J. July 25, 1945).

The court based the decision upon BARKMAN vs. THE TOWN OF HEMPSTEAD, in which case the court upheld the constitutionality of a regulatory provision in the Zoning Law.

Correction: Word "not" as it appeared on the eighth line, page 717, Bulletin No. 31, Vol. XXX, dated July 31, 1945, *omitted*.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

CALENDAR

DOCKET

New Cases Filed up to August 28, 1945.

Cal. No. *Dept.* *Premises Affected*

506-45-SM—Associates ¾ Hour D.H. Window, manufactured by Metal Door Associates, Material.

507-45-A—H.B.Q.—43-10 48th avenue, south side from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens, Misc. 2695-45.

508-45-A—F.D.—West side of Western avenue, 1500 ft. south of Richmond terrace (2nd floor); (Block 1400, Lot 1), Port Ivory, Borough of Richmond, 42270-LC.

509-45-A—H.B.B.—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn, Spr. Application 2092-45.

510-45-A—H.B.Q.—36-40 37th street, west side, 349.5 ft. north of 37th avenue (Block 1216, Lot 43), Long Island City, Borough of Queens, Misc. 1534-45.

511-45-A—H.B.M.—550 West 167th street, south side, from Audubon to St. Nicholas avenues, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan, Decision re Certificate of Occupancy.

512-45-BZ—H.B.B.—50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn, Alt. 2249-45.

513-45-A—F.D.—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens, Decision.

514-45-BZ—H.B.B.—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn, Alt. 1961-45.

515-45-A—H.B.B.—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn, Alt. 1961-45.

516-45-A—H.B.Bx.—481 East Tremont avenue, north side, 90.83 ft. east of Washington avenue (Block 3043, Lot 38), Borough of The Bronx, Amendment to Alt. 332-45.

517-45-A—F.D.—West side of Wharf (Furman street), 1100 ft. north of Montague street (Block 199, part of Lot 3), Pier 9 East River, Borough of Brooklyn, 9879-LF and Decision.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

RULES

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Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
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Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an

CALENDAR

additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

497-45-BZ—Application, August 10, 1945, under section 21 of the zoning resolution, of George E. Strehan, applicant, on behalf of Fairchild Press Inc., owner, to permit in a retail use B area district, the erection of a covered bridge in the rear yard 3rd story; premises 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars); premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

509-45-A—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

469-45-A—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

529-45-A—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794 (866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens.

483-45-A—Block bounded by Morris avenue to 3rd avenue and from East 139th to East 145th streets (Morris ania Houses); (Block 2321, Lots 1-4, incl., Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7, incl.), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

519-45-A—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

485-45-A—Pier 26, East River, Wharf, west side of Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Borough of Brooklyn.

496-45-A—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

498-45-A—592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx.

500-45-A—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn.

542-45-A—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (cellar, 2nd and 3rd floors); (Block 1197, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

514-45-BZ—Application, August 17, 1945, under section 7c of the zoning resolution, of Max Siegel, applicant, on behalf of Flatbush Motors, Inc., owner, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles; premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

Appeal from Administrative Decision

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 2, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 2, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

146-45-BZ—Application of James Whitford, applicant, on behalf of Adam V. Bell, owner, reopened and restored to calendar July 17, 1945, under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn); premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

11-33-BZ—Application of Max Bache, applicant, on behalf of Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees), reopened and restored to calendar May 16, 1944, under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period; premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gas station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigrant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11") CFC_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the privisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C-19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114, when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigeration system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instruction or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction. The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigeration Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in. Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	¼	1	6
	50	250	⅓	1½	12
	100	400	½	2	16
	150	550	⅔	2½	19
	200	680	⅔	3	25
	250	800	1	3½	29
	300	900	1	4	32
	400	1,100	1¼	4½	38
	500	1,275	1¼	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency swith controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where is can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1 High Pressure Side	Col. 2 Low Pressure Side With Safety Valves	Col. 3 Low Pressure Side Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane, No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons.....	1—½"	1—½"
30 to 60 tons.....	1—½"	1—¾"
60 to 100 tons.....	1—½"	1—1"
100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in Co_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

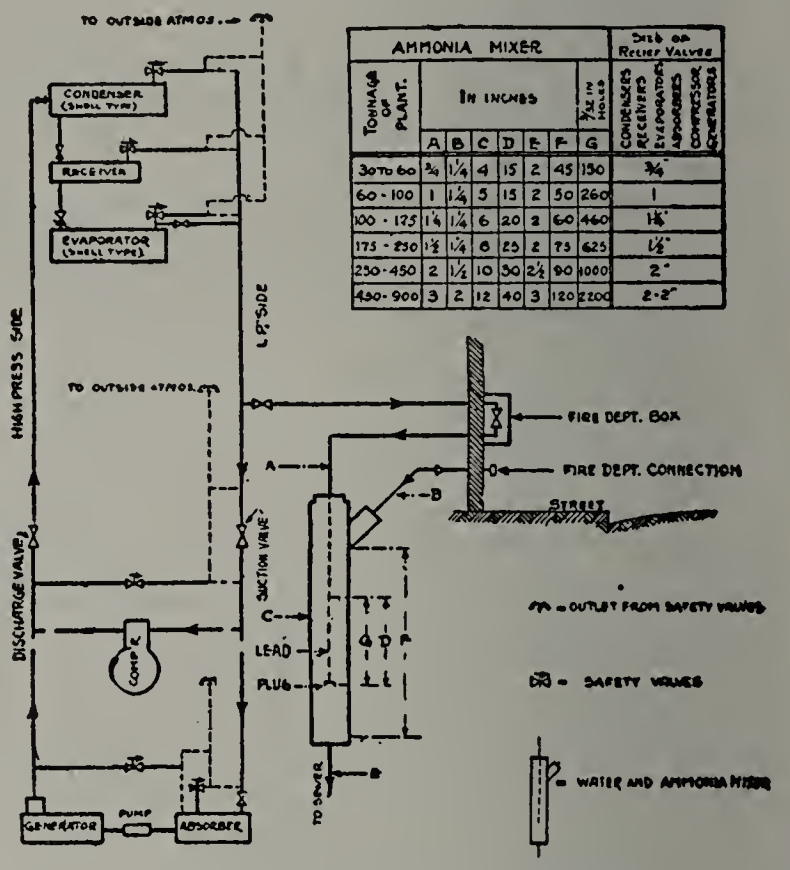
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

§C19-152.0. Violations.

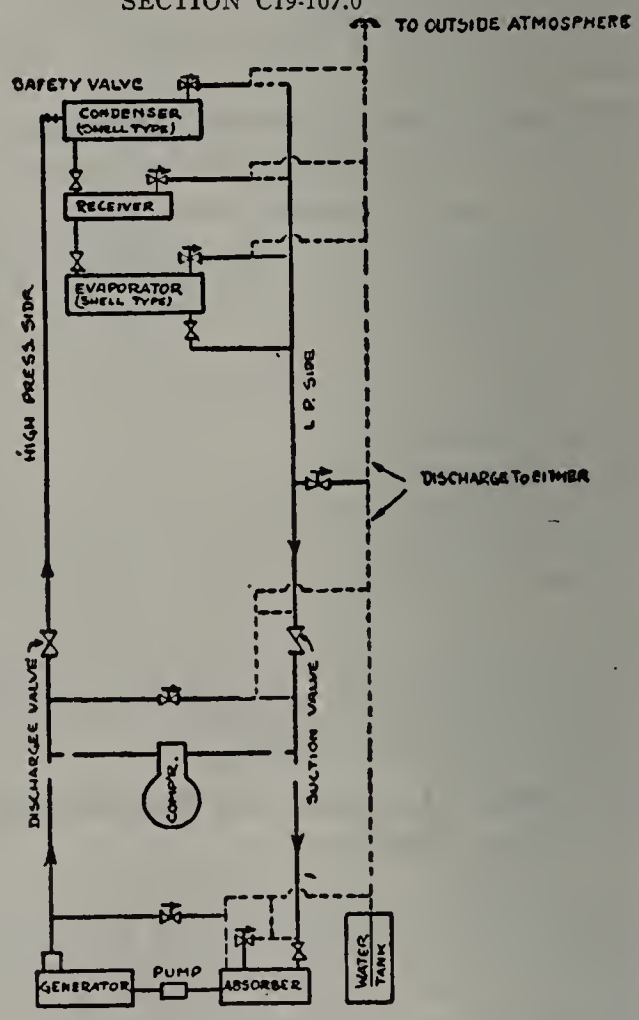
Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.



AMMONIA MIXER								Drip or Relief Valves
Tonnage of Plant.	In Inches						7/32 in Holes	Condensers Receivers Evaporators Absorbers Compressor Generators
	A	B	C	D	E	F	G	
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250 - 450	2	1½	10	30	2½	90	1000	2"
450 - 900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

SECTION C19-107.0

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Petition For Certiorari Order Served on the Board of Standards and Appeals.

Docket.

Rules Directory.

The Hearing Calendar.

Oil Burner Rules.

Annual Report for 1944.

PETITION FOR CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On September 8, 1945, copy of petition and order of certiorari was served on the Board by Renander & Miller, attorneys, in behalf of Francis J. Meyer, owner, in re decision of the Board on July 17, 1945, denying application under section 21 of the building zone resolution for extension in area of store and factory building at curb level for more than 60% of area of plot; Cal. No. 227-45-BZ; premises 146-06 to 146-10 Hillside Ave., Jamaica, Borough of Queens.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

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DOCKET

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519-45-A—F.D.—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan, 42488-LC.

520-45-A—F.D.—704 East 13th street, south side, 103 ft. east of Avenue C (Block 382, Lot 10), Borough of Manhattan, 41363-LC and Decision.

521-45-SM—Nabcor Sand-Grit High Pressure Steam Cured Concrete Blocks, manufactured by National Brick Corp., Material.

522-45-A—H.B.M.—1572-1576 Broadway, 201 West 47th street, northeast corner and 702-708 7th avenue (Block 1019, Lot 29), Borough of Manhattan, B.N. 1982-44.

523-45-A—F.D.—1911-1929 Madison avenue, east side, 210 ft. 10 in. north of East 123rd and East 124th streets, 41-59 East 123rd street and 44-58 East 124th street (Block 1748, Lots 44, 48, 49 and 35), Borough of Manhattan, 40263-LC and Decision:

524-45-A—H.B.M.—15-17 Maiden lane, north side, 100 ft. 2 in. west of Nassau street and 18-22 John street (8th, 10th, 11th, 13th and 18th floors); (Block 65, Lot 7), Borough of Manhattan, Alt. 1234-45.

525-45-A—H.B.M.—15-17 East 37th street and 232 Madison avenue northwest corner (10th, 11th, and 13th floors); (Block 867, Lots 13-15), Borough of Manhattan, B.N. 1426-45.

526-45-A—H.B.B.—155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn, Alt. 1199-45.

527-45-A—F.D.—324-342 4th avenue, 25-55 East 24th street, northwest corner, 38-60 East 25th street and 19-25 Madison avenue (Block 854, Lots 1-41 inclusive), Borough of Manhattan, 35198-LF.

528-45-BZ—H.B.M.—1082 Park avenue, west side, 25.8½ ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan, Alt. 1135-45.

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Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)..Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
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Tank Trucks, Gasoline, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 11, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

52-38-BZ—Application of Herman Horowitz, applicant, on behalf of Lincoln Warehouse Corporation, owner, reopened July 10, 1945, under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work; premises 1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan.

1205-40-BZ—Application of Harold Baer, applicant, on behalf of Geno Arditi, owner, reopened July 17, 1945, under sections 7c and 21 of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an

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additional story upon an existing building occupying in excess of the area permitted in an A area residential use district; premises 421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

179-45-BZ—Application, March 28, 1945, under section 7c of the zoning resolution, of James F. Connell, applicant, on behalf of Dominick Fontano, owner, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage; premises 15 and 17 Smith street, northeast side, 153.83 ft. northwest of St. Marys avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

435-45-BZ—Application, July 12, 1945, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Millinery Center Synagogue, owner, to permit in a retail use B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district; premises 1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

497-45-BZ—Application, August 10, 1945, under section 21 of the zoning resolution, of George E. Strehan, applicant, on behalf of Fairchild Press Inc., owner, to permit in a retail use B area district, the erection of a covered bridge in the rear yard 3rd story; premises 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

532-44-BZ—Application, September 15, 1944, under section 21 of the zoning resolution, of Henry B. Frey, applicant and lessee, on behalf of Roslyn Frey, owner, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar; premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

522-43-BZ—Application November 1, 1943, under section 7e of the zoning resolution, of Edwin W. Kleinert, applicant, on behalf of Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee), to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars); premises 152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

Appeals from Administrative Decisions

555-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

570-44-A—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

523-43-A—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 11, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

425-45-A—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (under section 35, General City Law re bed of mapped street—Siegfried place).

509-45-A—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

469-45-A—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

529-45-A—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794 (866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens.

483-45-A—Block bounded by Morris avenue to 3rd avenue and from East 139th to East 145th streets (Morrisania Houses); (Block 2321, Lots 1-4, incl., Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7, incl.), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler,

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applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

519-45-A—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

485-45-A—Pier 26, East River, Wharf, west side of Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Borough of Brooklyn.

496-45-A—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

498-45-A—592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx.

500-45-A—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn.

542-45-A—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (cellar, 2nd and 3rd floors); (Block 1197, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

514-45-BZ—Application, August 17, 1945, under section 7c of the zoning resolution, of Max Siegel, applicant, on behalf of Flatbush Motors, Inc., owner, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles; premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

Appeals from Administrative Decisions

515-45-A—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

533-44-A—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn (reopened and restored to calendar September 11, 1945; previously dismissed for lack of prosecution).

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

495-45-A—4218 Fort Hamilton parkway, northeast corner of 43rd street (1st floor); (Block 5596, Lot 51), Borough of Brooklyn.

429-45-A—30 West Fordham road, south side, 53 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx.

507-45-A—43-10 48th avenue, south side, from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens.

532-45-A—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.

526-45-A—155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 2, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 2, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

260-42-BZ—Application of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 36-02 Spray View avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

968-40-BZ—Application of Solomon Jochnowitz, applicant, on behalf of Irving Brown Realty Corp., present owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

CALENDAR

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

146-45-BZ—Application of James Whitford, applicant, on behalf of Adam V. Bell, owner, reopened and restored to calendar July 17, 1945, under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn); premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

11-33-BZ—Application of Max Bache, applicant, on behalf of Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees), reopened and restored to calendar May 16, 1944, under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period; premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, Oetober* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

HARRIS H. MURDOCK, *Chairman.*

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

OIL BURNER RULES

(217-21-SR)

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, December 4, 1936, and July 1, 1941.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; November 3, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932 and November 4, 1932.

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS: Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS: Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS: Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eights (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code and Rule 3.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administrative Building Code.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of six (6) gallons or less.

2.30 STORAGE TANK: Any tank for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection or hand valve. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection or hand valve.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

3.1 Oil permitted under these rules shall be any hydrocarbon oils free from acid, grit and fibrous or other foreign matter. The fuel oils shall be classified as provided in Commercial Standard CS12-38 U. S. Department of Commerce, and shall have a flash-point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D-93-36) and marketed under the following commercial grades:

Range Oil
No. 1 Fuel Oil
No. 2 " "
No. 3 " "
No. 4 " "
No. 5 " "
No. 6 " " .

3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Standards For Approval of Oil Burners by the Board.

4.1 Approved burners, including oil-burning heaters, shall be an assembly of approved parts suitable for use with each other for the service intended, as approved, such burners shall be provided with suitable safeguards to prevent abnormal discharge of oil.

4.1.1 When assembled each burner shall be tested for defects and proper functioning throughout its operating range. Parts shall be so designed as to maintain alignments and to permit interchangeability.

4.1.2 The CO^2 in the flue gas shall be maintained at not less than 8% without smoking and throughout the operating range of the capacity of the burner when tested.

4.1.3 Flexible tubing used as an integral part of burner shall be not longer than 72 inches and of an approved type.

4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. the thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

5.1.2 All tanks shall be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less·

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, ⅜ in. heads.

Tanks over 120 in in. diameter to be of ⅜ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they shall be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than 5/16 of an inch.

5.2.2 Corners may be made up by bending the plates or by use of angles.

5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not· be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less, except buried tanks, shall have a minimum thickness of shell and head plates of manufacturers Standard 10 gauge (.134″). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacture, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

5.3.3 All openings shall be through the top of the storage tank except that storage tanks of 275-gallons may be provided with a three-quarter inch (¾″) opening for gravity discharge and a one-inch (1″) opening in the bottom for cleaning and protection against corrosion.

5.3.4 All buried storage tanks shall have a thorough coating on the outside of two coats of red lead protected by hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

5.3.5 Manholes; Tanks for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. need not have manholes; where used for such oils the manhole covers shall be bolted and made gastight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

5.4.1 Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals} \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No.

14 of the New York State Industrial Commission).

5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formulas for shell plates.

5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings, Above Ground.

6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′) of clear unobstructed space measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall have an individual capacity of not more than two hundred and seventy-five (275) gallons capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.

Each storage tank may be placed in a protective enclosure having solid masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. A fireproof access door shall be installed in the enclosure above the point where the enclosure has a capacity equal to the tank; and for each additional 10 feet or fraction thereof by which the longest inside dimension of the enclosure exceeds 35 feet an additional fireproof access door shall be similarly installed at one or more intervals of not less than 10 feet. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

6.1.3.1 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Inside of Buildings, Below Ground.

6.2.1 Storage tanks having a capacity of 275 gallons or more may be buried inside a building with the top of the tank not less than two feet below floor level. In lieu of two feet of earth over the tank, the tank may be covered by concrete flooring equivalent to the basement floor but not less than the equivalent of 4 inches of reinforced Portland cement concrete with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh. Tanks shall be placed in firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch mesh. When necessary to prevent floating, tanks shall be securely anchored. Storage tanks buried below the floor, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material.

6.2.2 Storage tanks buried below the floor shall not be less than ¼″ in thickness.

6.2.3 No tank shall be buried so as to be nearer than three feet to any foundation wall or foundation footing.

6.3 Outside of Buildings, Below Ground.

6.3.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the natural grade of the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

6.3.2 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

6.3.3 All buried storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.3.4 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.4 Outside of Buildings, Above Ground.

6.4.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

6.4.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth; free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

6.4.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.5 Tanks Located Along Line of Subways.

6.5.1 Along the line of subways no tank shall be placed within twenty feet (20′) of any wall, separating a building from the subway, and, where practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Rule 7. Piping.

7.1 Installation of Piping and Tubing.

7.1.1 Piping and tubing shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminium alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing unless protected against mechanical injury shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜″) inside diameter up to shut-off valve at burner. Soldered connections are prohibited.

7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

7.2.2 Oil preheaters shall be of approved type and provided with a relief valve to prevent excessive oil pressure. Oil preheaters shall not be installed in the steam or water space of the boiler.

7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1″). Cross connection between vent pipe and fill pipe is prohibited.

7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

7.3.2.1 The area of the header and common vent shall be equal to the sum of the areas of the vent pipe.

7.3.3 Vents shall be not less than one and one-quarter inches (1¼″) in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2″) in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2′) from any building opening and not less than two feet (2′) nor more than twelve feet (12′) above the fill pipe terminal, except as may be otherwise approved by the Board. When such openings are fixed and constructed of incombustible materials they shall not be deemed openings within the intent of this rule. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1″) line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such tell tale lines shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 **Fill Pipes.**

7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least two feet (2′) of any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of common header pipe is no smaller than the largest branch fill pipe. When different grades of oil are piped to separate tanks from a common fill line, each branch fill pipe shall be provided with a shut-off valve.

7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letter reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 **Heating Coils in Storage Tanks.**

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure ten (10) pounds per square inch maximum steam coils or electric heaters approved for oil storage tanks.

7.6 **Scavenging Line.**

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50′) above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2″) iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or Combustion "
Pressure "
Gravity "

8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the inter-

ruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plant, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

10.1.1 No oil installation of more than six (6) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

10.1.2 Applications for permit shall be made by the installer who holds a certificate or license issued by the Fire Commissioner on forms furnished by the Fire Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.

10.1.3 No permit shall be issued by the Fire Commissioner until the installation has been inspected by his representative and the installer has furnished an affidavit that the CO_2 content of the flue gas by actual test of the completed installation is not less than 8 per cent without smoking.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 The installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to the Fire Commissioner by the Borough Superintendent of Buildings before any work is started. All such plans shall show compliance with all structural requirements and shall show all salient features of the installation. Plans shall also be approved by the Board of Transportation for all tanks located in or outside of buildings along the line of subways under the limitation in Rule 6.5.1.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

10.3.1 Storage tanks of approved type and not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes in installations in multiple dwellings, places of public assembly and amusement, except that no tests shall be required for installations in occupancies not specifically mentioned herein.

10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Commissioner. The contractor shall furnish all necessary equipment for conducting tests. Such test may be made with oil in freezing weather for tanks located outside of building.

10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.3.5 All piping conveying oil from a transfer pump to a burner subjected to a pressure in excess of 50 lbs. per sq. inch shall be tested for a pressure of 1½ times the working pressure.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit shall be paid in accordance with the schedule given in the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

12.1 No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney, complying with Article 11 of the Administrative Building Code except that in high pressure mercantile and industrial plants several units may be connected to a boiler room stack.

12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time, and on all installations in one and two family dwellings an approved automatic draft control of the same size as the cross-sectional area of the pipe or breaching shall be installed in the breaching or flue pipes.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection

NOTE: In order that the intent of Local Law No. 145 be carried out, Section C26-693.0, sub. d, par. 1, 2, 3, is superseded by the following:

14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

14.2 The clear distance between any non-insulated heat-producing parts of boilers, furances or other heating apparatus and combustible material shall not be less than twenty-four inches (24″). Where such parts are insulated by two inches (2″) of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12″), or, in lieu of such insulation the combustible material shall be covered with fire retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

14.3 No movable combustible material shall be stored or maintained within five feet (5′) of heating apparatus, except where same is protected by fire retarding material.

14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of ½″ asbestos or equivalent extending at least twelve inches (12″) beyond the projected area of such device where required within the specific approval of each burner. Approved safety cans only shall be used for the storage and filling of oil containers. The fuel oil used for these burners shall be range oil or No. 1 or No. 2 fuel oil. The manufacturer or installer of these burners shall within 48 hours after each installation notify the Fire Department in writing of the name of the person to whom this burner is sold and the address of the premises where installed.

14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

15.2 Every heating system in which the oil is preheated or systems not fully automatic when operating, shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Commissioner and who shall be in the building at all times while the burners are in operation, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman issued after May 1, 1941 under the provisions of C-26-213.0 of the Administrative Building Code, or a person with such license issued prior to May 1, 1941 carrying an endorsement reading "Oil Burners" shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

ANNUAL REPORT

CASES FILED AND PENDING 1944

Filed 1944	A	BZ	S	SA	SM	SR	M'L	T'L	GR. T'L
JANUARY	53	8	0	3	13	0	57	134	..
Restored	1	3	0	0	0	0	0	4	138
FEBRUARY ...	44	6	0	1	4	0	82	137	..
Restored	4	9	0	1	0	0	0	14	151
MARCH	41	10	0	7	8	0	94	160	..
Restored	12	5	1	0	1	0	0	19	179
APRIL	45	7	0	4	4	0	77	137	..
Restored	2	3	0	0	0	0	0	5	142
MAY	47	10	0	0	4	0	152	213	..
Restored	9	12	3	0	3	0	0	27	240
JUNE	59	12	0	3	18	1	85	178	..
Restored	5	7	0	1	1	0	0	14	192
JULY	41	9	0	0	2	1	88	141	..
Restored	4	16	0	0	0	0	0	20	161
AUGUST	23	3	0	2	11	0	0	39	..
Restored	0	0	0	0	0	0	0	0	39
SEPTEMBER ..	39	7	0	2	3	0	61	112	..
Restored	2	3	0	0	1	0	0	6	118
OCTOBER	46	8	0	1	5	0	100	160	..
Restored	5	9	0	0	0	0	0	14	174
NOVEMBER ...	59	12	0	2	6	0	63	142	..
Restored	3	5	1	1	0	0	0	10	152
DECEMBER ...	44	8	0	4	3	0	76	135	..
Restored	3	4	0	0	0	0	0	7	142
TOTAL	591	176	5	32	87	2	935	1828	1828
PENDING Dec. 31, 1943...	119	61	20	128	234	4	0	566	566
GRAND TOTAL	710	237	25	160	321	6	935	2394	2394
DISPOSITION 1944									
JANUARY	43	9	4	2	7	0	57	122	..
FEBRUARY	49	13	0	1	3	0	82	148	..
MARCH	55	13	1	1	4	0	94	168	438
APRIL	27	7	0	2	4	0	77	117	..
MAY	51	21	3	5	4	0	152	236	..
JUNE	69	17	5	7	1	1	85	185	538
JULY	134	22	8	6	10	0	88	268	..
AUGUST	0	0	0	0	0	0	0	0	..
SEPTEMBER ..	26	4	0	2	0	0	61	93	361
OCTOBER	43	13	0	2	7	0	100	165	..
NOVEMBER ...	46	15	0	1	4	0	63	129	..
DECEMBER	34	11	1	2	0	0	76	124	418
TOTAL	577	145	22	31	44	1	935	1755	1755
PENDING Dec. 31, 1944...	133	92	3	129	277	5	0	639	639

Code: A—Appeals from Administrative Decisions. BZ—Applications under Zoning Resolution. S—Application for Variations of Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications for Adoption of Rules. M'L—Miscellaneous Docket.

ANNUAL REPORT

DOCKET

Cases pending December 31, 1943	566
Cases filed up to December 31, 1944	753
Restored to Calendar	140

Miscellaneous Applications

Requests to reopen	559
Requests to amend	88
Requests to rescind	1
Requests for extension of time	93
Requests for extension of permit	189
Requests for approval of plans	5
Total	2394
Disposed of	1755
Cases pending December 31, 1944	639

DISPOSITION OF CASES

Withdrawn	119
Dismissed	47
Denied	70
Granted	2
Granted on condition	506
Appliances approved	22
Appliances dismissed, disapproved or withdrawn	9
Materials approved	31
Materials dismissed, disapproved or withdrawn	13
Rules approved	1

Miscellaneous Actions

Requests to reopen granted	510
Requests to reopen denied	35
Requests to amend granted	88
Requests to rescind granted	1
Requests for extension of time granted	93
Requests for extension of permit granted	189
Plans approved	5
Requests withdrawn or dismissed	14
Total	1755

MONEYS RECEIVED

SUBSCRIPTIONS	1st QUARTER	2nd QUARTER	3rd QUARTER	4th QUARTER	TOTAL
To Bulletin	$212.50	$230.00	$140.00	$205.00	$787.50
Cash Sales	115.05	87.09	64.67	108.19	375.00
Paid to City Treasurer	$327.55	$317.09	$204.67	$313.19	$1162.50

REVIEW FROM 1916

Year	Cases Filed	Restored & M'l Actions	Total to Dispose of	Pending Previous Year	Disposed of as follows: With-drawn	Dis-missed	Cases Denied	Granted, etc.	M'l Actions	Total Cases	Pending Dec. 31st
1916	502	32	534	0	39	64	59	204	32	398	136
1917	2620	35	2655	136	291	154	241	838	35	1559	1232
1918	1734	160	1894	1232	803	666	418	1009	160	3056	70
1919	1005	73	1078	70	105	47	271	594	41	1058	90
1920	793	114	907	90	84	100	233	457	33	907	90
1921	1720	176	1896	90	102	296	337	827	35	1597	389
1922	1575	405	1980	389	171	195	262	1025	281	1934	435
1923	1562	308	1870	435	149	189	193	928	219	1678	627
1924	1540	415	1955	627	173	194	290	1003	324	1984	598
1925	1350	335	1685	598	140	129	203	793	275	1540	743
1926	1147	403	1550	743	193	85	289	864	403	1834	459
1927	1357	575	1932	459	168	137	261	679	477	1722	669
1928	988	467	1455	669	230	107	312	585	384	1618	506
1929	765	508	1273	506	177	62	190	518	440	1387	392
1930	760	523	1283	392	175	38	215	379	451	1258	417
1931	623	645	1268	417	103	44	184	471	539	1341	344
1932	631	641	1272	344	158	22	159	492	524	1355	261
1933	389	648	1037	261	54	34	144	312	542	1086	212
1934	368	584	952	212	47	51	162	248	493	1001	163
1935	365	718	1083	163	40	14	122	305	589	1070	176
1936	393	683	1076	176	59	18	103	330	563	1073	179
1937	629	691	1320	179	43	14	120	409	587	1173	326
1938	1230	720	1950	326	96	19	153	910	618	1796	480
1939	1552	934	2486	480	121	66	244	1010	812	2253	713
1940	1235	1043	2278	713	138	33	200	851	890	2112	879
1941	1116	1148	2264	879	122	43	205	852	999	2221	922
1942	915	1018	1933	922	163	59	275	746	913	2156	699
1943	638	1050	1688	699	146	69	105	562	939	1821	566
1944	753	1075	1828	599	119	47	92	562	935	1755	639
Total	30255	16127	46382	12806	4409	2996	6042	18763	13533	45743	13412

JOSEPH J. DOYLE, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

352.05
NEW

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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This issue of the Bulletin contains in the order given—

Docket.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting of Tuesday Morning, September 11, 1945, Affecting Calendar Numbers 208-44-BZ, 351-45-BZ, 473-45-BZ, 52-38-BZ, 1205-40-BZ, 522-43-BZ, 532-44-BZ, 179-45-BZ, 244-45-BZ, 435-45-BZ, 497-45-BZ, 565-44-A, 523-43-A and 570-44-A.

Minutes of Regular Meeting of Tuesday Afternoon, September 11, 1945, Affecting Calendar Numbers 425-45-A, 469-45-A, 483-45-A, 509-45-A and 529-45-A.

(Remaining minutes of the meeting of September 11, 1945 will be printed in the Bulletin of September 25, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 11, 1945.

Cal. No. Dept. Premises Affected

529-45-A—H.B.Q.—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794(866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens, N. B. 1023-45.

530-45-BZ—H.B.M.—436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan, Alt. 993-45.

531-45-A—H.B.R.—4091 Hylan boulevard and 293 Nelson avenue, north-east corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (Under section 35, General City Law re bed of mapped street-Nelson avenue), N.B. 555-45.

532-45-A—H.B.B.—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn, Alt. 2258-45.

533-45-A—H.B.B.—951-953 East 23rd street (951 displayed), east side, 340 ft. north of Avenue J (Block 7587, Lot 23), Borough of Brooklyn, Alt. 2306-45.

534-45-A—H.B.B.—205 Hewes street, north side, 187 ft. 6 in. east of Lee avenue (Block 2206, Lot 55), Borough of Brooklyn, Alt. 2820-44.

535-45-BZ—H.B.M.—403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan, Alt. 1136-45.

536-45-SM—Silbraz Joints, manufactured by Walworth Co., Material.

537-45-SM—Bethlehem Open-Web Light Load Steel Framing, manufactured by Bethlehem Steel Co., Material.

538-45-SA—Cyclotherm Steam Generators (Oil-fired), Appliances.

539-45-BZ—H.B.M.—180 Fort Washington avenue, east side, 148 ft. north of West 165th street and 620-622 West 168th street (Harkness Pavilion, Presbyterian Hospital) (Block 2138, Lots 8 and 40), Borough of Manhattan, Amendment to Alt. 514-45.

540-45-A—H.B.M.—180 Fort Washington avenue, east side, 148 ft. north of West 165th street and 620-622 West 168th street (Harkness Pavilion, Presbyterian Hospital); (Block 2138, Lot 8), Borough of Manhattan, Amendment to Alt. 514-45.

541-45-BZ—H.B.Bx.—302-304 East 161 street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx, N.B. 74-45.

542-45-A—H.B.B.—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (cellar, 2nd and 3rd floors); (Block 1197, Lot 1), Borough of Brooklyn, Alt. 2871-44.

543-45-SM—Astoria 275 gallon Obround Fuel Oil Tank, manufactured by Astoria Tank Co., Material.

544-45-SM—Truscon Steel Windows, Pivoted, Commercial Projected and Architectural Projected ¾ Hour Test Window, manufactured by Truscon Steel Co., subsidiary of Republic Steel Corp., Material.

545-45-SM—Truscon Intermediate Steel Casement ¾ Hour Test Doors and Windows, manufacture by Truscon Steel Co., subsidiary of Republic Steel Corp. Material.

Restored to Calendar

313-19-BZ—H.B.B.—1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn, Alt. 464-45.

533-44-A—F.D.—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn, 12845-LF and Decision.

260-42-BZ—H.B.Q.—36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block 317, Lots 83 and part of Lot 87), Edgemere, Borough of Queens, Misc. 1620-42.

968-40-BZ—H.B.Q.—168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens, Misc. 7482-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....Aug.	28, 1945—Vol. 30, No. 35
Fire-resistive, Flameproof Materials, etc., Rules for Testing of ....Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc. ....Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of ....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for ....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules ....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection ....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules ....June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...Feb.	6, 1945—Vol. 30, No. 6

CALENDAR

	Last Publication in Bulletin
Oil Burner Rules ..... Sept.	11, 1945—Vol. 30, No. 37
Opening Protective Assemblies, Rules for Inspection of ..... June	12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules ..... Aug.	28, 1945—Vol. 30, No. 35
Platform Trucks, Specifications for.. Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules ..... Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply). Mar.	13, 1945—Vol. 30, No. 11
Procedure, Rules of ..... Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.. Sept.	4, 1945—Vol. 30, No. 36
Smoking in Factories, Rules for... Aug.	28, 1945—Vol. 30, No. 35
Sprinkler Rules ..... June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules..... June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.... June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc. ..... Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc. ..... Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)... Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

670-44-BZ—Application, November 15, 1944, under section 21-C of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Vinmont Land Corporation, owner, to permit in a C and F area district, a one-family residential development not conforming to the area requirements; premises east side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417), Borough of The Bronx.

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

910-42-BZ—Application of Brooklyn Trust Company (certificate trustee), applicant and owner, reopened July 24, 1945, for consideration as to extension of permit—Application previously granted on condition, under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to welding shop; premises 2801 West 8th street, and 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

390-27-BZ—Application of Reginald S. Hardy, applicant, on behalf of Norben Properties, Inc., owner, reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasolinie service station; premises 73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

137-44-BZ—Application, March 2, 1944, under sections 7e, 7f and 7i of the zoning resolution, of John Joseph Carroll, applicant, on behalf of Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee), to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop; premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

273-44-BZ—Application, May 9, 1944, under section 21 of the zoning resolution, of Vincent M. Cajano, applicant, on behalf of Angela Lanzillotta, owner, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set-back required by the zoning resolution; premises 1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

519-45-A—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street,

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140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 18, 1945, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 18, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

485-45-A—Pier 26, East River, Wharf, west side of Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Borough of Brooklyn.

496-45-A—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

498-45-A—592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx.

500-45-A—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn.

542-45-A—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (cellar, 2nd and 3rd floors); (Block 1197, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

514-45-BZ—Application, August 17, 1945, under section 7c of the zoning resolution, of Max Siegel, applicant, on behalf of Flatbush Motors, Inc., owner, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles; premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

Appeals from Administrative Decisions

515-45-A—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

533-44-A—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn (reopened and restored to calendar September 11, 1945; previously dismissed for lack of prosecution).

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37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

495-45-A—4218 Fort Hamilton parkway, northeast corner of 43rd street (1st floor); (Block 5596, Lot 51), Borough of Brooklyn.

429-45-A—30 West Fordham road, south side, 53 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx.

507-45-A—43-10 48th avenue, south side, from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens.

532-45-A—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.

526-45-A—155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 2, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 2, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

260-42-BZ—Application of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 36-02 Spray View avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

968-40-BZ—Application of Solomon Jochnowitz, applicant, on behalf of Irving Brown Realty Corp., present owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

146-45-BZ—Application of James Whitford, applicant, on behalf of Adam V. Bell, owner, reopened and restored to calendar July 17, 1945, under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn); premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

11-33-BZ—Application of Max Bache, applicant, on behalf of Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees), reopened and restored to calendar May 16, 1944, under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period; premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously

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withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 16, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one-story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

550-45-BZ—Application, September 14, 1945, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of 248 West 18th Street Corp., owner, to permit partly in a residence and partly in a retail district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

241-33-BZ—Application, of Gale Realty Corp. and Charles M. Spindler, applicants, on behalf of North American Oil Corp., owner, reopened June 26, 1945, under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales; premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

530-45-BZ—Application, September 5, 1945, under sections 21 and 7c of the zoning resolution, of Ervin Palmer, applicant, on behalf of Jacob Ruppert, owner (Walter Schultz, lessee), to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; premises 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

574-45-A—4705-4727 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 11, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, July 24, 1945, and on Tuesday afternoon, July 24, 1945, were approved as printed in Bulletin No. 31, Volume 30.

ZONING APPLICATIONS

208-44-BZ

APPLICANT—F. Hale Atkinson, for Madeline Morea, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7i and 21 of the zoning resolution, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five

motor vehicles and packing and storage of pickles, etc., with two families above to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above.

PREMISES AFFECTED—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. Hale Atkinson.

For Opposition: None.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1945, at 10 A. M. at request of applicant.

351-45-BZ

APPLICANT—Lama & Proskauer, for Precision Realty Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area.

PREMISES AFFECTED—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: A. Lama, W. F. Brunner and H. M. Jacobs.

For Opposition. Irving Rivkin, Louis Rivkin, Joseph Parks, Oscar Drueker, Laura Fleischer and Max Rothstein.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1945, at 10 A. M. for decision without further argument.

473-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Equalshares, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot.

PREMISES AFFECTED—231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1945, at 10 A. M. for applicant to file revised plans.

52-38-BZ

APPLICANT—Herman Horowitz, for Lincoln Warehouse Corp., owner.

SUBJECT—Application reopened July 10, 1945—(decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a B area district, the increase in area of a building in excess of that permitted by the zoning resolution (amendment of May 1, 1945) and the omission of the required rear yard in the rearrangement of the 1st story to provide a relocation of the loading platform from the location permitted by the Board in the resolution of December 16, 1941, and an extension of time to complete the work.

PREMISES AFFECTED—1187-1201 3rd avenue, east side, from East 69th to East 70th street, 201-203 East 69th street and 202-204 East 70th street, (Block 1424, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Horowitz, J. Nelson and J. O'Neill.

For Opposition: None.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (52-38-BZ)

WHEREAS, this application, under sections 7c and 21 of the zoning resolution, to permit in a residence use district the erection of a garage for more than three (3) motor vehicles, to be used in conjunction with the warehouse located on the westerly portion of the plot, premises 1187-1201 Third avenue, east side, from East 69th street to East 70th street, 201-203 East 69th street and 202-204 East 70th street (Block 1424, Lot 1), Borough of Manhattan, was denied by the Board April 19, 1939; and

WHEREAS, Frank S. Parker for Lincoln Warehouse Corporation, owner, requested reopening of the application, under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a one (1) story extension to an existing building; said extension to be used as a loading platform and truck space; and

WHEREAS, on December 16, 1941, this application was granted by the Board, on certain conditions and time extended on June 22, 1943, and June 13, 1944, to obtain permits and complete the work; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on July 10, 1945, restored to the calendar and set for hearing on September 11, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, dated June 25, 1945, re Alt. Applic. 519-45, reads:

"3. Revised plans showing 65% coverage in compliance with Section 12b of the Zoning Resolution, should be submitted to the Board of Standards and Appeals, in view of change in arrangement and design from that previously acted upon by the Board."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted December 16, 1941, as mended by resolution adopted through June 13, 1944, by adding thereto:

"*Resolved, further*, that a modification of the decision of the borough superintendent, acting on Alt. Applic. 519-45, objection 3, dated June 25, 1945, is hereby *granted*, to permit the extension as proposed and shown on revised plans marked "Received June 27, 1945", *on condition* that the intervening spaces at the rear, not shown to be built upon, shall be cement-paved; that in all other respects, the requirements of the resolution adopted December 16, 1941, shall be complied with and that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution."

1205-40-BZ

APPLICANT—Harold Baer, for Geno Arditi, owner.

SUBJECT—Application reopened July 17, 1945 (decision of the borough superintendent) under section 7c

of the zoning resolution, to permit partly in a residence use and partly in an unrestricted use and an A area district, the erection of an additional story upon an existing building occupying in excess of the area permitted in an A area residential use district.

PREMISES AFFECTED—421-427 East 93rd street, northside, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Jack Cohen.

For Opposition: None.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution of April 22, 1941 reaffirmed.

THE VOTE TO REAFFIRM RESOLUTION OF APRIL 22, 1941—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn 4

Negative 0

THE RESOUTION (1205-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a residence use district and partly in an unrestricted use district, the erection of an additional story upon an existing building (garage), affecting premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan, was granted by the Board on April 22, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on September 9, 1942, October 5, 1943, October 3, 1944 and June 12, 1945; and

WHEREAS, the amendment to the zoning resolution, effective December 2, 1944, nullifies the previous grant of variance by the Board, in view of no permit having been issued and no substantial work done prior thereto; and

WHEREAS, on July 17, 1945, the Board rescinded its action of June 12, 1945, and the application was restored to the calendar and set for hearing on September 11, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East River drive is in a residence use, A area and Class 2 height district; 1st avenue, East 92nd, East 93rd and East 94th streets are in an unrestricted use, A area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated June 1, 1945 on Alt. Applic. 3153-45, reads:

> "Building is partly in a residence and in an unrestricted district and in an "A" area district. The area of proposed vertical extension should not occupy at the present roof level, more than 75% of the area of lot in the residence district as per Sec. 11, Art. IV, Zoning Resolution.
>
> This matter should be referred back to the Board of Standards and Appeals."

and

WHEREAS, the applicant states the premises consist of a plot, 100 ft. frontage by 100⅔ ft. in depth, on which is located a 2 story Class 3 constructed building, located partly in the residence use and partly in the unrestricted use district, occupied as a garage for more than 5 motor vehicles and that it is proposed to add an additional story covering entire plot; and

WHEREAS, the applicant contends that the premises are already being used as a public garage, so that a grant will not be an intrusion of a new use in the neighborhood; that the wall facing the East River drive and in the residential zone is and will remain, unpierced; that a grant will not adversely affect the neighborhood, since this use is an established one; that the property in question having a frontage of 100 ft., lies wholly within an unrestricted district and only a portion of this building lies within the newly created residential district and the Board has the power to grant this application, since the framers of the law intended to give relief to just such cases; and

WHEREAS, the resolution of the Board of October 3, 1944, extended the time to obtain permits and complete the work for one year; and

WHEREAS, the amendments to the Zoning Resolution effective December 3, 1944, required a new decision of the borough superintendent; and

WHEREAS, such decision of the borough superintendent was issued on June 1, 1945; and

WHEREAS, prior thereto, a permit was issued by the borough superintendent on May 23, 1945; and

WHEREAS, the applicant claims that substantial work was completed prior to December 3, 1944, although no permit was issued therefor, and that since that date all steel has been fabricated for the proposed third story and is now ready to be installed.

Resolved, that the Board of Standards and Appeals does hereby *reaffirm* the resolution adopted on April 22, 1941, and that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution.

522-43-BZ

APPLICANT—Edwin W. Kleinert, for Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jacob Wilbert, owners (Wheeler Shipbuilding Corp., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence use district, for a term of two years, the erection and maintenance of a temporary storage shed; the storage of lumber, and, also the parking of more than five motor vehicles (employees' cars).

PREMISES AFFECTED—152-02 to 153-10 10th avenue and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 1, 18, 19, 30 and 32), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Edwin W. Kleinert and E. C. Rouse.

For Opposition: Pauline Hoffman, Caroline S. Rapp, A. F. Bowling, Dudley A. Marwick, Winifred M. Marwick, Agnes J. Sweeney, Marion Campo, Maria Winkels, Bessie Melendez and others.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ginn.. 4

Negative 0

THE RESOLUTION (522-43-BZ)

WHEREAS, Edwin W. Kleinert, for Mary E. Godley, James E. Hopkins, Minerva Homes, Incorporated, Webell Realty Corporation and Jacob Wilbert, owners (Wheeler Shipbuilding Corporation, lessee), filed November 1, 1943, an application under Section 7e of the zoning resolution, to permit in a residence use district, for a terms of two years, the erection and maintenance of a temporary storage shed, the storage of lumber and also the parking and storage of more than five motor vehicles (employees' cars); affecting premises 152-02 to 153-10 10th avenue, 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 to 18, Block 4539, Lots 1, 18, 30, 32 and 19), Whitestone, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 10th avenue, 152nd street, 12th road, 11th and 12th avenues are in a residence use, D area and Class 1 height district and 154th street is in a business use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated September 2, 1943 re N.B. Applic. 228-43, reads:

"1. Proposed use of premises located in a residence district for storage of lumber and equipment and the parking of more than 5 cars is contrary to Section 3 of the Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 684.17 ft. frontage by 637.74 ft. irregular in depth; that it is proposed to occupy plot for parking of employees' cars and storage of lumber and that a one story building, 152 ft. by 201 ft. 3 in. of steel frame and wood roof construction will be built; and

WHEREAS, the applicant contends that this application is brought under section 7e for a permit to use the property for two years as a parking lot for more than five cars and the erection of a temporary building for the storage of lumber and other equipment necessary to a program of ships for the U. S. Army; that the lot in question has a frontage of 684.17 ft. on 10th avenue, 637.74 ft. on 152nd street with a 30 ft. by 135 ft. strip connecting to 154th street opposite 11th avenue; that it will be used for the storage of lumber and solely for an auto parking lot for the employees of the Wheeler Shipbuilding Corporation, whose shipyard is directly opposite on 10th avenue; that the U. S. Navy and Coast Guard, for whom the shipyard is also constructing vessels, in conjunction with N. Y. C. authorities, have already authorized the closing of 10th avenue between 152nd street and 154th street as a defense area in connection with the shipyard, due to the present War Emergency; that this makes the present storage and parking lot contiguous to the shipyard; that the Coast Guard requires 10 ft. high fence to be erected continuous about the combined areas; that the Wheeler Shipbuilding Corporation does not own any part of the proposed storage and parking lot but desires the use of it only for the duration of the emergency and it is therefore respectfully requested that this application be granted for a temporary period of two years; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under sections 7e and 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make* a variation in the application of the use district regulations and that the application be and it hereby is *granted,* under sections 7e and 7h thereof, for a term of six months from the date of this resolution *on condition* that the fencing required by the U. S. Government shall be maintained; and that these subject premises shall be occupied only for the storage of government material and for the parking of cars belonging to persons in the employ of the Wheeler Shipbuilding Corporation; that during the six month period, the material shall be progressively removed, so that at the end of the term, the blocks in question, namely Nos. 4539 and 4538 and the intervening 11th avenue, shall be free of all storage of materials and parking of cars and that 10th avenue shall be reopened; that meanwhile, such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct and that proper guards shall be maintained to protect the storage of lumber and cars so as to remove fire hazards from the adjoining properties; that the temporary wood structure now in the course of demolition shall be completely removed; and that all permits required shall be obtained and all work completed within thirty days from the date of this resolution.

532-44-BZ

APPLICANT—Henry B. Frey, lessee, for Roslyn Frey, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys, poolroom and bar.

PREMISES AFFECTED—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Irving Rivkin, Henry Frey and A. Jube.

For Opposition: Karl A. Sieger.

For Administration: Fred Dahlem, Dept. of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (532-44-BZ)

WHEREAS, Henry B. Frey, lessee, for Roslyn Frey, owner, filed September 15, 1944 an application under section 21 of the zoning resolution, to permit in a residence use district, the maintenance of a building occupied as restaurant, bowling alleys and bar, affecting premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Amboy road is in a retail 1 use, E area and class 1 height district; Brighton street, Chelsea and Summit streets are in a residence use, E area and class 1 height district; and

WHEREAS, the decision of the borough superintendent dated August 18, 1944 on B.N. Applic. 296-44 reads:

"1. There is no record of approval of this building by this department and no certificate of occupancy issued. Building is in a residential use district. Use is contrary to Art. II, Sec. 3, Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 60 ft. frontage by 115 ft. in depth, irregular, on which is located a one and 2 story class 4 constructed building, occupied as restaurant, bowling alleys, pool room, bar and that it is proposed to continue this occupancy; and

WHEREAS, the applicant contends that the original building was constructed in 1892 by the Aquehonga Athletic Club, Inc., and operated by them from said date as bowling alleys, billiards, food and refreshments; that plans were filed for and an extension was erected in 1921; that the Building Department has the plan on file but has no record of approval; that from the time the extension was constructed, it has been used as a dance hall, and roller skating rink; that in 1929 the present bowling alleys were installed in the extension and have been in use ever since; that in 1934 a restaurant permit was secured and the club was licensed to operate as such; that in 1944 the present owner purchased the premises and leased to Henry B. Frey; that the general usage has been the same since 1892; that most of the property owners within the affected area, if not all of them, became the owners with knowledge that the premises was being used for the purposes set forth; that although the premises are in a residence use district, in view of the long existence of said buildings which were always used for the uses described, a variation is requested; that the original building antedated the enactment of the zoning resolution; that the present owner purchased the premises under the belief that the use of same for the facilities contained therein was proper and authorized; that considering the investment, great damage will be done with very little, if any, relative benefit to anyone else concerned, if the variation is not granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent dated August 18, 1944 on B.N. Applic. 296-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

179-45-BZ

APPLICANT—James F. Connell, for Dominick Fontano, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of a concrete block storage shed for waste paper baling and storage.

PREMISES AFFECTED—15-17 Smith street, northeast side, 153.83 ft. northwest of St. Mary's avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond.

APPEARANCES—
For Applicant: James F. Connell.
For Opposition: None.
For Administration. F. Dahlen, Dept. Housing & Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (179-45-BZ)

WHEREAS, James F. Connell, for Dominick Fontano, owner, filed March 28, 1945, an application under section 7c of the zoning resolution, to permit in a business use district, the erection of a concrete block storage shed for waste paper bailing and storage; affecting premises: 15-17 Smith street, northeast side, 153.83 ft. northwest of St. Mary's avenue (Block 2969, Lots 16 and 17), Rosebank, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Smith street, Bell avenue and St. Mary's avenue are in a business use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 28, 1945, re N.B. App. 25-45, reads:

> "1. The erection of this proposed nonfireproof storage shed for the baling of waste paper, constitutes the extension of a junk yard in a business use district is denied, as being contrary to Zoning resolution Art. II. Sec. 4(a)-(20)."

and

WHEREAS, the applicant states the premises consist of a plot 50 ft. frontage by 100 ft. in depth on which is located a one-story frame shed, 21 ft. 5 in. by 62 ft. 5 in., the plot being used in conjunction with the building as a junk yard and baling of waste paper and it is proposed to demolish a portion of the building and reconstruct of concrete block; and

WHEREAS, the applicant contends that it is requested that permission be granted to rebuild part of present frame shed being used for baling paper stock in conjunction with existing junk yard, as a Class 3 cinder concrete block shed on a masonry foundation; that the owner has been operating it as a junk yard and paper baling for 22 years, as it was in an unrestricted use district until January 21, 1942, at which time it was changed to a business use district; that the war caused a demand for waste paper and the owner received a W.P.B. priority for a new steel baling machine to replace his obsolete baling equipment; that the roof of the old shed leaked, the frame sidewalls were rotted and the open joints required attention to protect the new costly machine which was delivered and set on a concrete foundation; that the paper stock was continually getting wet, causing rejection, and it was impossible to work during wet weather; that the owner was pressed by the paper mill dealer for rapid operation of the machine and paper baling and he gradually replaced the wood side walls with masonry blocks on a concrete foundation, feeling that the Dept. of Housing and Buildings would grant a permit; however, that department stopped construction before fully completed and permission is requested to legalize and complete the work outlined on plans filed with this application; and

WHEREAS, the applicant has filed affidavits as to the use of the plot as a junk yard for 20 to 22 years; and

WHEREAS, it appears that Building Notice 779-40 was approved on November 7, 1940, to permit junk yard use on Lot 17, provided no building was erected thereon; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted,* under section 7c thereof, to permit the replacing of the existing frame building by a Class 3 building, as proposed, *on condition* that the building and the use as a junk yard and baling of waste paper shall be confined to Lot 16, except that Lot 17 may be used for the passage of trucks in conjunction with the junk business maintained on Lot 16, provided such lot is not built upon or the junk business further extended and that no material is stored thereon; that the wall between the proposed Class 3 building and the existing frame building shall be fire-stopped to the satisfaction of the borough superintendent and all doors therein shall be protected by 3-hour fireproof, self-closing assemblies; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws and rules applicable thereto, and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

244-45-BZ

APPLICANT—Joseph Otis, for 133-135 Roosevelt Avenue Corporation, Kapp Trading Corp. and Jacob Burgheimer, owners (Fisher Beer Co. lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Otis and Abe Davis.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock..... 1
Negative: Commissioners Savage and Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (244-45-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a C area district, the extension in area of a building to occupy 100% of the lot area in the 1st story, affecting premises 39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens; and

WHEREAS, request was made to reopen the application for

further consideration as to objection 2 requiring that a loading space be provided; and

WHEREAS, the applicant stated that he had been unsuccessful in carrying out the suggestion made that additional area be acquired from the adjoining owner to increase the space available for shipping in the common right-of-way in the rear leading to 39th avenue; that no deliveries were made as all customers took away their purchases; that goods received were now delivered on the Roosevelt avenue side, where a chute to the cellar was provided for cases of merchandise delivered by truck once a day; that as the building and use is existing and no change of use proposed, but only an extension of the building to provide additional floor space, the loading space should not be required.

Resolved, that the request to reopen for an amendment of the resolution, be and it hereby is *denied*.

435-45-BZ

APPPLICANT—Samuel Rosenblum, for Millinery Center Synagogue, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the erection of an extension at the rear 2nd story in excess of the area requirement for a B area district.

PREMISES AFFECTED—1025 6th avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

For Administration: Fred Dahlem. Dep't. of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (435-45-BZ)

WHEREAS, Samuel Rosenblum, for Millinery Center Synagogue, owner, filed July 12, 1945, an application under section 21 of the zoning resolution, to permit in a retail use, B area district, the erection of an extension at the rear 2nd story in excess of the area requirment of a B area district, affecting premises 1025 Sixth avenue, west side, 41 ft. 9 in. north of West 38th street (Block 814, Lot 36), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Sixth avenue is in a retail use, B area and Class 2 height district; Broadway is in a retail 1 use, B area and Class 2 height district; West 38th street and West 39th street are in a retail 1 and retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated June 11, 1945 on Alt. Applic. 440-45 reads:

> "5. Proposed vertical extension contrary to Art. IV, Section 12b, as structure is not permitted to exceed 65% of area of lot, since building is in an area B retail district."

and

WHEREAS, the applicant states that the premises consist of a plot, 19 ft. frontage by 60 ft. in depth, on which is located a 4 story Class 3 constructed building, 19 ft. by 60 ft. in area at 1st story and 19 ft. by 42 ft. in area above occupied as stores and salesroom; that it is proposed to erect an extension at the rear 2nd story 18 ft. in depth so that the 2nd story will be 60 ft. in depth, covering the entire lot and to occupy the building as a synagogue, the 4th story to be removed; and

WHEREAS, the applicant contends that the building is a 4 story brick structure with a frontage of 19 ft. and built for the full depth of the lot on 1st story, used for store, offices and dwellings and proposed to be occupied by the Millinery Center Synagogue for the conduct of religious services; that it is proposed to remove the 4th floor, eliminating 8778 cu. ft. of the existing structure so that the height as completed will be the equivalent of the 3 story portion; that the 2nd floor is also to be removed in the rear, so as to have a proper auditorium and the old 2nd floor will be used for a small balcony; that to carry out this effect and to make provision for the ark of the synagogue, it is necessary to extend the rear for a depth of 18 ft. and a height of 10 ft. 4 in.; that while the zoning law states that the structure is not to exceed 65% of the area of the lot, actually this building now covers on the 1st story the entire lot, so that as far as the 1st story is concerned, there is no extension, as the lot is presently fully covered; that the net cubical content of the building is reduced by at least 5000 cu. ft. by the removal of the 4th story, so that the altered structure will have a cubic content of 5000 cu. ft. less than the existing structure; that to eliminate any extension or to limit the area to 65% of the area of the lot, makes this lot which is only 19 ft. wide and 60 ft. deep, practically useless; that even in the present code, no rear yard is required when the lots are not more than 55 ft. back from the nearest street and while the entire lot is only 60 ft. or 5 ft. more than this 55 ft. requirement, the entire lot is only 31 ft. back from 38th street and the lot abuts the property at 103 West 38th street, which is perpendicular to the present site, so that from its position as it affects 38th street, there should be no rear yard of any kind provided, and if no rear yard was required, there would be no necessity for providing any through ventilation; that this square block is already so built up that any attempt to protect light and air and through ventilation is nullified, inasmuch as here is erected on this square block, a 35 story structure which goes through solidly from 38th to 39th streets, plus two other structures to the east of 16 and 12 stories in height; that the proposed small extension therefore cannot affect the through ventilation, and the structures to the rear are benefited by the fact that one story, the top story, will be removed leaving the building 33 ft. in height; that the owners purchased the property long before the new amendment went into effect and contemplated the improvement for some time, but when ready to submit plans, the zoning resolution had been amended; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the rear extension in height as proposed on the building now covering the entire lot, provided the existing fourth floor shall be removed as proposed and a portion of the 2nd floor framing removed, as indicated on plans filed with this application, marked "Received July 12, 1945" and the proposed roof extension shall not be over 23 feet above grade; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required obtained and all work completed within one year from the date of this resolution.

497-45-BZ

APPLICANT—George E. Strehan, for Fairchild Press Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use, B area district, the erection of a covered bridge in the rear yard 3rd story.

PREMISES AFFECTED—3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: George E. Strehan.
For Opposition: None.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (497-45-BZ)

WHEREAS, George E. Strehan, for Fairchild Press, Inc., owner, filed August 10, 1945, an application under section 21 of the zoning resolution, to permit in a retail use, B area district, the erection of a covered bridge in the rear yard at 3rd story; affecting premises: 3 East 12th street, north side, 150 ft. east of 5th avenue (Block 570, Lot 44), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East 12th street is in a retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1945, re Alt. Applic. 1098-45 reads:

"1. Proposed new bridge at 3rd story in rear yard not permitted being contrary to Sec. 19 Article IV Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 25 ft. frontage by 103 ft. 3 in. in depth, on which is located a 4-story, Class 3 constructed building, 25 ft. by 81 ft. 8 in. in area on 1st story and 25 ft. by 48 ft. 4 in. in area above, occupied as offices and printing establishment and that it is proposed to erect a covered bridge at the 3rd story, leading to a 6-story building on East 13th street; and

WHEREAS, the applicant contends that it is proposed to raise the rear extension one-story in height and connect the new 3d story by a bridge 4 ft. in width and 33 ft. 7 in. in length to building 6-10 East 13th street in the same ownership; that subject premises is used as an office and accessory to the printing and publication of a trade magazine conducted in the East 12th street building; that buildings 5, 7 and 9 East 12th street are also in the same ownership and used in conjunction with the business of the Fairchild Press, Inc.; that at the time of filing application for the erection of the connecting bridge on July 2, 1945, both East 12th and East 13th streets were designated as business districts and there was no knowledge by the applicant on pending change in use; that on July 12, 1945, the change to retail use became effective, including both sides of East 12th street, the northeast and northwest corners, but not the southeast and southwest corners; that the plan on file was amended so that the additional story did not cover on the aggregate with the balance of the building more than 65% of the lot area; there is more uncovered area than required for legal yard and side court for a building in a B area district and if the two connected buildings were considered as one extending through from street to street, all legal requirements for uncovered area would be complied with; that the proposed bridge is an additional means of access, facilitating the conduct of business and improving the means of egress from both buildings involved in case of emergency; that it will be of incombustible construction, complying with all requirements of the Building Code; that premises 6-10 East 13th street was acquired in 1916 and 3 East 12th Street in 1926; that the proposed structure does not interfere with the light and ventilation of either buildings on this or adjoining premises; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the one-story rear extension as proposed and the connecting bridge between the buildings, as indicated on plans filed with this application, marked "Received August 10, 1945", *on condition* that in all other respects, the building and occupancy shall comply with the requirements of the zoning resolution and all other laws, rules and regulations applicable thereto; that this bridge shall be continued only so long as the buildings are under one ownership and occupied by the concern proposed or its successors in the same line of business; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

565-44-A

APPPLICANT—F. Hale Atkinson, for Madeline Morea, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

APPEARANCES—
For Applicant: F. Hale Atkinson.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1945 at 10 A.M. at request of applicant.

523-43-A

APPLICANT—Edwin W. Kleinert, for Mary E. Godley, James E. Hopkins, Minerva Homes, Inc., Webell Realty Corp. and Jakob Wilbert, owners (Wheeler Shipbuilding Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—152-02 to 153-10 10th avenue, 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street (Block 4536, Lots 17, 32, 33, 42, 44 and 68, Block 4538, Lots 1 and 18 and Block 4539, Lots 18, 19, 30 and 32), Whitestone, Borough of Queens (Under section 35, General City Law re bed of mapped street—153rd street).

APPEARANCES—
For Applicant: Edwin W. Kleinert and E. C. Rouse.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (523-43-A)

WHEREAS, Edwin W. Kleinert, for Mary E. Godley, James E. Hopkins, Minerva Homes, Incorporated, Webell Realty Corporation and Jakob Wilbert, owners (Wheeler Shipbuilding Corporation, lessee), filed on November 1, 1943, an application pursuant to Section 35 of the General City Law and an appeal from a decision of the borough superintendent, affecting premises 152-02 to 153-10 10th avenue, and 10-01 to 11-29 152nd street, southeast corner and 10-34 154th street, (Block 4536, Lots 17, 32, 33, 42, 44, 47 and 68, Block 4538, Lots 1 to 18 and Block 4539, Lots 1, 18, 19, 30, 32), Whitestone, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 29, 1943, on N. B. Applic., 228-43, reads:

"2. Proposed use of premises in the bed of mapped

street must be submitted to the Board of Standards and Appeals for approval. Article 3-Para. 35 General City Laws.

3. Area of proposed building is excessive both for a Class 3 and Class 4 building. Note part of walls are frame.

4. Part of walls of frame construction is contrary to §4.1.3 B.C.

5. Yard hydrant system is required §16.1.1.4d.

6. Gutter and leaders must be provided as required by §14.9.2 B.C."

and

WHEREAS, the applicant states that the building will be one story, 22 ft. in height; 152 ft. by 201 ft. in area; of Class 4 construction; located in a residence use, D area and Class 1 height district and used for U.S. Army equipment lumber storage with an occupancy of 20 persons; and

WHEREAS, the applicant contends that the building will be so constructed as to be easily removed and reassembled inside of the limits of the shipyard after the present emergency; that the lumber storage and auto parking lots surrounding the building will be graded practically level and paved with cinders; that the use proposed is for a period of two years; that the beds of streets will not be affected, as there will be no construction of buildings in the beds of such streets; that the grades of streets will not be adversely affected; that all areas within the lines of the streets involved are privately owned and that the city has not commenced condemnation proceedings; that to comply with objections 3, 4, 5 and 6, of the borough superintendent's decision would require the use of materials essential to the war effort and for which the Federal agencies involved refuse to certify the necessity, on the ground that the type of construction proposed is ample for a temporary building for the duration of the war.

Resolved, that the decision of the borough superintendent dated September 29, 1943 on N.B. Applic. 228-43 be and it hereby is *modified* as to objection 2, and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, to permit the use of the bed of the mapped street, namely, the bed of 11th avenue between 152nd and 154th streets and 153rd street and between 12th and 10th avenues, as indicated on plans filed with Cal. 522-43-BZ, *on condition* that the requirements of the resolution adopted this day under Cal. 522-43-BZ shall be complied with; that no other use shall be made of the mapped street during the term of this variance and no building shall be erected therein; *withdrawn* as to objections 3, 4, 5 and 6.

570-44-A

APPLICANT—Henry B. Frey, lessee, for Roslyn Frey, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Irving Rivkin, Henry Frey and A. Jube.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (570-44-A)

WHEREAS, Henry B. Frey, lessee, for Roslyn Frey, owner, filed September 16, 1944, an appeal from a decision of the borough superintendent, affecting premises 42-44 Brighton street, west side, 464 ft. south of Amboy road (Block 7900, Lot 37), Tottenville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, acting on B.N. Applic. 296-44, dated August 18, 1944, reads:

"2. Area of building exceeds 3,000 sq. ft. Use for business purpose is contrary to Sec. 4.1.3 subdiv. 4, C26-2480, Adm. Code."

and

WHEREAS, the building is one and two stories (16 ft. and 26 ft.) in height; 70 ft. by 90 ft. in area; of Class 4 construction; erected in 1892; located in a residence use, E area and 1 times district; and used and occupied as follows: Cellar, boiler room and storage, none; 1st floor, restaurant, bar, bowling alleys and billiards, 100 persons; 2nd floor, storage, no persons; that no change in use or occupancy is proposed and that the building is equipped with a 36 inch wide wood stair, unenclosed, leading to the roof by a scuttle and ladder; and

WHEREAS, the applicant contends the building was erected in 1892 and operated by an athletic club as bowling alleys, billiards, food and refreshments; that in 1920 a plan was filed for the extension of original building and the extension erected in 1921; that the Department of Housing and Buildings has a plan on file, but no record of approval; that in 1921 the building was used, as extended, as a dance hall and roller skating rink; that in 1929 the bowling alleys were installed in the extension and have been used a such since; that in 1934 a restaurant permit was secured; that in 1944 the present owner acquired title; that the general usage of the building has been the same since 1892; that although the sq. ft. area is more than 3,000 sq. ft., the building is well constructed and safe; that a large percentage of the area is devoted to bowling alley surface, which reduces the area within which people can congregate and thus less persons per sq. ft. of area generally use the building than other public buildings; and

WHEREAS, the Board at this meeting, denied an application for a zoning variance under Calendar 532-44-BZ.

Resolved, that the decision of the borough superintendent dated August 18, 1944 on B.N. Applic. 296-44, objection 2, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

Adjourned: 12:55 A.M.

JOSEPH J. DOYLE,
Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 11, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gun.

APPEALS FROM ADMINISTRATIVE DECISIONS.

425-45-A

APPLICANT—George R. Euell, for Raymond Contracting Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx (Under section 35, General City Law re bed of mapped street—Siegfried place).

APPEARANCES—

For Applicant: George R. Euell.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gun.. 4

Negative 0

THE RESOLUTION (425-45-A)

WHEREAS, George R. Euell, for Raymond Contracting Company, owner, filed July 5, 1945, an appeal from a de-

cision of the borough superintendent affecting premises 3149-3153 Rawlins avenue and 1330-1334 Kearney avenue, northeast corner (Block 5408, Lots 201, 202 and 203), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated July 2, 1945, reads:

"In answer to your letter of June 28th, you are advised that your request for a new certificate of occupancy for the above premises is denied, as the buildings in question lie within the bed of the proposed street, being in violation of Section 35 of the General City Law."

and

WHEREAS, the applicant states that the premises affected consist of 6 two-family dwellings, each two stories (25 ft.) in height; 16 ft. by 42 ft. 6 in. in area, two garage buildings each 37 ft. by 18 ft. in area and one garage building 15 ft. by 18 ft. in area, all erected in 1931 and located in a residence use, E area and Class 1¼ height district; that the garages have a total occupancy of 12 cars; and

WHEREAS, Certificate of Occupancy 260-1932 was issued on completion of N.B. Applic. 957-31 and permits the use of six brick two and one half story two-family dwellings; that the applicant has filed no certificate of occupancy relating to the garages; and

WHEREAS, the applicant contends that the present owner acquired the property in 1928; that the street was mapped in 1930; that the owner petitioned the city to acquire the land in the street in June, 1930, and such petition was denied and that the owner again petitioned the city to acquire the land in the bed of the street in October, 1930, and such petition was denied; that the Bureau of Buildings issued permits to build in November 1931 and Certificate of Occupancy 260 in April 1932; that the Bureau of Buildings acted on an opinion issued by the Corporation Counsel in 1928; that the City of New York issued a permit to make sewer connections on January 22, 1932; and

WHEREAS, the applicant has filed a communication addressed to him by the Secretary of Local Board of the Borough of the Bronx wherein it is stated that a petition was filed for acquiring title to the land necessary for Siegfried place and was denied by the Local Board June 18, 1930 and subsequently a similar petition was presented to the Local Board on October 15, 1930 and also denied; and

WHEREAS, it appears that the City has refused to acquire the property for the proposed extension of Siegfried place; and

WHEREAS, the permit was issued by the borough superintendent, based on an opinion of the Corporation Counsel and the buildings were erected thereunder, although the opinion of the Corporation Counsel has since been changed, as evidenced by the several court cases which have occurred since 1930.

Resolved, that the decision of the borough superintendent dated July 2, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, *on condition* that no additional buildings shall be erected on the land within the bed of the proposed street and that the existing buildings shall not be increased in area; that in the event the premises are taken for proposed street construction, that no claim shall be made, in addition to the claim for the land, for the cost of the buildings beyond a valuation as may be determined by the court.

469-45-A

APPLICANT—H. Herbert D. Lilien, for Lindy Exakta Heaters, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

APPEARANCES—

For Applicant: H. Herbert D. Lilien.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (469-45-A)

WHEREAS, H. Herbert D. Lilien, for the Lindy Exakta Heaters, Inc., owner, filed July 24, 1945, an appeal from a decision of the borough superintendent, affecting premises 2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Amendment to Alt. Applic. 406-45, dated July 19, 1945, reads:

"3. Exits must comply with Section 270 of Labor Law."

and

WHEREAS, the applicant states that the building was erected in 1927 of class 3 construction 2 stories (27 ft.) in height, 50 ft. by 119 ft. 1 in. in area, located in a business use, B area and class 1¼ height district and used as a non-storage garage for more than five cars; proposed to be used and occupied as follows: cellar—boiler room—0 persons; 1st floor— non-storage garage for more than five cars—1 person; 2nd floor—assembly of heater parts—11 persons; that the building is equipped with one 3 ft. 8 in. iron stairs, masonry enclosed, equipped with a one hour fireproof, self-closing door and leading directly to the street; that a ladder and scuttle to the roof is provided; that there is an existing fire escape platform at the front of the building, extending to the roof by a ladder and proposed to be equipped with a counter balanced ladder leading to the street, that the adjoining building to the south is 2 stories and to the north, 2 stories in height; and

WHEREAS, the applicant contends that the Board is requested to accept one masonry enclosed fireproof stair from the 2nd floor to the street and a fire escape platform with counterbalanced ladder from the 2nd floor to the street; that in addition, there is a ladder and scuttle to the roof, which will enable the second floor occupants to go to the roof and thence to roof of the adjoining two story building on the south, or to the drop ladder on the fire escape platform and counterbalanced ladder to the street; that there is also a ramp from 2nd floor to the street, which will be used for off-street loading, which will provide additional egress; that the tier over the boiler room and the tier between the 1st floor and 2nd floor are fireproof concrete arches; that there will be not more than 11 persons employed on the 2nd floor; that the interior fireproof stairs and platform are adequate for 42 persons.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 406-45, and that the appeal be and it hereby is *granted* as to objection 3, *on condition* that the exits shall be maintained as proposed and as indicated on plans filed with this appeal marked "Received July 24, 1945", and, in addition, a goose neck ladder shall be maintained from the roof to the fire escape balcony at the front at the 2nd floor level; that the existing ramp may be maintained as an additional means of escape in case of fire, but shall not be deemed meeting the requirements as a lawful exit; that the building shall not be increased in height or area; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

483-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

MINUTES

PREMISES AFFECTED—Block bounded by Morris avenue to 3rd avenue and from East 139th to East 145th streets, Morrisania Houses (Block 2321, Lots 1-4, incl., Block 2322, Lots 1 and 2, Block 2323, Lots 1 and 2 and Block 2324, Lots 1-7, incl.), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis S. Joseph.

For Administration: F. Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (483-45-A)

WHEREAS, New York City Housing Authority, owner, filed August 3, 1945, an appeal from a decision of the borough superintendent, affecting premises bounded by Third avenue to Morris avenue and from East 139th street to East 145th street (Block 2321, Lots 1, 2, 3 and 4; Block 2322, Lots 1 and 2; Block 2323, Lots 1 and 2; Block 2324, Lots 1, 2, 3, 4, 5, 6 and 7), Morrisania Houses, Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated July 30, 1945, on N.B. Applications 103 to 117-44, reads:

"Receipt is acknowledged of your letter of June 18, requesting the approval of Item 39 on your list of details for the construction of the Morrisania Housing Project, New Building Applications Nos. 103-1944 to 117-1944 both inclusive, which calls for the installation of an approved type, self-closing hopper door at incinerators on each floor, so constructed that the chute is closed while hopper is being charged so that no part of hopper will project into the chute or flue, no additional door on hall side to be provided.

The installation of hopper doors for incinerators without additional fireproof doors on the hall side is not acceptable to this Department."

and

WHEREAS, the proposed buildings will be 6 and 13 stories in height, of class 1 construction, located in an unrestricted use, B area and class 1½ height district, occupied as class A multiple dwellings; and

WHEREAS, the applicant contends that the incinerators are of a non-fuel fired type and therefore not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that the incinerator openings will be provided with self-closing hopper doors and frames having a one hour fire test rating and therefore it is unnecessary to add any further protection; that in accordance with the code, any hopper service door placed a foot or more off the required lines of egress travel would be acceptable without the use of a protective door; that this could not therefore be construed to give any more protection to the egress enclosure in which most incinerator openings are located; that in buildings where such protective doors have been installed, said doors have not only been a continual nuisance to the tenants by interfering with the convenient operation of the hopper door, but also have been the cause of people spilling refuse, thereby creating an unsanitary condition; that people's clothes become soiled every time they use the incinerator, as they must lean again the protective door to hold it open; that in general, this additional door is very impractical; that most buildings heretofore using this protective door have been of non-fireproof construction, whereas all these buildings will be class 1 fireproof structures.

Resolved, that the decision of the borough superintendent acting on N.B. Applications 103 to 117-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed incinerator hopper door assembly shall be of a type as approved by the Board, as meeting the test requirements for one hour rating.

509-45-A

APPLICANT—R. Rappaport, for Twisted Button Novelty Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reuben Rappaport and Arthur Cherici.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (509-45-A)

WHEREAS, R. Rappaport, for Twisted Button Novelty Company, owner, filed August 30, 1945, an appeal from a decision of the borough superintendent, affecting premises 101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 21, 1945, on Sprinkler Applic. 2092-45, reads:

"1. Water supply to a sprinkler system for which nitro-cellulose products are manufactured, stored or kept shall consist of gravity tank and pressure tank or two gravity tanks. C26-1375.0 Adm. Code."

and

WHEREAS, the applicant states that the building is one story (16 ft.) in height, 50 ft. by 100 ft. in area, of class 3 construction, erected in 1924, located in an unrestricted use, A area and class 2 height district and used and occupied since 1925, as a garage and proposed to be used and occupied for the manufacture of celluloid products—30 persons; and

WHEREAS, the applicant contends that the building is constructed of brick and concrete walls, concrete floor and roof construction of steel girders, wood joists; that steel girders and joists are bottom flush and the underside of roof beams covered with ½ in. plasterboards; that a vault for the storage of over 500 lbs. of celluloid is proposed, as shown on Alt. Plan 2169-45; that it is proposed to install a sprinkler system throughout the building; that the system will be fed from a 6 in. connection to the present 6 in. main on Clay street, which is fed two ways; that the main on Clay street is fed from a 12 in. main on Manhattan avenue and a 16 in. main on Oakland street; that the pressure in front of the building is 46 lb.; that it is proposed to run 2½ in. main to supply heads in the storage vault, which will be equipped with 12 heads with baffles, directly connected to the 6 in. riser before any supply is taken off for the sprinkler system in the balance of the building; that the sprinkler system will be connected to central office by water flow alarm.

Resolved, that the decision of the borough superintendent, acting on Sprinkler Applic. 2092-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be in accordance with the plans filed with and as approved by the Fire Insurance Exchange, Sprinkler Division, which approval appears on the blueprint from which these photostats were printed, as filed at this meeting marked "A-2"; that the building shall not be increased in height or area; that the storage vault for films shall be located substantially as shown on plans filed with this appeal marked "Received August 30, 1945", and shall meet all the requirements therefor; that the total amount of celluloid stored on the premises shall at no time exceed 500 lbs.; that such celluloid shall at all times be stored within the vault except for not more than 10 lbs. in process in the building; that all handling and processing of celluloid shall be carried on

in the front portion of this building and not farther back from the front wall than 65 ft.; that such water containers for nitro cellulose scrap and portable fire fighting appliances shall be maintained in connection with the manufacture of celluloid products, as the fire commissioner shall direct; that the paint dipping room shall be located substantially in the location shown and shall comply with the requirements of the Building Code therefor, and paint dipping shall be conducted in accordance with the Paint Spraying Rules of the Board; that there shall be installed toward the rear, a stair enclosed in incombustible material as approved for one hour construction, leading to the roof bulkhead for access to the roof and as an additional escape in case of fire; that the two exits at the front of the building shall be maintained; that the boiler room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the sprinkler shall be fed as proposed with a 6 in. street main, fed two ways and the sprinkler system shall be connected to fire headquarters through a central office as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

529-45-A

APPLICANT—Robert D. Kohn, for R. H. Macy and Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—South side of 89th avenue, from 164th to 165th streets, 89-21 164th street and 89-22 165th street (Block 9794(866), Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Ferdinand Klebold.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (529-45-A)

WHEREAS, Robert D. Kohn, for R. H. Macy and Co., Inc., owner, filed September 5, 1945, an appeal from a decision of the borough superintendent, affecting premises: south side of 89th avenue from 164th to 165th streets, 89-22 165th street and 89-21 164th street (Block 9794, Lots 43, 48, 52, 56, 59, 62, 64 and 67), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated August 29, 1945, on N.B. Applic. 1023-45, reads:

"1. The aggregate capacity of the enclosed stairways leading from the balcony, is insufficient for the occupancy noted on the application (Sec. 6.1.2.2.4 a and 6.4.1.1.-2—Building Code)

2. The aggregate capacity of the enclosed stairways leading from the lower level direct to the exterior, is insufficient for the occupancy noted on the application."

and

WHEREAS, the applicant states that the proposed building will be 1 story (22 ft. 6 in.), in height, 187 ft. 6 in. by 366 ft. 3-1/8 in. in area, of Class 1 construction, located in a retail and restricted retail, use B area and Class 1-1/2 height district and to be used and occupied as follows: sub-cellar—shipping and mechanical equipment—20 persons; cellar—retail sales—2360 persons; 1st floor—retail sales—2226 persons; balcony—retail sales—200 persons; offices and employees—500 persons; total, 700 persons; roof—auto parking for employees and customers; that the building will be equipped with two source sprinkler system, interior fire alarm system and regular monthly fire drills will be maintained; that there will be five interior steel stairs, enclosed in 6 in. cinder block partitions, equipped with 1 hour self-closing doors serving the basement and leading directly to the street and which will be 3 ft. 8 in. to 9 ft. 2 in. in width; and two stairs serving the balcony; and

WHEREAS, the applicant contends that the proposed means of egress are ample; that a great number of exits would affect the control of the store and also the sales layout; that it is believed that the code was written to cover structures of multiple story occupancy where the stairways have to hold the capacity of all occupants coming down from all floors, whereas the occupants of this building have only one story to go from any level; it is therefore requested that the Board relieve the owner of the hardship of complying with the requirements of the code for this one story and basement structure; and

WHEREAS, in addition to the five enclosed stairs claimed to lead directly from the cellar sales space to the street, there are three enclosed stairs shown leading to the street through service passage as well as an escalator and wide open stair leading from the cellar to the street floor; and

WHEREAS, in addition to the two enclosed stairs claimed, leading directly from the balcony to the street, there is an escalator and an open stair to the street floor and connecting door to automobile ramp at balcony level; that the applicant proposed at the hearing to install an additional enclosed stair from the balcony, leading to the street, 5 ft. 6 in. in width; and

WHEREAS, there are shown three means of reaching the roof by stairways and two automobile ramps; and

WHEREAS, the capacity of the five stairs claimed leading from the cellar directly to the street has been computed under the Code provision as 750 persons and for the two stairs claimed for the balcony to the street as 145 persons; and

WHEREAS, the Code provision C26-273.0,c,1,d would require a total of twenty or more enclosed stairs, each 3 ft. 8 in. wide; and

WHEREAS, the following resolution was offered for consideration:

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 1023-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that there shall be not less than 3 enclosed stairways from the balcony leading directly to the street and that the public occupancy of the balcony floor shall not exceed 200 and that the occupants of offices and employees shall not exceed 500; that all stairways leading from the balcony to the street shall be available both for the public and for the employees; that the additional or third stair from the balcony to the street shall be at least 5 ft. 6 in. wide; that the sprinkler system throughout shall be maintained in accordance with the requirements therefor and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; and *withdrawn* as to Objection 2, to comply, so that the number of persons permitted in the cellar will not be in excess of the number lawfully permitted for the exits provided leading from the cellar directly to the street.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 1023-45, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

(Remaining minutes of the meeting of September 11, 1945 will be printed in the Bulletin of September 25, 1945.)

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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SUPPLEMENT TO THE BULLETIN OF THE BOARD OF STANDARDS AND APPEALS

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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CONTENTS

This issue of the Supplement to the Bulletin 717-45-44-SM—reprinting of Resolution of Approval adopted July 24, 1945 A.M. (Bulletin 31, Volume XXX, page 736) to include report of Committee on Tests.

Caution—Resolution should be consulted in every case for pertinent details.

NOTICE

For the convenience of the public and the Administrative Departments, the Board publishes in a Supplemental Bulletin a list of Materials, Appliances and Methods of Construction that have been approved by the Board since its creation under Chapter 503 of the Laws of 1916, through March 20, 1945, and the latest publication of such Supplemental Bulletin is No. 15A, Volume XXX, dated April 10, 1945. By the terms of that amendment to the Greater New York Charter, the Board was empowered to test materials and the present New York City Charter continues this power under Section 666, Paragraph 1, reading: "The Board shall have power to test and approve materials and appliances to be used pursuant to law." The requirement that all Materials, Appliances and Methods of Construction shall be approved is also provided in Section C26-178.0.b of the Administrative Building Code, effective December 30, 1937. The definition of "approved" is in Section C26-14.0. Section C26-191-0.a provides that "the sole authority to test and approve materials and appliances is vested in the Board."

Such list does not include materials and appliances as may

(*Continued on Page* 28)

717-44-SM

APPLICANT—Roberts and Schaeffer Company, Chicago, Ill., (Anton Tedesko, Agent).

SUBJECT—Z-D System of Reinforced Concrete (Shell Construction), approval of.

APPEARANCES—

For Applicant: Anton Tedesko, D. Delmetto and R. L. Bertin.

ACTION OF BOARD—System approved in accordance with the report of the Committee on Tests. Resolution of approval adopted July 24, 1945. A.M. (Bulletin No. 31 Vol. XXX page 736).

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION—

WHEREAS, Roberts and Schaeffer Company, owner, filed on December 11, 1944, an application with the Board of Standards and Appeals for approval of the material known as the Z-D System of Reinforced Concrete (Shell Construction); and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. #717-44-SM.

Subject: Z-D System of Reinforced Concrete (Shell Construction), Approval of.

The Roberts and Schaefer Company of Chicago, Illinois, filed an application with the Board of Standards and Appeals for the approval of their design method of barrel shell construction (fig. a) known as

Fig. a

the Z-D System of Reinforced Concrete under the requirements of C26-178.0,b, designs to be based on accepted theory of flexure as is permissively allowed under C26-468.0 with flexural resistance of slabs to be designed as provided in C26-471.0 and moments, shear and points of inflection for the proposed type of design to be in accordance with the limitations of C26-481.0,a,b, and c.

General Considerations

The Administrative Building Code provides for the design of reinforced concrete structures, predicated on the application of the generally accepted theory of flexure (C26-468.0) for allowable loads and within the stresses provided elsewhere in the Code title.

The strict applications of the theory of elasticity to the design of reinforced concrete structures requires exhaustive and complex structural analysis taxing the best structrual and mathematical ingenuity of the engineering profession.

Through research, theoretical and experimental, empirical formulae have been established for the design of slabs, beams, columns, flat slabs, two way slabs, footings which within limits produced structures which have functioned satisfactorily. The status of these empirical rules and their limitations at the time the code was written were accepted by the administrative authorities and form the basis of our present code. These rules are not however, fundamental, and as additional knowledge and experience is acquired, improvements in the empirical methods are brought about and their application broadened beyond the original narrow limits so that desirable structures heretofore considered beyond the scope of the rules become possibilities. Such improvements deserve recognition in order to give the building public the benefit of the advancement of the art. The early concept of reinforced concrete design was to analyse slabs, beams, girders, columns, individually, disregarding completely the monolithic characteristics of the assembly. The unsatisfactory behavior of such structures led to the development of special provisions to compensate for continuity of slabs across beam, beam across girders and girders across columns in the form of arbitrary bending resistance across supports. Refinement was further introduced through the development and the application of the principles of continuity, thus recognizing the monolithic properties at least in one direction. The further development of flat slabs and two way slabs marked the application of the concept of plate action to reinforced concrete thus taking advantage of the biaxial resistance of monolithic structures. These types of structures first appeared in the form of proprietary systems which later were generalized through the development of empirical formulae for their design.

These methods which at first were limited in scope have and still are being improved and broadened through the efforts of research men and far seeing engineers.

A more recent concept for the utilization of the full potential possiblities of monolithic structures is that of curved or warped surfaces for use in long span construction. Such structures first made their appearance some 15 years ago in response to the demand of large column free areas. The introduction of these structures followed in the foot steps of the flat slabs and two way slabs in that they were introduced by pioneers in the form of proprietary systems, with one exception however, namely, that whereas the early systems of flat slabs and two way slabs were conceived instinctively without much theoretical background, curved or warped surface structures generally known as shells are essentially the product of mathematical developments of the highest order, the correctness of which was demonstrated by the behavior of actual structures in service.

Briefly stated, shell structures consist of comparatively thin plates curved in one or two directions stiffened by curvature and edge members. Egg shells, walnuts, soap bubbles are familiar examples created by nature. Automobile fenders, paper dishes and spoons, airplane bodies and wings and others too numerous to mention are familiar applications of shell structures in which the principle of curving thin plates to produce rigidity and reduce weight has been used in industrial fields. The rigidity and strength of such structures is explained by the fact that loads on such curved plates are transmitted largely by three dimensional stress action their ultimate resistance being limited by buckling and not by bending. The same principle is used in the design of constructions such as large pipe lines, self-supporting flumes, section gates and barrel type roof structures, the calculations of which involve triaxial solutions and correlated action of stiffening members with shells of various character. In the shell type of construction, advantage is taken of the well known diaphragm action in all load transfers, in fact of all resisting elements generally disregarded for the sake of simplicity.

Concrete shell roofs of the type submitted by the applicant for consideration are an established form of long span roof construction. Examples are to be found all over the world. This system had its origin in Europe as the outgrowth of a semispherical reinforced concrete dome designed for use in connection with the Zeiss planetarium. The shell roof construction was introduced in this country about 12 years ago by the applicant who has since then designed and supervised the construction of some 45 projects spread over 18 states aggregating 7,500,000 square feet. No structural deficiencies or failure were reported in the data filed notwithstanding and numerous load tests and strain measurements attest to the adequacy of the design methods used in the proportioning of these structures. Although there are a great many varieties of shell structures the most useful types may be classified into two groups, namely, the cross barrel type, which consists of cylindrical reinforced concrete segments spanning along their axis anywhere from 35 to 150 ft. with corresponding cross spans of 20 to 50 ft. and the longitudinal barrel type in which cylindrical segments are supported and stiffened by arches spaced some 25 to 50 ft. along the axis of the segment and the arch or segments spanning from 40 to 300 ft. in the other direction. In either case, the structures are comparable to flat structures of similar dimension. Fig. 1-a, shows a cross barrel roof in which the curved membrane together with the edge members may be considerd to act like a very large tee beam with curved flanges spanning from column to column in the same manner as the flat slab and edge beams of the corresponding flat section shown in Fig. 1-b. Fig. 2-a, shows a longitudinal barrel in which the curved member or shell together with the supporting arch and the columns may be considered to act as a rigid frame in the same manner as the slab, girder and column of the corresponding flat section shown in Fig. 2-b. In any case if the slabs or membranes straight or

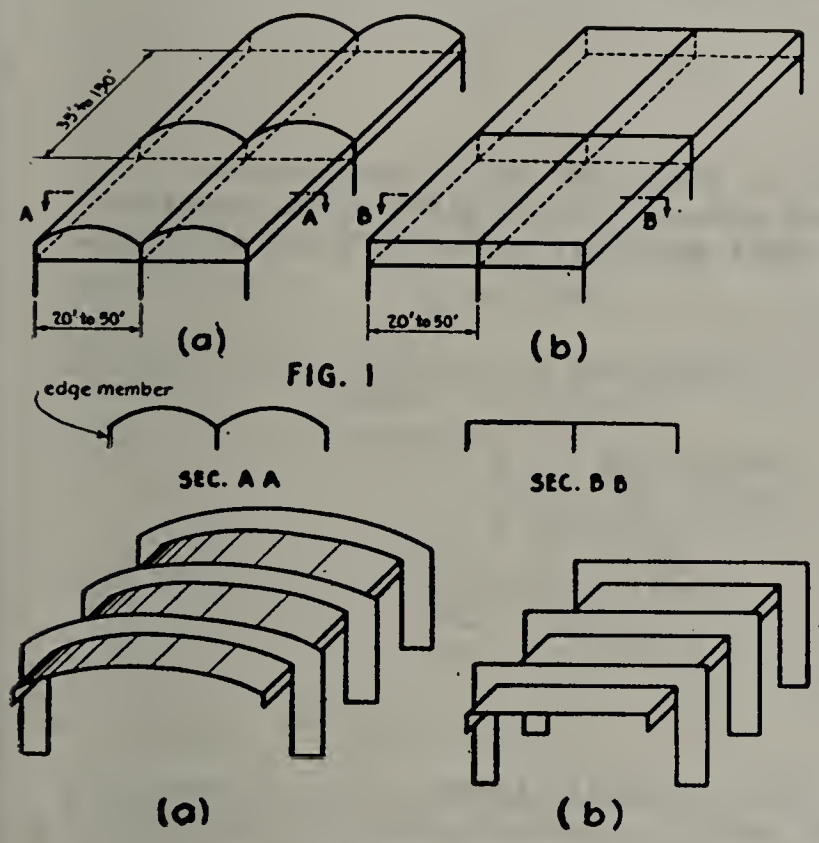


FIG. 1

FIG. 2

curved are assumed to be made self-sustaining by means of ties or ribs, these structures can be proportioned within and in conformity with the requirements of the Administrative Building Code. They however, would prove not only uneconomical but structurally unsound in comparison with the shell structures since such design method would fail to take into account definite resistance in the form of two way action of the shells which resistance is susceptible to accurate analysis within the province of mechanics. Fundamentally, the regulations of the Administrative Building Code with reference to the design of reinforced concrete provide that moments and shears be determined in continuous and restrained structures on the basis of recognized principles of mechanics (see C26-481.0c) and that the flexural resistance of the component parts be based on the generally accepted theory of flexure as it applies to reinforced concrete C26-468.0 and 471.0, and that the stresses thus determined be not in excess of the values specified in C26-364.0, Table 1 for controlled concrete. In addition the Code title prescribes detailed methods of design and limitations for some specific parts such as flat slabs, two way slabs, columns, footings, etc. which represented the best knowledge of the art at the time it was written. These methods and limitations are subject to modifications and new ones may be added from time to time in order to keep pace with the advancement of the science so long as they remain within the fundamental requirements of conformity with applicable recognized principles of mechanics and theory of flexure.

The shell structure design methods are divided into two categories, namely,

(a) That part which deals with the design of the shells themselves which involves the application of three dimensional stress analysis.

(b) That part dealing with the design of the shell supports in the form of arches which can be solved by any one of the numerous applicable universally known methods of analysing continuous or rigid frame structures such as:

The moment area method
The slope deflection method
The method of least work
The moment distribution method

and many others all of which can be found in relevant literature published since the inception of the basic principles first established by Castigliano in 1879.

The design of these supporting members therefore may be considered wholly within the legal limitations of the code title and can be checked by an examiner without supplemental information. With reference to the design of the shells proper the analysis involves certain principles of mechanics and the solution of differential equations of high order the application of which are of more recent origin. While the principles themselves and the mathematical solutions can be found in standard texts dealing with the Theory of Elasticity, their application to the design of reinforced concrete shells originated some 30 years ago and gradually was developed until today, the theories, the solution and application of the theories have become generally accepted and are being taught in colleges and universities as a part of the advanced structural engineering courses. Although more or less standardized, the actual designing work is involved and complicated and requires a technique which can be dealt with comprehensively only by stress analysts particularly well informed structurally and mathematically and possessing data in the form of tables and graphs not to be found in the standard literature, therefore it is important that designs of shell structures be restricted to engineers who are fully versed in this branch of mechanics. The fundamental determination of stress interrelation within the shells are functions of shape, loading, continuity, restraint, etc. and involves intricate and extensive computations and graphical superposition of the various effects which while in accordance with the fundamental theory of mechanics and flexure are beyond the narrow scope of arbitrary structural analysis. Although these methods of stress determination of shells can be found in a number of text books such as, S. Timoshenko Books on Theory of Elasticity and Theory of Plates and Shells, their values as determined by competent designers may be assumed as correct since they represent but intermediary steps of the complete design and are verified automatically by the final check of static equilibrium. It is suggested as a method to verify the sufficiency of shell designs by the Department of Housing and Buildings that the applicant plans on submitting for each shell, graphs or tables listing the stress intensities at critical points for loads to be carried for use in equating the internal and external forces in accordance with equations such that when satisfied:

1. The correctness of the submitted stress data is verified,
2. The stability of the structure is insured,
3. The working stresses are established for checking against Administrative Building Code requirements.

Theoretical Analysis of Cylindrical Barrel Shells

Cylindrical arches, shaped so as to follow the line of thrust, have been used for many years, the thrust at the springing lines being taken up by abutments or series of tie rods. Where unsymmetrical loading caused bending, heavy sections have to be resorted to compensate for the bending stresses.

In contrast with such arched vaults or barrels, the shells of the applicant's type of structure are so proportioned as to render available three dimensional distribution of stresses wherein the cylindrical shell is held rigidly by stiffening members. The cross sectional curve of the cylindrical shell lies above the lines of thrust and the interaction of the shell and the stiffening member is such that the shell is kept free from bending moments and that loads and thrust are transferred to the stiffening members by tangential shear—see Fig. 3.

The resulting action of the shell in transverse and in longitudinal direction can be visualized by analysing the generally valid differential equation of the system, introducing the equation of the cross sectional curve expressed as a function of the central angle.

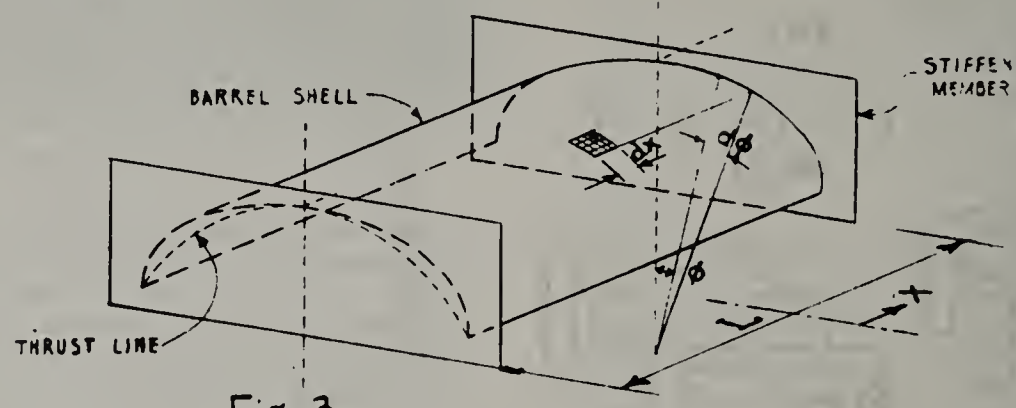


Fig 3

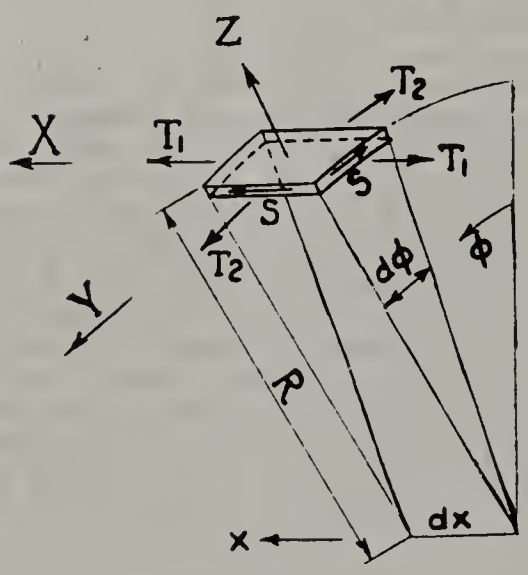


Fig. 4

In Figure 3 a small element of the cylindrical barrel shell is shown. Considering the equilibrium of membrane forces acting on the element Fig. 4 the following unit stress components act in the plane of the element:

T_1 ..... direct stress component in the longitudinal direction (compressive or tensile)

T_2 ..... direct stress component acting in the transverse direction

S ..... shearing stress component acting in pairs of equal magnitude on all four sides of the element

X,Y,Z .. resultant components of the external loads in the tangential plane and perpendicular to the shell surface.

R ..... radius of the curvature of the shell.

The conditions of equilibrium are as follows:

a.) In the direction perpendicular to the small element the load "Z" acts on the area $R d\phi\, dx$. The two internal forces $T_2 dx$ have also a component in the direction of "Z" because of enclosing an angle $d\phi$ . . Therefore

$$Z R\, d\phi\, dx = T_2\, dx\, d\phi$$

and reduces to: $T_2 = RZ$

b.) In the direction of the tangent to the curve the load Y acts on the area $R\,d\phi\,dx$. In the same direction acts further the difference of the internal forces $T_2\,dx$ along the arch element $R\,d\phi$ and the difference of forces $SR\,d\phi$ along dx . Therefore

$$Y\,dx\,R\,d\phi + \frac{\delta T_2}{R\delta\phi} R\,d\phi\,dx + \frac{\delta S}{\delta x} R\,d\phi\,dx = 0$$

which reduces to: $$\frac{\delta S}{\delta x} = -\frac{\delta T_2}{R\delta\phi} - Y$$

c.) In the longitudinal direction of the barrel shell the following forces are acting:- the difference of $S\,dx$ along the arc $R\,d\phi$, the difference of $T\,R\,d\phi$ along dx and besides a component X of the external load. Therefore

$$\frac{\delta S}{R\delta\phi} dx\,R\,d\phi + \frac{\delta T_1}{\delta x} R\,d\phi\,dx + X R\,d\phi\,dx = 0$$

which reduces to: $$\frac{\delta T_1}{\delta x} = -\frac{\delta S}{R\,\delta\phi} - X$$

The solution of these three equations, gives the unknowns T_2, S, and T_1 :

1)
$$\text{a)} \quad T_2 = +RZ$$
$$\text{b)} \quad S = -\int \frac{\delta T_2}{R\delta\phi} dx - \int Y\,dx + f_1(\phi)$$
$$\text{c)} \quad T_1 = -\int \frac{\delta S}{R\delta\phi} dx - \int X\,dx + f_2(\phi)$$

$f_1(\phi)$ and $f_2(\phi)$ are functions depending on the edge conditions and on the choice of the system of coordinates.

The stress conditions of the shell are usually complicated in the vicinity of its edges where the flexible shell is connected to comparatively stiff and heavier sections, so called edge members (tension members). Secondary stresses are produced at such intersection of members influencing the stress distribution within the flexible barrel shell. These stresses usually are confined to a narrow edge zone.

In the case of a barrel shell under its dead load (p - per unit area of surface):

$$Z = -p\cos\phi$$
$$Y = p\sin\phi$$
$$X = 0$$

The stress resultants then would be

$$a) \quad T_2 = -pR\cos\phi$$

$$b) \quad S = -x\left(p\sin\phi + \frac{\delta T_2}{R\delta\phi}\right) + f_1(\phi) = -xS_o + f_1(\phi)$$

$$c) \quad T_1 = \frac{x^2}{2}\frac{\delta S_o}{R\delta\phi} - x\frac{\delta[f_1(\phi)]}{R\delta\phi} + f_2(\phi)$$

Considering curves of the following character for discussion:

$$R = R_o\cos^n\phi$$

where R_o is the radius of curvature at the crown. In this equation n is introduced for the following different values:

$n = -3$, a parabola will result.

$n = -2$, a catenary will result.

$n = 0$, a circle will result.

$n = +1$, a cycloid will result.

Considering first the catenary, which is an arch formed according to the line of thrust, the above equation reads

$$R = R_o\cos^{-2}\phi$$

Introduced in equation (2) $\quad T_2 = -pR_o\cos^{-1}\phi$

or $T_2\cos\phi = -pR_o = \text{constant} = T_{2\text{-HORIZONTAL}}$

$$S = -x\left[p\sin\phi + \frac{1}{R_o\cos^{-2}\phi}\left(-pR_o\sin\phi\cdot\cos^{-2}\phi\right)\right] + f_1(\phi) = 0 + f_1(\phi)$$

It follows then that the horizontal thrust of a vault which is shaped according to a catenary is always constant. The shear stress S becomes 0 when $f_1(\phi)$ equals 0. In the case where there is no shear also T_1 must be 0.
Therefore a distribution of stresses in space does not exist.

MINUTES

In the barrel shaped according to the catenary, the stresses due to dead load are only in cross sectional planes of the shell. The stiffening members of the shell do not come into action because there are no shear stresses which could transfer loads in longitudinal direction. The statical problem is two dimensional. It is pointed out that there is still a difference, however, between an arch formed according to the catenary and a barrel shell formed according to the catenary; if loaded unsymmetrically by snow or wind loads, an arch will be subjected to bending whereas the barrel shell will be free of bending stresses.

The action of the barrel shell is basically different. Here the cross sectional curve lies above the thrust line as in the case of $n > (-2)$. Then R equals $R_o \cos^n \phi$, where $n > (-2)$.

Introduced in equation (2a)

$$T_2 = -pR\cos\phi = -pR_o\cos^{n+1}\phi$$

and the horizontal thrust

$$T_{2\cdot H} = T_{2\text{-HORIZONTAL}} = T_2\cos\phi = -pR_o\cos^{n+2}\phi$$

For all values of $n > (-2)$ the horizontal thrust $T_{2\cdot H}$ decreases with increasing central angle ϕ and becomes 0 when ϕ equals 90 degrees. The ellipse and the cycloid, for which curves n is larger than 0, are especially effective.

The reduction of thrust from the crown to the springing line is accomplished by tangential shear forces which gradually transfer the arch thrust to the stiffening members. The size of the shear S is given (See equation 2b) by the change of thrust $\frac{\delta T_2}{R\delta\phi}$ within the arch element plus the load component $p\sin\phi$ in the direction of the cross sectional tangent. The shear S increases proportionally with the distance x and therefore is largest where the shell connects to the stiffening members. The longitudinal forces T_1 depend (see equation 2c) on the change of shear within an arch element $\frac{\delta S}{R\delta\phi}$. They are of parabolic distribution between the stiffening members. For $\phi = 90°$ the arch thrust T_2 becomes 0; the shear forces S, however will be of considerable size (see equation 2b)

$$S = -x\left(p\sin\phi + \frac{\delta T_2}{R\delta\phi}\right)$$

$$\frac{\delta T_2}{R\delta\phi} = \frac{\delta}{R\delta\phi}\left(-pR\cos\phi\right) = \frac{p}{R}\left(R\sin\phi - \cos\phi\,\frac{\delta R}{\delta\phi}\right)$$

$$\text{for } \phi = 90° \text{ ---------- } \frac{\delta T_2}{R\delta\phi} = p$$

and therefore S equals $(-2px)$.

The resultant stress components, T_1, T_2 and S may be combined for each point of the barrel shell. The resultant principal stress is obtained for each point of the shell as well as the angle of this stress. The complete stress pattern of the shell could be condensed into the diagram of stress trajectories as indicated in Fig. 5. At the springing line (edge member) ϕ equals 90°. Both T_1 and T_2 equal 0 and only the shear forces S (equaling $-2\rho x$) remain. The principal stresses therefore include an angle of 45° with the springing line of the barrel. The shear forces acting along the springing line develop tension along the edge which must be taken care of by a tension member receiving the force

$$F_T = \int_{x=x}^{x=\frac{L}{2}} S\,dx = \rho\left(\frac{L^2}{4} - x^2\right).$$

The maximum of the tensile force occurs in the center of the span of the barrel where x equals 0 and $F_T = \rho\frac{L^2}{4}$. This is the point where the shear equals 0.

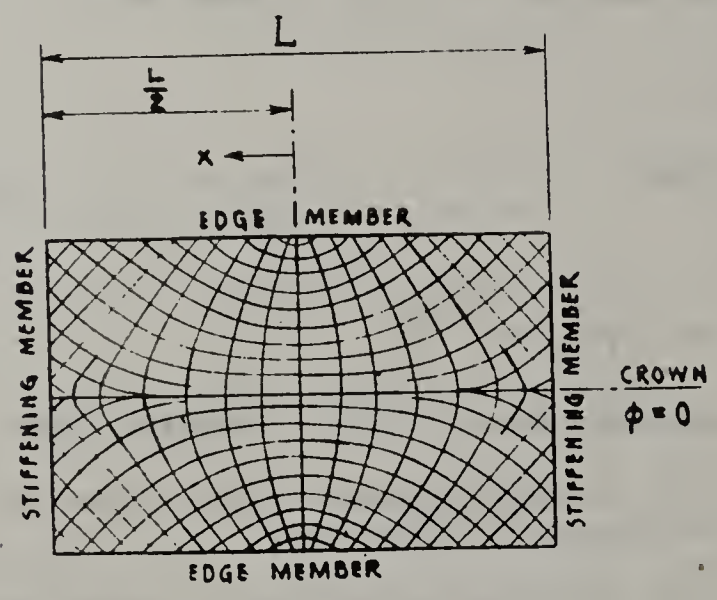


Fig. 5

Showing developed plan of Barrel.
Indicating stress trajectories in Shell.

The tensile force F_T similar as the T_1 forces is distributed in the shape of a parabola over the distance between the stiffening members. The tensile force in the edge member (tension member) is in equilibrium with the compressive forces T_1 of the shell; both form a couple which must resist the moment of the external loads. The tensile forces in the two tension members equal the sum of all T_1 forces in each cross section through the entire barrel shell.

This explains the longitudinal action of the barrel shell between its supporting stiffening members. The action in the cylindrical shell may be compared to the action of a T-beam, the flange of which is represented by the curved shell. The section modulus of the barrel shell is large on account of the considerable depth of the section. Whereas the compression flange of the conventional T-beam is limited by its effective width, the barrel shell is throughout subjected to forces which are distributed in accord with the laws of stress analysis.

A similar beam action exists in the transverse direction of the barrel. In a longitudinal section along the crown line of the barrel it may be recognized that in this section of the shell a total compressive force $F_c = LT_2 = Lp R_o$ is acting. This arch force is transferred by shear action to the stiffening members

where a tensile force develops. For reasons of equilibrium the sum of the tensile forces in both stiffening members must equal the total compressive force F_c in the barrel shell. These internal forces form a couple which must be in equilibrium with the external moment of the loads. The distribution of compressive forces in the slab is uniform in spite of the ratio of slab thickness to effective slab width up to 1/600. The double beam action in the space is the characteristic feature of the cylindrical barrel shells. The three-dimensional stress analysis has been checked by a great number of tests on actual structures which prove the correctness of the method of analysis presented herewith.

Small secondary bending stresses exist in the shell and are due largely to the change of direct stresses within the shell. The deformation in the shell by the action of the direct stresses is very small and therefore the deformations caused by the change of such direct stresses can only be of secondary nature. The applicant's experience has shown that loads are carried by direct stresses only and not by bending action. Shell structures with a ratio of slab thickness to span of about 1/400 showed no measureable deflection whereas a load transfer by means of bending stresses would have necessitated deflections of several inches. The structure could not have taken such settlements without failure and the load transfer by bending stresses is therefore out of the question.

Cylindrical barrel shells are statically indeterminate structures and therefore have various possibilities of carrying the loads to the supports. The stresses are transferred in the direction of most resistance according to the law of least deformation. The edge members of the shell are usually flexible in horizontal direction and do not give resistance to arch thrusts; therefore no arch action can develop in the shell which must find a different way to carry the loads. The stiffening members of the shell system which are more resistive than the edge members will be the supports for a new carrying action. As the arch shell finds no substantial support at its springing lines it will support itself like a beam between its stiffening members. The three-dimensional stress action with load transfer to the stiffening members will go into effect as long as proper reinforcing is provided in the correct directions to take care of the developing principal stresses.

MINUTES

CALCULATION OF THE REINFORCING FOR THE SHELL

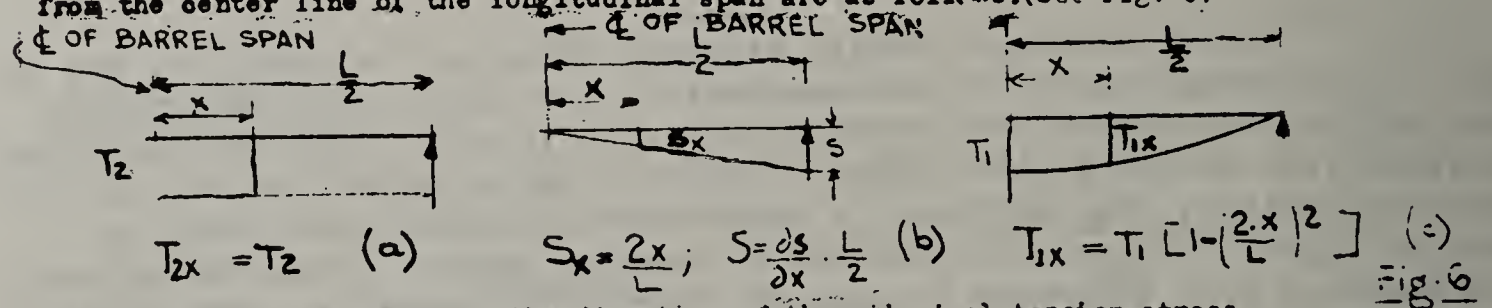
After computing the stresses on the transverse cross section of the shell, the variation of these stresses in longitudinal direction is evaluated.

T_2 values are constant for all transverse cross sections of the barrel.

T_1 stresses change in longitudinal direction like the ordinates of a parabola, because they are in direct proportion to the beam moments of the load.

The intensity of S stresses varies longitudinally in a straight line, because S stresses are in direct proportion to the shear produced by the loads.

For the basic case of a simple beam span the values of T_2, T_1 and S at a distance x from the center line of the longitudinal span are as follows:(See Fig. 6)



$T_{2x} = T_2$ (a) $\quad S_x = \frac{2x}{L}$; $S = \frac{\partial S}{\partial x} \cdot \frac{L}{2}$ (b) $\quad T_{1x} = T_1 \left[1 - \left(\frac{2 \cdot x}{L}\right)^2\right]$ (c)

Fig. 6

The reinforcing is placed in the direction of the principal tension stress.

The computation is given by the following formulae for the principal stress T_A and the angle α which gives the direction of this principal stress:

$$T_{A\,MAX} = \frac{T_{1x} + T_{2x}}{2} \pm \sqrt{\left(\frac{T_{1x} - T_{2x}}{2}\right)^2 + S_x^2}$$

$$\tan 2\alpha = \frac{-2 S_x}{T_{1x} - T_{2x}}$$

Wherever the barrel shell spans are not simple beam spans between stiffening members, an adjustment is made to extend the analysis to the type and continuity condition of the barrel shell unit used. The following diagrams show the shear and moment diagrams for loaded spans. The values k_1, k_2 can for all points be calculated according to the existing continuity conditions: (as shown in Fig.7)

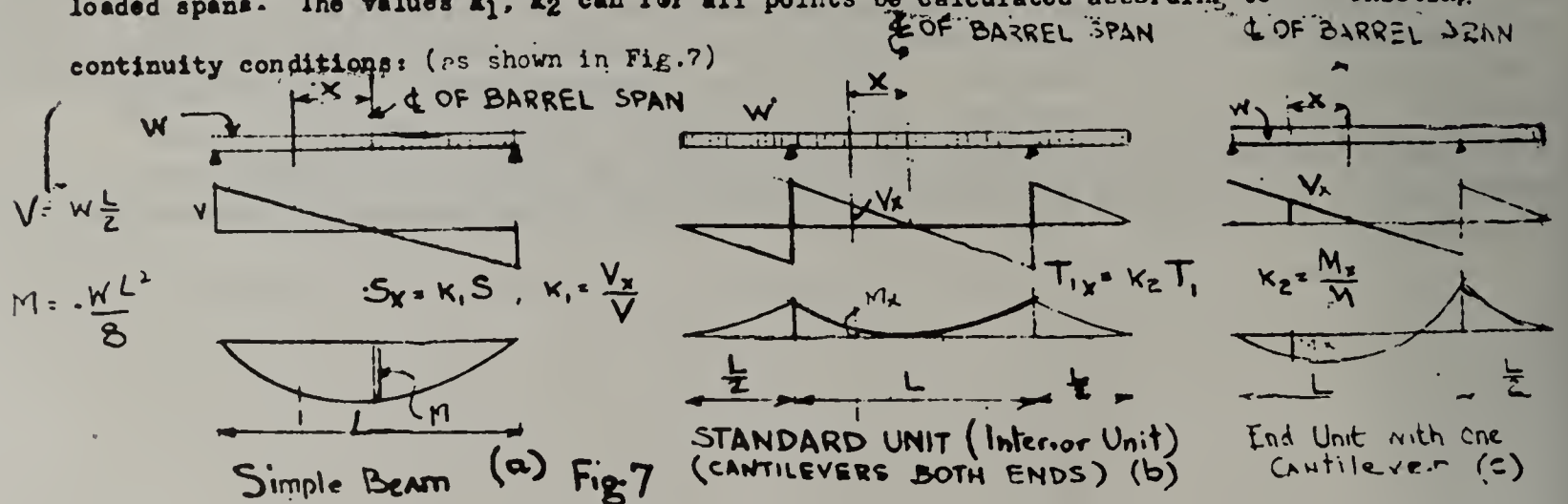


Fig. 7

MINUTES

Computation of Stresses for Shell Structure

The applicant has submitted approximate and accurate methods of calculation to be applied to their form of construction. This covers only the latter method as it is the more important because of the lack of experience that most designers have with respect to the proposed design and it is concluded that the accurate method of calculation will better substantiate the application of tried methods of mechanics and mathematics familiarly used by design engineers in accordance with stresses obtained as follows:

1. Description of charts and tables.

A transverse cross section through the shell is shown in Fig. 8 and its shape properties given in Table 1. This shell in longitudinal direction is assumed to be freely supported on arch ribs at 25 ft. ctrs. Fig. 9 shows the three main stress resultants plotted over the cross section curve of the shell. A stress resultant is the stress per unit area multiplied with the shell thickness.

Fig. 9a shows the ring stress resultants in kips per foot.
Fig. 9b shows the unit changes of shear stress resultants in kips per sq. ft.
Fig. 9c shows the longitudinal stress resultants in kips per foot.
The magnitude of these stress resultants is tabulated in columns 3 to 5 incl. of Table 2.

Certain area summations are made for the purpose of verification of the stress resultants. These summations are based on the well known formula for the area A:

$$\text{AREA } A = \frac{\Delta B}{3}\left(Y_0 + 4Y_1 + 2Y_2 + 4Y_3 + \ldots\ldots + 2Y_{2n-2} + 4Y_{2n-1} + Y_{2n}\right)$$

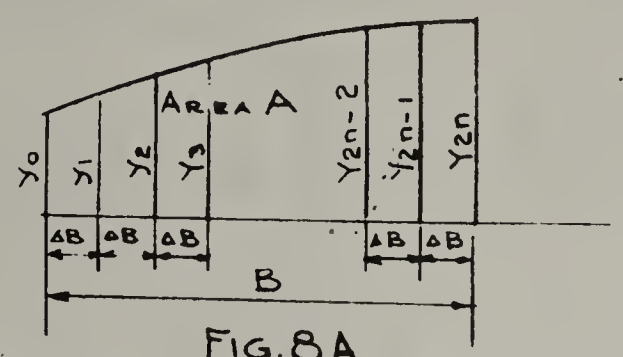


FIG. 8A

2. Verification of results.

The following equations of equilibrium must be satisfied if the results of the accurate analysis are correct:

a. The sum of the vertical components of the shear must equal the vertical load per unit length.

b. The moments due to the external loads must equal the resisting moments of the internal forces.

c. The sum of all longitudinal forces within one cross section must be zero.

TABLE 1

L = 38'-2", B = 41'-11⅞", Δs = 2'-7 21/64", t = 3½" = 0.29 FT.

Point n	1 Y	2 Φ	3 cos.Φ	4 sin.Φ
0	0"	42°51'5"	.7318	.6815
1	1'-9"	37°35'38"	.7923	.6101
2	3'-2 17/32"	32°13'24"	.8460	.5330
3	4'-6"	26°51'10"	.8921	.4517
4	5'-7"	21°28'56"	.9305	.3662
5	6'-4 13/16"	16°6'42"	.9607	.2775
6	7'-0¼"	10°44'28"	.9825	.1863
7	7'-4 9/16"	5°22'14"	.9956	.0936
8	7'-6⅛"	0	1.0000	0
9	7'-4 9/16"	5°22'14"	.9956	.0936
10	7'-0¼"	10°44'28"	.9825	.1863
11	6'-4 13/16"	16°6'42"	.9607	.2775
12	5'-7"	21°28'56"	.9305	.3662
13	4'-6"	26°51'10"	.8921	.4517
14	3'-2 17/32"	32°13'24"	.8460	.5330
15	1'-9"	37°35'38"	.7923	.6101
16	0"	42°51'5"	.7318	.6815

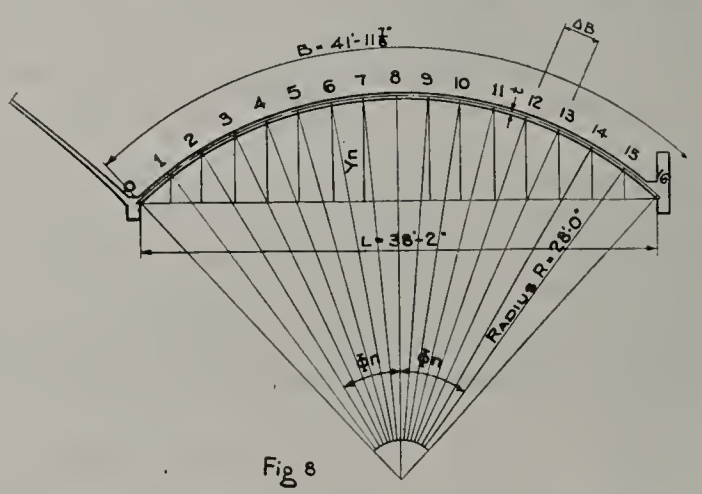
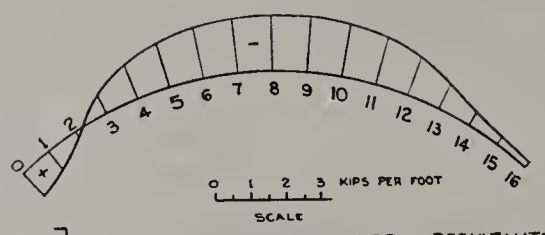
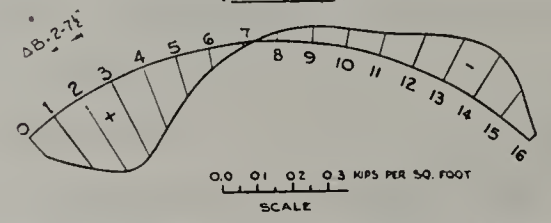


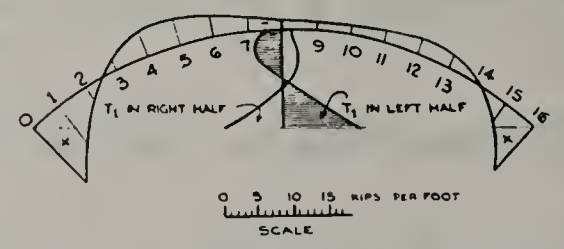
Fig 8



"a" CURVE OF RING STRESS RESULTANTS (T_2 FORCES)



"b" CURVE OF UNIT CHANGES OF SHEAR STRESS RESULTANTS ($\partial s/\partial x$ FORCES)



"c" CURVE OF LONGITUDINAL STRESS RESULTANTS (T_1 FORCES)

CURVES OF STRESS RESULTANTS

Fig 9

TABLE 2

1	2	3	4	5	6	7	8	9
POINT	κ	T_2 Kips/ft.	$\delta s/\delta x$ Kips/Sq.Ft.	T_1 Kips/ft.	$\kappa \delta s/\delta x \cos\phi$	$\kappa \delta s/\delta x \sin\phi$	κT_1	$\kappa T_1 Y$
0	1	.859	.072	+11.43	+ 0.053	+ 0.049	+ 11.43	0
1	4	.612	.194	+4.57	+ 0.612	+ 0.473	+ 18.28	+ 31.99
2	2	.134	.255	+1.21	+ 0.432	+ 0.271	+ 2.42	+ 7.77
3	4	-.605	.249	- 1.88	+ 0.889	+ 0.451	- 7.52	- 33.84
4	2	-1.021	.190	- 3.83	+ 0.353	+ 0.139	- 7.66	- 42.77
5	4	-1.297	.122	- 3.70	+ 0.469	+ 0.137	- 14.80	- 94.73
6	2	-1.465	.061	- 3.02	+ 0.120	+ 0.022	- 6.04	- 42.41
7	4	-1.552	.008	- 1.95	+ 0.032	+ 0.004	- 7.80	- 57.56
8	2	-1.579	-.030	- 1.26	- 0.061	+ 0	- 2.52	- 18.93
9	4	-1.599	-.047	- 1.01	- 0.188	- 0.018	- 4.04	- 29.82
10	2	-1.534	-.051	- 1.14	- 1.000	- 0.018	- 2.28	- 16.01
11	4	-1.404	-.069	- 1.75	- 0.267	- 0.078	- 7.00	- 44.81
12	2	-1.156	-.102	- 2.35	- 0.190	- 0.075	- 4.70	- 26.24
13	4	- .806	-.135	- 2.08	- 0.481	- 0.243	- 8.32	- 37.44
14	2	- .417	-.147	+0.20	- 0.249	- 0.157	+ 0.40	+ 1.28
15	4	- .255	-.104	+3.36	- 0.328	- 0.255	+ 13.44	+ 23.52
16	1	- .155	-.035	+8.45	- 0.024	- 0.024	+ 8.45	0
				SUM	+ 1.072	+ 2.414	- 18.26	- 380.00

B = LENGTH OF ARC = $41' - 11\frac{7}{8}'' = 41.99'$

$\Delta B = \frac{B}{16} = 2' - 7\frac{31}{64}'' = 2.624'$

$\int_0^{16} \frac{\delta s}{\delta x} \cos\phi \, ds \doteq$ SUM (COL. 6) TIMES $\frac{\Delta B}{3} = 1.072 \times 0.875 = 0.938$ KIPS/ft.

$\int_0^{16} \frac{\delta s}{\delta x} \sin\phi \, ds \doteq$ ABSOLUTE SUM (COL. 7) TIMES $\frac{\Delta B}{3} = 2.414 \times 0.875 = 2.112$ KIPS/ft.

$\int_0^{16} T_1 \, ds \doteq$ SUM (COL. 8) TIMES $\frac{\Delta B}{3} = -18.26 \times 0.875 = -15.98$ KIPS

$\int_0^{16} T_1 Y \, ds \doteq$ SUM (COL. 9) TIMES $\frac{\Delta B}{3} = -380.00 \times 0.875 = -332.50$ ft. KIPS

Equation a:

L is the transverse span of the barrel shell, L_1 is the longitudinal span of the shell.
B is the width of a beam, (B is the arc of the shell curve in the case of the beam-like barrel shell),
p' is the sum of all vertical loads on the beam per unit area,

p'_v is the vertical load on the shell per unit area,

Σp_v is the sum of all vertical loads on the shell per unit length,

$p_{H,E}$ and $p_{V,E}$ are horizontal and vertical forces respectively acting along the springing line between shell and edgemember,

dS is the shear differential per unit width

Fig. 10 shows the simple beam of rectangular cross section. The equilibrium condition (a) is expressed in the following fundamental equation:

$$\frac{\partial S}{\partial x} dx\, B + \Sigma p' B\, dx = 0 \qquad \frac{\partial S}{\partial x} = -\Sigma p'$$

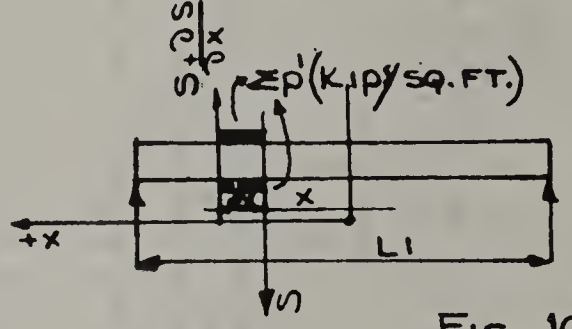


FIG. 10

The similar equation for the beam-like shell of curved cross section is derived as follows: (see Figs. 11, 12, and 13)

$$\int \frac{\partial S}{\partial x} \sin\phi\, ds + p'v.\, B + \Sigma p_{VE} = 0 \qquad \Sigma p_v = \int \frac{\partial S}{\partial x} \sin\phi\, ds$$

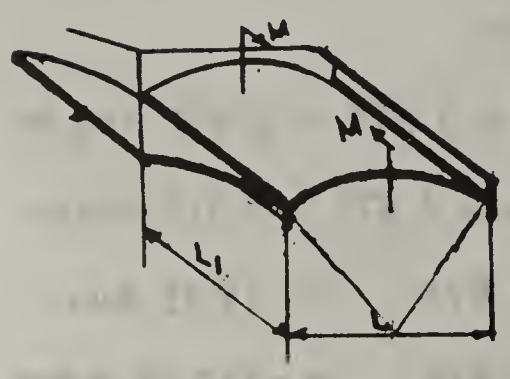


FIG. 11

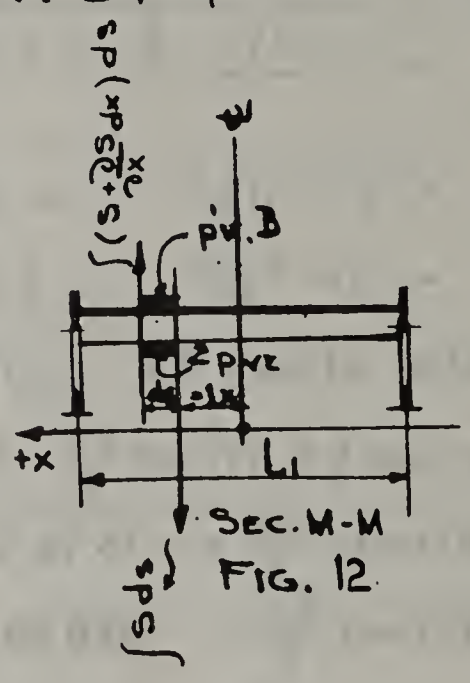


FIG. 12

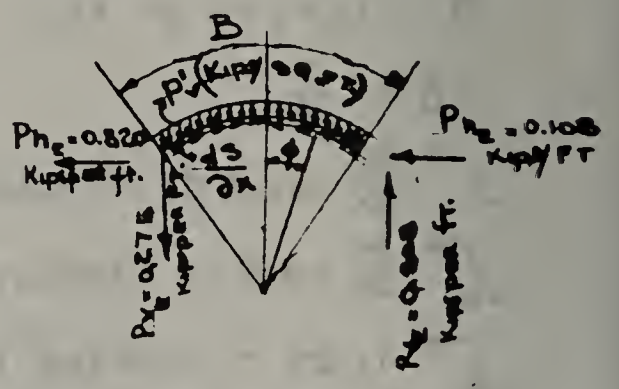


FIG. 13

Using actual values from Table 2:

$\int \frac{\partial s}{\partial x} \sin\phi \, ds$ = ... = 2.112 Kips/ft.

p'_v . . . . . $3\frac{1}{2}$" Shell = 0.29', 0.29' x 0.15 = 0.044 Kips/sq.ft.

Roofing 0.005 " " "

p'_v = 0.049 Kips/sq.ft.

$p'_v \cdot B$ = 0.049 x 41.99 = +2.057 Kips/ft.

P_{VE} at edge 0 = +0.275 " "

" " 16 = − 0.208 " "

ΣP_V = 2.124 Kips/ft.

Δ Sum' = 0.012 Kips/ft.

The values check within abt $\frac{1}{2}$%.

Equation b:

M_e is the moment due to external forces at the point where x is zero.

$\int T_1 \cdot y \cdot ds$ is the resisting moment of the internal forces (see Table 2).

From Figs. 14 and 15

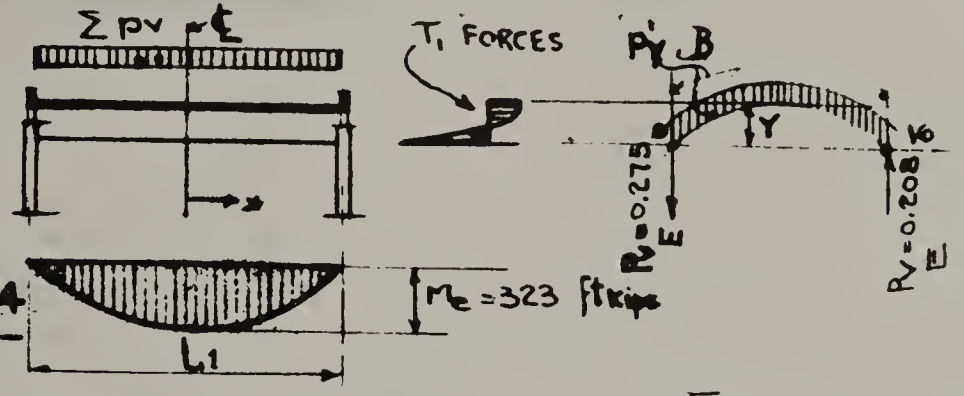


FIG. 15

$M_e + \int T_1 \, ds = 0$

$M_e = \Sigma p_v L_1^2 = \frac{2.124 \times 35^2}{8}$ = 323 ft. Kips

$\int T_1 \cdot y \cdot ds$ from Table 2 = -332.50 ft. Kips

Δ = -9.50 ft. Kips

The values check within about 2.9%

Equation c:

R is the radius of curvature of the shell,

The shell is assumed to be cut loose from the edgemember along the springing line.

The internal shear forces along the springing line must then be applied as external forces for this condition. These shear forces add up to a value Z at the center of span L_1 where equation (c) is checked.

Z is therefore the maximum longitudinal force in the springing line obtained by a summation of shear forces along the springing line.

The diagram of T_1 forces is obtained from Fig. 9c. The shear stress values at the springing

line are obtained from Fig. 9b and from Table 2 (see points 0 and 16).

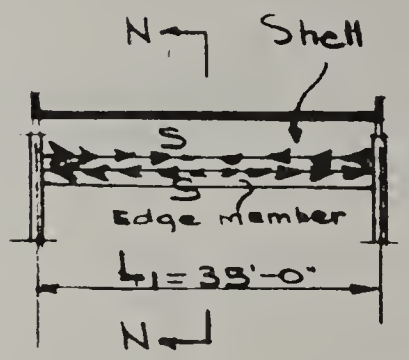


FIG. 16
(SEC. M-M)

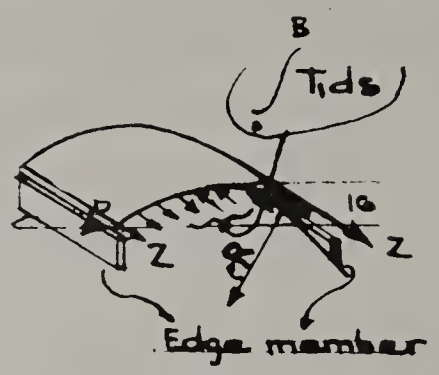


FIG. 17
(SEC N-N)

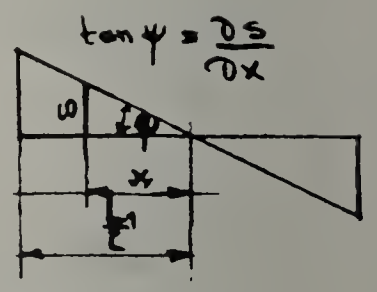


FIG. 18

From Fig. 18: $Z = \int_0^{\frac{L_1}{2}} S\,dx, \quad S = \frac{\partial S}{\partial x} \cdot x, \quad Z = \frac{\partial S}{\partial x} \int_0^{\frac{L_1}{2}} x\,dx = \frac{\partial S}{\partial x} \frac{L_1^2}{8},$

$$Z = \frac{\partial S}{\partial x} \cdot \frac{35^2}{8} = 153.12 \frac{\partial S}{\partial x} \text{ (Kips)}$$

From Fig. 9b and Table 2

At edge member 0 $\frac{\partial S}{\partial x} = 0.072$

At edge member 16 $\frac{\partial S}{\partial x} = 0.035$

Sum of $\frac{\partial S}{\partial x}$ 0.107 Kips/sq. ft.

Sum of Z : 0.107 x 153.12 = 16.384 Kips

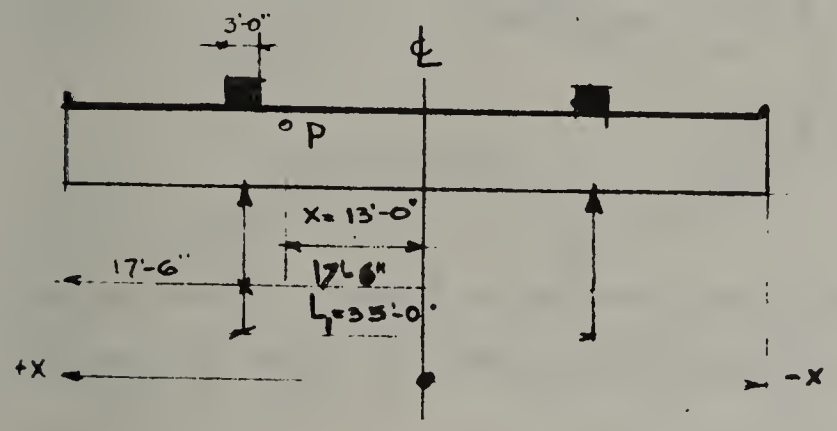
$\int_0^B T_1 \cdot ds$ from Table 2 - 15.960 Kips

Δ = 0.424 Kips

The values check within about $2\frac{1}{2}\%$.

NUMERICAL EXAMPLE for the dimensioning of the shell.

Point P is a typical point for which the reinforcing is calculated. A point P with the following ordinates is chosen for this example. P is located at point 5, 13 feet longitudinally from the center line of the interior unit, it is located transversely by the angle Φ = 16° 6' 42" (see Figure 19).



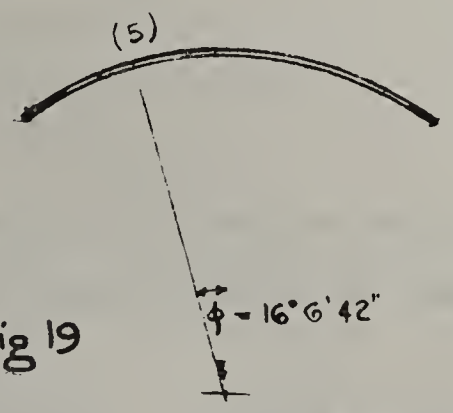


Fig 19

Calculation of stress resultants at Point 5.
The following values are taken from Fig. 8 and Tables 1 and 2.

T_2 = -1.297 Kips/ft.

$\frac{dS}{dx}$ = 0.122 Kips/sq. ft.

T_1 = -3.70 Kips/ft.

Stress resultants for Point 5 are modified as shown in Fig. 7(using coefficients K_1 , K_2). Point P is substituted for point X of Fig. 7.

$T_{2p} = T_2 = -1.297$ Kips/ft

$S_p = K_1 S$ $\quad S = \frac{\partial S}{\partial x}\frac{L}{2} = 0.122 \cdot 17.5 = 2.14$ $\quad K_1 = \frac{V_x}{V} = \frac{2x}{L_1} = \frac{26}{35} = 0.743$, $S_p = 0.743 \times 2.14 = 1.59$ Kips/ft.

$T_{1p} = K_2 T_1$ $\quad K_2 = \frac{M_x}{M} = \frac{26^2}{35^2} = -0.55$ $\quad T_{1p} = (-0.55)(-3.7) = +2.042$ Kips/ft.

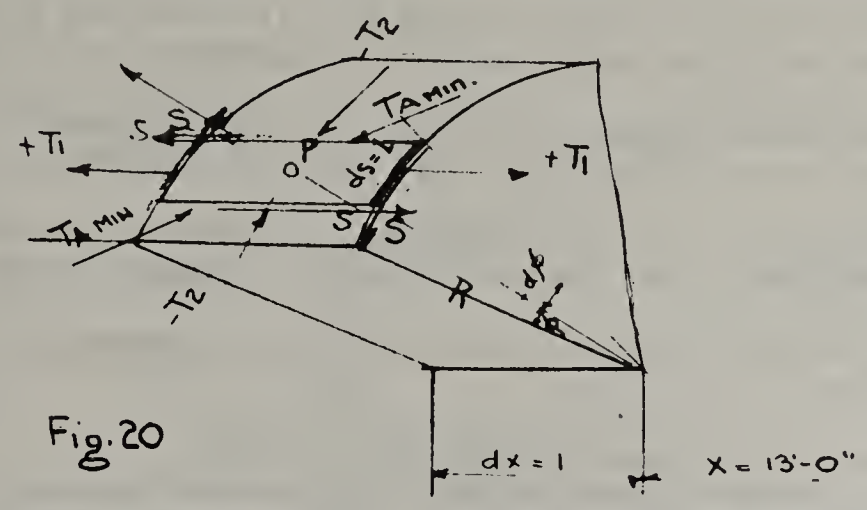


Fig. 20

$T_{A\,max\,min} = \frac{T_{1p}+T_{2p}}{2} \pm \sqrt{\left(\frac{T_{1p}-T_{2p}}{2}\right)^2 + S_p^2} = 0.373 \pm 2.30$ $\quad T_{A\,max} = +2.673$ Kips/ft

$T_{A\,min} = -1.927$ Kips/ft.

$\tan 2\alpha = \frac{2S_p}{T_{2p}-T_{1p}} = \frac{3.18}{-3.35} = -0.95$ $\quad \alpha_1 = -21°\,48'$ $\quad \alpha_2 = 68°\,12'$

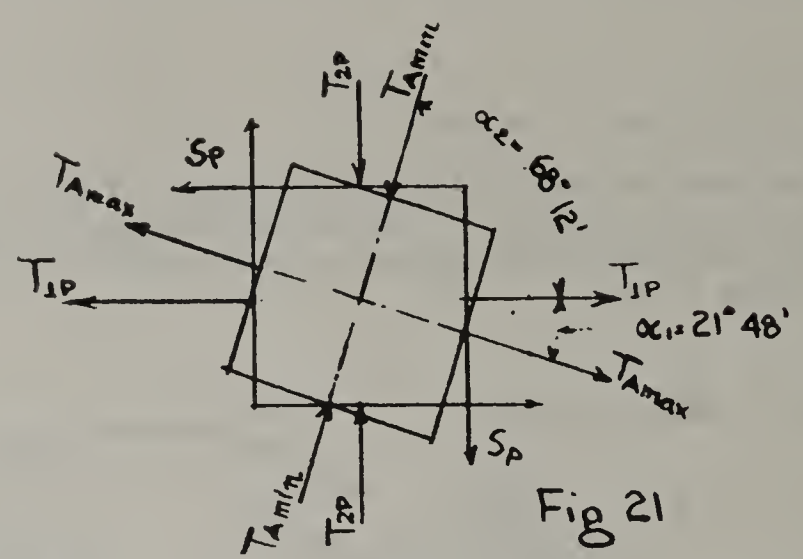


Fig 21

The amount of the reinforcing to be placed in the direction of T_A max. is given by the area A, whereby the allowable stress f_s in the reinforcing steel is 20,000 lbs. sq. in.

$$A \text{ required} = \frac{T_A \text{ max}}{f_s} = \frac{2.673 \text{ K/ft.}}{20.0 \text{ K/sq.in.}} = 0.134 \text{ sq.in/ft.}$$

METHOD OF PROCEDURE FOR CHECKING DESIGNS OF SHELL STRUCTURES

The method applies to longitudinal and cross barrel types of design.

Reinforced concrete shells shall consist of curved concrete slabs bounded by stiffening members and reinforced with steel elements following the trajectories of principal tension stress.

The curvature of the slab shall be such that its axis lies above the force polygons of an imaginary three hinged arch loaded uniformly.

The resulting forces acting on the shell shall be considered as two direct forces acting normal to each other in the mid plane of the shell.

Values of stresses in ring and longitudinal direction at the mid span section for a freely supported shell and the shear shall be furnished in the form illustrated in Fig.22

Figures 23 and 24 give a graphic illustration of the meaning of the ring and longitudinal stresses.

Theses forces shall be used as follows in equating,

(a) the total vertical shear against total vertical external loads and

(b) the resisting moment of the shell to the bending moment of the external loads and

(c) The total compression forces at the critical section to the total tensile forces at the same section.

These equations shall be as follows:

(a) $\Sigma S_\Delta \cdot \sin\phi \; a\beta = \omega$

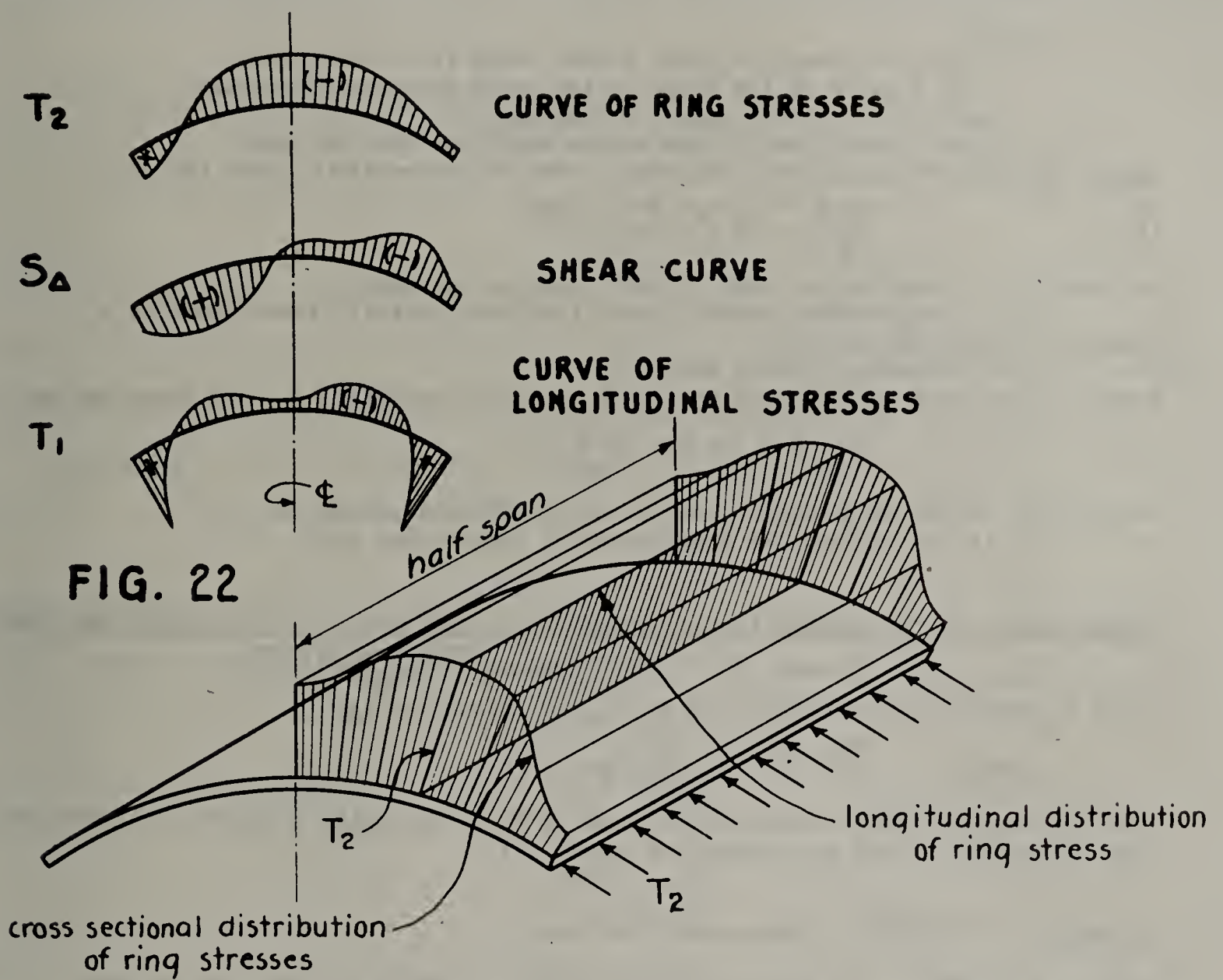


FIG. 22

FIG. 23 - RING STRESSES

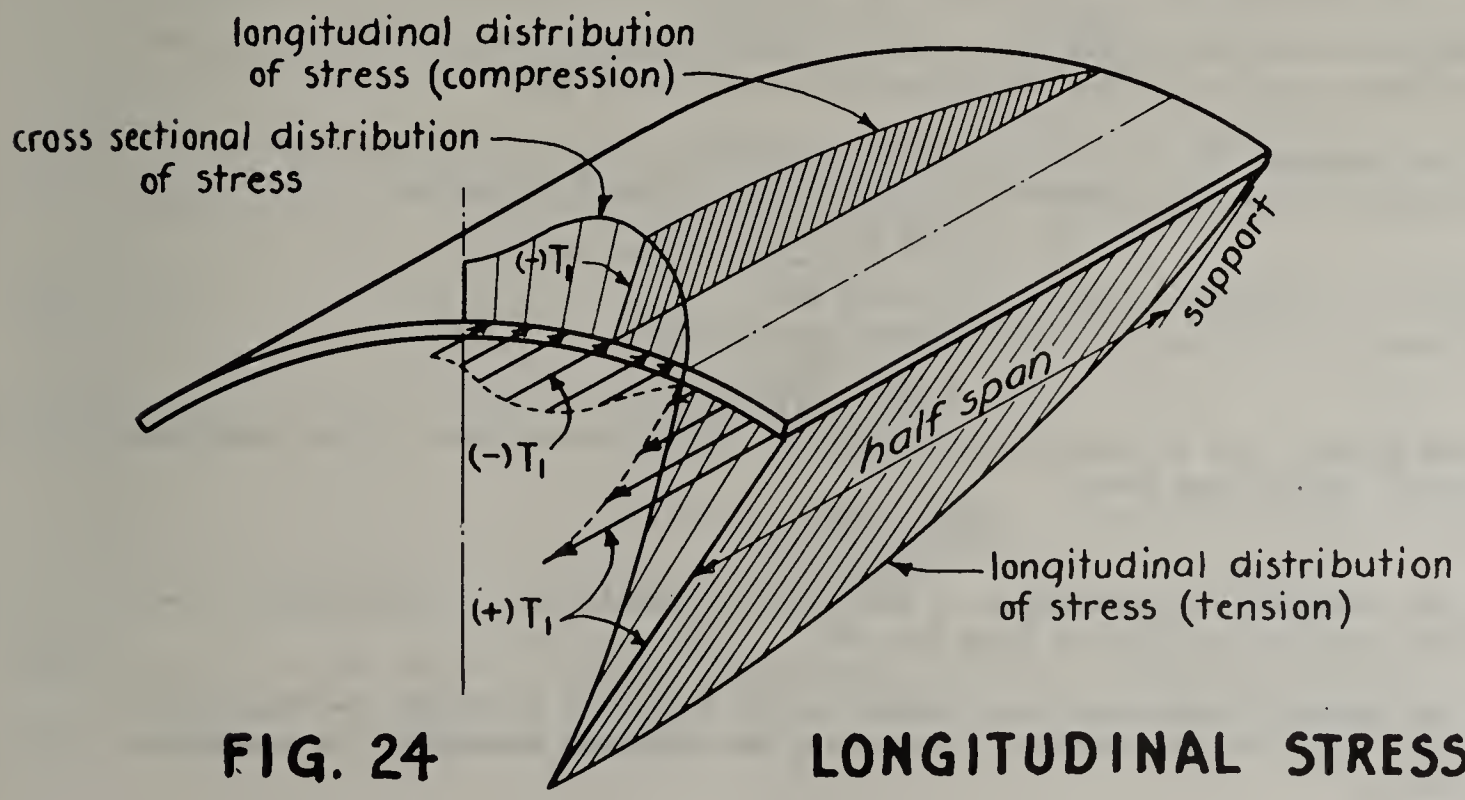


FIG. 24 LONGITUDINAL STRESSES

in which

S_Δ = increment of shear stress taken from shear curve.
ϕ = angle of the slope of the shell with the horizontal.
ΔB = fractional length of the arc.
w = total load of the entire shell per foot of span.

Note: S_Δ shall be scaled from the shear curve at intervals ΔB along the arc.

(b) $$\frac{\omega L_1^2}{8} = \Sigma (\pm T_1)_y \Delta B$$

in which L_1 = longitudinal span of shell between supports.
T_1 = longitudinal stress scaled from longitudinal stress curve in a direction normal to the arc.
y = vertical rise of shell.

Note: Values of y and T_1 shall be scaled at points selected ΔB apart along the arc.

(c) $$\Sigma (\pm T_1) \Delta B \pm \frac{S_\Delta L^2}{8} = 0$$

in which T_1 is scaled normal to the arc at ΔB intervals along the arc.
S_Δ is scaled from the shear curve at edge values only.

DETERMINATION OF THE MAXIMUM PRINCIPAL STRESS T_A AND T_B AT ANY POINT WITHIN THE SHELL.

$$T_A \text{ and } T_B = \frac{T_{1x} + T_{2x}}{2} \pm \sqrt{\left(\frac{T_{1x} - T_{2x}}{2}\right)^2 + S_x^2}$$

where T_A acts in the direction of α and T_B acts normal to T_A

and $$\text{Tan } 2\alpha = \frac{2S_x}{T_{1x} - T_{2x}}$$

and in which T_{1x} = the proportionate value of T_1 at any point x distant longitudinally from the center of the span where the stress = T_1,

$$T_{1x} = T_1 C$$

in which $C = 1 - \left(\frac{2x}{L_1}\right)^2$ for freely supported shell

and $C = \frac{1}{3} - \left(\frac{2x}{L}\right)^2$ for fully restrained shell. C being interpolated between the above values for intermediate degrees of restraint.

$$T_{2x} = T_2$$

S_x = the proportionate value of S_Δ at any point x multiplied by x

$$S_x = S_\Delta x$$

α = angle between the direction of the principal maximum stress at any point of the developed surface of the shell and the longitudinal axis.

The stresses T_A, T_B result in kips per lineal foot of shell and can be transformed into working stresses in lbs. per sq. inch f_c as follows:

$$f_c = \frac{(-T_B)\,1000}{12t} \text{ in compression.}$$

in which t = thickness of shell in inches and where tension is indicated by a positive value of TA

$$f_t = \frac{(T_A)\,1000}{12t + A_s(n-1)}$$

in which f_t shall not be greater than $.6 f_c$ and A_s the steel area in the direction of α shall not be less than

$$\frac{(T_A)\,1000}{20000}$$

The equality of equations a, b and c may be considered satisfactory if the deviation from exact value is less than 5%.

The degree of accuracy will depend on the number of sections the shell is subdivided into for the purpose of computing the required summations in equations a, b, and c.

MINUTES

Numerical Example illustrating the procedure for the checking of shell designs submitted by Roberts and Schaefer Co.

A transverse cross section through the shell is shown in Fig. 3. This shell is assumed to be freely supported on arch ribs spaced 35 ft.ctrs. longitudinally. The diagrams of stresses are presented as required (see Fig. ..) and the stress values are further tabulated and summarized in Table 3.

Equation (a) $\Sigma S_L \sin\phi \Delta E = w$

The left side of the equation as summarized in Table 3 equals 3.78 kips/ft.

The right side of the equation is figured as follows:

weight of 3½ " shell	0.29 x 0.15	=	0.044 kips/sq.ft.
roofing			0.005 " "
live load		=	0.040 " "
	Total	=	0.089 kips/ sq.ft.

0.089 is multiplied by the length of the arc B and the loads at edges (point 0 and 16 of Fig. 25) are added :

0.089 x B	= 0.089 x 41.99	=	3.737 kips/ ft
			0.499 "
			- 0.378 "
	Total		3.858 kips/ft.

3.78 nearly equals 3.858 and the equation checks within 2 %.

Equation (b) $\frac{w L_1^2}{8} = \Sigma (\pm T_1) y \Delta B$

$\frac{3.858 \times 35^2}{8} = 591$ ft kips

The summation on the right side of the equation is obtained from Table . and equals 616.14

Comparison of 591 with 616.14 indicates that the equation checks within 4 ½ % .

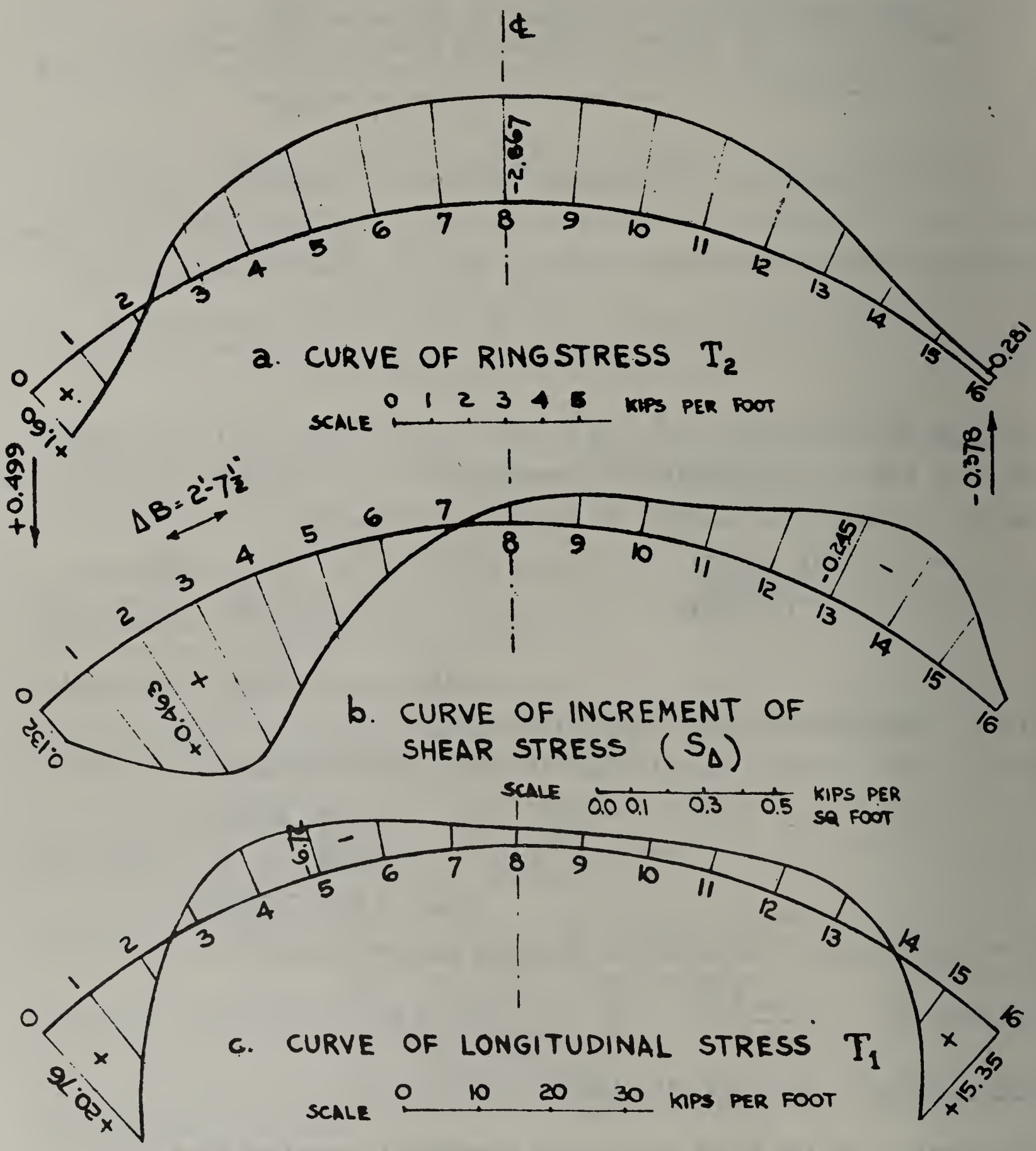


FIG. 25 CURVES OF STRESS

TABLE 3.

Point	Values submitted by R and S Company: T_2 Kips/Ft.	S_Δ Kips/Sq.Ft.	T_1 Kips/Ft.	$\lvert S_\Delta \sin\frac{\phi}{2}\rvert$	$T_1 \cdot y$	AVERAGE VALUES: $\lvert S_\Delta \sin\frac{\phi}{2}\rvert$	$T_1 \cdot y$
0	+1.600	+0.132	+20.76	0.090	0		
						0.153	+ 7.27
1	+1.111	+0.352	+ 8.30	.215	+14.53		
						.231	+10.80
2	+0.243	+0.463	+ 2.20	.247	+ 7.06		
						.226	- 4.15
3	-1.099	+0.452	- 3.41	.204	-15.35		
						.165	-27.10
4	-1.854	+0.345	- 6.96	.126	-38.84		
						.094	-40.93
5	-2.355	+0.222	- 6.72	.062	-43.01		
						.042	-40.74
6	-2.660	+0.111	- 5.68	.021	-38.47		
						.011	-32.20
7	-2.818	+0.015	- 3.54	.001	-26.13		
						.001	-21.67
8	-2.867	-0.054	- 2.29	.000	-17.20		
						.004	-15.36
9	-2.904	-0.085	- 1.83	.008	-13.51		
						.013	-14.02
10	-2.786	-0.093	- 2.07	.017	-14.53		
						.026	-17.44
11	-2.550	-0.125	- 3.18	.035	-20.35		
						.052	-22.09
12	-2.099	-0.185	- 4.27	.068	-23.83		
						.090	-20.42
13	-1.464	-0.245	- 3.78	.111	-17.01		
						.127	- 7.92
14	-0.757	-0.267	+ 0.36	.142	+ 1.16		
						.128	+ 5.92
15	-0.463	-0.189	+ 6.10	.115	+10.68		
						.079	+ 5.34
16	-0.281	-0.064	+15.35	.044	0		
			SUM Σ			1.442	-234.81

Length of arc Σ B = 41.99 ft., $\Delta B = \frac{B}{16} = 247\text{-}1/2'' = 2.624$ ft.

$\Sigma \lvert S_\Delta \sin\frac{\phi}{2}\rvert \cdot (\Delta B) = 1.442 \cdot 2.624 = 3.784$ Kips/Ft

$\Sigma T_1 \cdot y = -234.81 \cdot 2.624 = -616.14$ Ft. Kips

Equation (c) $\Sigma (\pm T_1) \Delta B \pm \frac{S_\Delta L_1^2}{8} = 0$

The sum of ($T_1 \cdot \Delta B$) obtained by planimeter readings equals 31 kips.
(This was obtained as the average of 3 readings.)

S_Δ for edge value "0" obtained from Table 3 ..... 0.132

S_Δ for edge value "16" obtained from Table 3 ..... 0.064

sum = 0.196

$S_\Delta = \frac{-L_1^2}{8} = 0.196 \times 153.12 = 30.01$ Kips

which checks equation (c) within 3 %

The working stresses are being checked at a point P of a shell fully restrained at its supports, whereby the location of point P is assumed to be that of point 5 in Fig. 8 with an "x" - distance from the center of the span of 15 feet.

Fig. 8, Tables 1 and 3 show for point 5 the following values:

$\Phi = 16^\circ\ 6'\ 42''$

$T_2 = -2.355$ kips/ ft

$S_\Delta = 0.222$ kips/ eq.ft.

$T_1 = -6.72$ kips/ ft

$T_{1x} = T_1 \left[\frac{1}{3} - \left(\frac{2x}{L}\right)^2\right] = -6.72 \left(\frac{1}{3} - 0.735\right) = +2.701$

$T_{2x} = -2.355$

$S_x = 15 \cdot S_\Delta = 3.33$

$T_{A,B} = \frac{2.701 - 2.355}{2} \pm \sqrt{\left(\frac{2.701 + 2.355}{2}\right)^2 + 3.332}$

$T_A = +4.353$

$T_B = -4.007$

$\tan 2\alpha = -\frac{2 \cdot 3.33}{2.701 + 2.355} = -1.317$

$\alpha_1 = -26^\circ\ 24'$

$\alpha_2 = +63^\circ\ 36'$

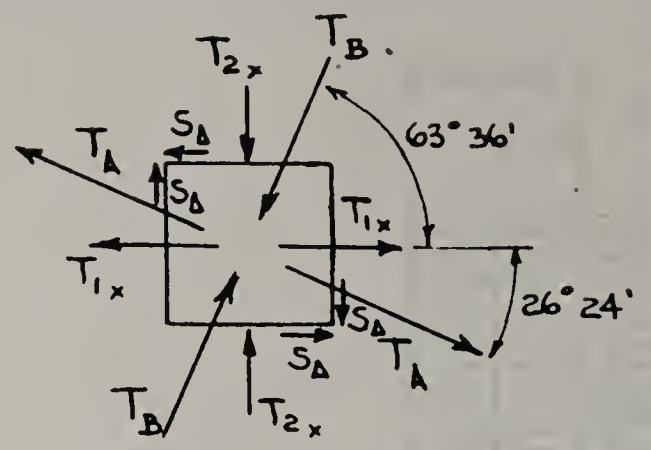


Fig. 26

$\frac{1}{2}$ " round bars are assumed to be provided at 10" ctrs. in the direction α in a 3 $\frac{1}{2}$ " thick shell.

Therefore A_s = 0.24 sq.in., t = 3.5 "

$$f_c = \frac{4007}{12 \times 3.5} = 95 \text{ lbs/ sq.in.} \quad \text{compression}$$

$$f_t = \frac{4353}{12 \times 3.5 + 0.24 \times 9} = 99.1 \text{ lbs / sq.in.}$$

tension $< 0.09\ f'_c = 270$ p.s.i.

$$\frac{T_A}{A_s} = \frac{4353}{0.24} = 18\,138 \text{ lbs/ sq.in.} < 20\,000 \text{ p.s.i.}$$

TESTS

The applicant has furnished data pertaining to tests on finished structures as follows:

Brook Hill Farm Building, Chicago, Ill.

At the Century of Progressive Exhibition, the applicant's type of construction was used on a dairy building and prior to its demolition in 1934, it was subjected to a load test to compare the computations used against stresses resulting from applied loads. The details and results of this test, witnessed by the applicant's engineers with details and results as follows: The construction consisted of five barrels of 14 ft. width and 36 ft. length constructed on an all-Haydite concrete proportioned 1:2-1/2:2-1/2 with about 6 gal. of mixing water and high-early strength cement. Five days after the concrete for the first two barrels was placed, test cylinders showed a strength of 4,000 lb. per sq. in., and the concrete had an apparent specific gravity of 1.66. Because of the high strength of the concrete in the first section the forms for the remaining barrels were stripped after three days. The compressive strength of 3-day test cylinders made from the concrete in the second section was 1,860 lb. per sq. in., and the modulus of rupture was 350 lbs. per sq. in. The lower strength of cylinders from the second placement compared with the first was attributed not only to the shorter elapsed time before testing but also to a temperature range between 34 and 40 deg. after the second pour, as compared with 70 deg. during the curing time of the first pour. At the time of the load test on the finished structure the concrete was eight months old and showed an average compressive cylinder strength of 5,500 lbs. per sq. in. One-half the width of one full barrel was loaded with cement in bags, care being taken to prevent arching. The resulting unsymmetrical live load, 200 lb. per sq. ft., was ten times the live load for which the roof was designed, or five times the sum of the dead load plus 20 lb. live load. Berry strain gages, Ames dials, and Wissler dials were used, and readings were taken at twenty different points at various stages of the test.

The data filed indicated that the structure showed good elastic behavior, the deformations almost fully recovering after the load was removed. Only small hair cracks occured in the valley at mid-span, where the tensile stress in the concrete was a maximum. Due to the use of a large number of small rods instead of a few heavy reinforcing bars the cracks remained small. Fig. 27 illustrates the elongation of the concrete and

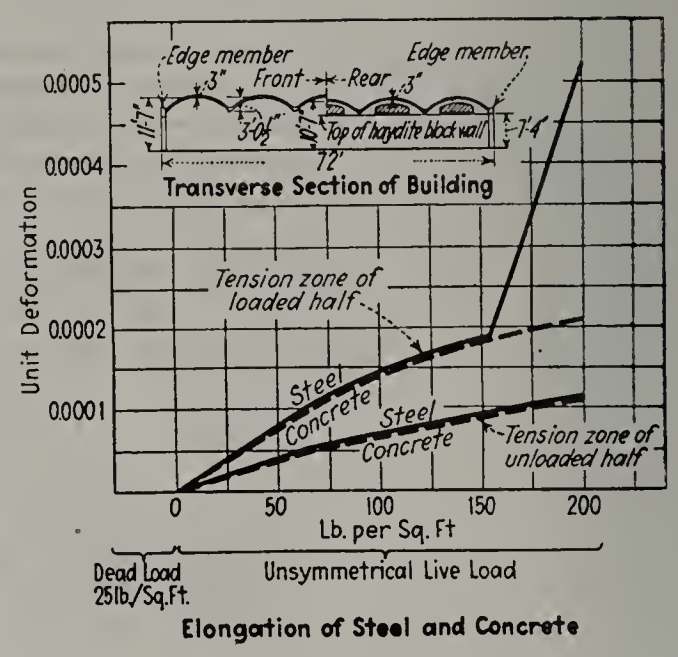
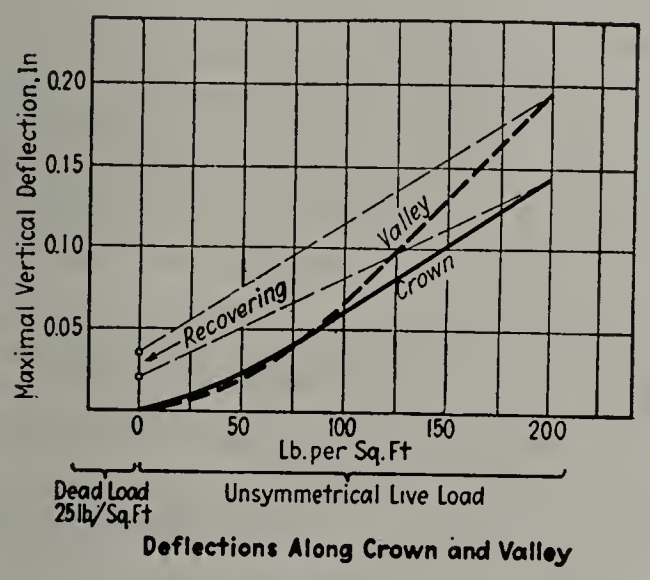


Fig. 27

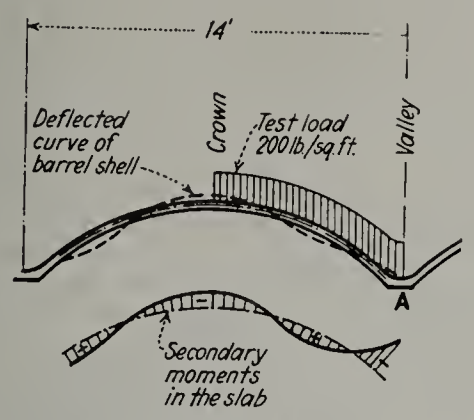
steel in the tension zone of the loaded barrel which is a characteristic load-strain diagram of a beam. Steel and concrete deformed uniformly up to a steel stress of 7,500 lb. per sq. in.



Deflections Along Crown and Valley

Fig. 28

The maximum deflection, Fig. 28, in the center of the loaded valley was 0.195 in. under maximum test load, or a ratio of 1:2200 of the barrel length of 36 ft. The horizontal spread at the center of the loaded barrel was 0.027 in., or a ratio of 1:6200 of the barrel width of 14 ft. The indicated stresses showed that the main carrying action of the roof is somewhat like the action of a beam over a span of 36 ft. The stresses in the plane of the cross-sectional curve of the roof are secondary. The deformation of this curve reconstructed from deflection and strain-gage measurements is shown in Fig. 29. The changed curvature of the arch gives the distribution of secondary moments over the cross-section. Point A in Fig. 29 acts like a support, the loads being



Deflection of Cross Section of Barrel

Fig. 29

carried at this point by interaction of the adjacent intersecting shell. The negative bending moment of the shell at Point A corresponds to the restraining action at this support. The negative moment in mid-span near the crown of the barrel is a restraining moment at some ideal crown support. The load-carrying capacity of the curved slab at the crown being much greater than the imposed load, the shell slab at this point has a tendency to carry loads from other portions of the shell. For the secondary bending action the shell seems therefore to be supported at Point A and at the crown in mid-span, at short intervals, and moments consequently will remain small as compared with those under an arch action over the full span.

Since the observed deformations under unsymmetrical loads were of the same order as the calculated deflections under corresponding symmetrical loads, it can be concluded that the arch section along the cross-sectional curve of the roof must have been negligible. The membranous stresses in the roof slab, characteristic of a shell, kept the system in equilibrium. The main carrying action checked by strain-gage measurements can therefore be compared to the action of a beam with curved cross-section, 14 ft. wide, carrying over 36 ft. between the walls of the building.

Budd Manufacturing Co., Philadelphia, Pa.

Tests were conducted at the above plant on the applicant's construction to further check the validity of the design procedure predicated on three dimensional shell action.

Object of Investigation—Z-D Monolithic Concrete Construction is a rather recent addition to the various systems of building construction. Its 3-dimensional carrying action is sometime confusing to 2-dimension minded engineers. For small spans its carrying action is very often attributed to arch action. For large spans it is obvious to even the most skeptical engineer that arch action is impossible. One object of these tests is to determine the validity of the design procedure based on 3-dimensional shell action.

The roof spans tested are built with intermediate stiffening ribs from which a suspended crane system of 10-ton capacity will operate. The interaction of these ribs, built without any support except that they are monolithic members of the shell and the shell reactions to the ground introducing the question of just how these reactions come into the arch.

This test was made on a section of the new plant built for the Edward G. Budd Manufacturing Company under the authorization of the Defense Plant Corporation. The Wark Construction Company, General Contractors, placed the boxes for gauge stations. The field measurements were made by Mr. R. Zaborowski, assisted by R. Wagner and E. Klyco.

Description of Specimen and Apparatus

Description of Specimen—The specimen was a standard unit (40 feet between arches with 20 foot cantilevers), 2-bay (122 feet springing to springing of each bay), reinforced concrete shell roof. The shell has a minimum thickness of 4 inches. The cross-section of the expansion joint ribs at the ends of each cantilever is 12 inches by 24 inches. The arch cross-section at the crown is 24 inches by 73 inches. The mix used provided a concrete of a 7-day compressive strength of 3,690 lbs. per square inch and a modulus of elasticity measured by beam deflection test of 3,400,000 lbs. per square inch. (The tests, however, were made when the concrete was about 18 days old.) Deformed reinforcing bars of intermediate and hard steel were used as reinforcing. For an assumed steel modulus of 30,000,000 psi, the modular ratio "n" for the test specimen was assumed to be 8.3.

Description of Apparatus—The load applied to the structure was only its own static dead load. During the pouring operation certain areas of the roof were filled with sand to prevent coverage by concrete. These areas were boxed holes approximately 1 foot by 1 foot. After the concrete set, these holes were cleaned and prepared for the setting of strain gauge reference points. An eight inch Metzger type strain gauge was used to make the readings. The reference points were made by drilling 1/16 inch diameter holes into the reinforcing rod. The instrument has a multiplication ratio of 10. The 1/16 inch diameter reference points change this ratio to

approximately 11. The initial readings were made with the roof centering in place and the final readings with the roof centering lowered to allow free action of the structure. The only requirement of the test was to determine dead load stresses in the reinforcing bars.

The only problems involved in the test were those of technique resulting from the curvature of the roof which made the setting of points and gauge readings rather difficult, requiring at least two successive readings checked within 1 dial division (.001 inch). The air temperature during the readings varied from 22 deg. F. to 48 deg. F. It is apparent that temperature stresses somewhat influence test results which, however, could not be evaluated. The concrete unit tested was poured on November 12, 1942. The initial readings were made on November 27 and 28. The final readings were made on December 8, 1942. Although the air temperature was low during the final readings, the sun warmed the exterior shell causing a temperature difference of about 15 deg. F.

The load on a shell structure is transferred by direct stress to the arches. Using the severest probable combination of loads, the maximum tensile (principal tension) stresses and their directions are computed for a system of point coordinates covering the shell. The design of the reinforcing steel is then based on these values and directions without taking the tensile resistance of the concrete into account.

A complete analysis was made for the exterior shell under dead load.

A comparison of measured and computed stress values is listed below for typical points:

Station	*Measured*	*Computed*
A Tensile Force	4200 lbs. per ft.	5,950 lbs. per ft.
Compressive Force	2700 lbs. per ft.	5,830 lbs. per ft.
Angle	42 degress	45 degress
B Tensile Force	2760 lbs. per ft.	7,120 lbs. per ft.
V Tensile Force	5050 lbs. per ft.	5,810 lbs. per ft.
Compressive Force	3500 lbs. per ft.	5,190 lbs. per ft.
Angle	42 degress	37 degress
W Tensile Force	3200 lbs. per ft.	6,190 lbs. per ft.

The calculations made no allowance for the tensile strength of the concrete and are therefore on the safe side. Theoretical distribution of forces in the ring direction and of transverse bending moments applied to the analysis of certain sections gives reinforcing bar stresses remarkably close to those measured. The tensile steel stresses in the stiffening rib and expansion joint rib varied between 2360 lbs. per square inch and 8950 lbs. per square inch, while the concrete extreme fiber stress varied between 460 lbs. per square inch and 740 lbs. per square inch. The computations for these sections were based on a cracked rectangular section. Test results at shell points adjacent to the main arch were of interest since these points give a check on the assumed manner in which the shell loads are transferred onto the arch. Stresses were measured in the main compression steel as well as the main tensile steel Because of the low tensile stress the section was assumed uncracked. The theoretical stress in the tensile reinforcement was 2350 lbs. per square inch, and the average measured stress was 2360 lbs. per square inch. The theoretical compressive reinforcement stress is 4000 lbs. per square inch, and the average measured stress is 5560 lbs. per square inch. This value is indicative of non-linear stress distribution. It has been shown in other investigations that extreme compressive fiber stresses are less than those derived by the straight line theory while higher values exist away from the face. A different state of stress will exist in a shell when the properties of one of its boundaries are changed. Theoretical analysis shows the effect of the discontinuity to be a wave of decreasing amplitude; hence the greatest differences occur in the vicinity of the discontinuity. The field test results support this theoretical assumption.

The test results interpreted in the light of the facts that the measurements were made on a full sized structure of complicated nature, with the greatest possible care taken with field measurements, there was still the possibility of error, influence of temperature stresses was not considered, the concrete in the structure is naturally less uniform than the ideal concrete material assumed in the calculations lead to the following conclusions:

The monolithic concrete shells carry load by direct stress action.

Transverse moment action of a thin shell is a secondary action for which provision must be made but upon which the load carrying ability of the shell is not dependent.

The stiffening rib and expansion joint rib decrease the transverse strains in the shell.

The difference between measured and theoretical stresses is within the tolerance attained in standard building construction.

Additional tests were made as follows:

Strain gauge readings under load at Signal Corps Hangar—Wright Field, Ohio, 1942. (Satisfactory results of strain gauge and deflection measurements)*

Electrical strain gauge readings under varying loads in connection with Hangar for U.S. Naval Air Station—Norfolk, Va., 1943. Satisfactory results)*.

Electrical strain gauge readings under varying loads in connection with Hangars for U.S. Army Air Corps at Fighter Command Station, Camp Springs, Maryland, 1944. (Satisfactory results)*

* These tests were made in connection with structures for the U.S. Army or Navy. The structures are in full use, but test results cannot be published as they are considered confidential Government property.

Construction

The details pertaining to the construction differ but little from the usual methods in so far as the contractor is concerned. Installation may vary as to physical proportions and the number of sections and inquiry has resulted in the conclusion that concrete contractors have no difficulty in erecting these structures in accordance with the procedures developed by the applicant. The floor slabs are usually poured first to provide adequate foundations for the scaffolding and roof forms.

These structures are designed as a series of identical units built end to end and so proportioned as to reduce the cost of form work through a maximum number of reuses of a complete assembly.

This false work assembly is mounted on rollers and screw jacks to give it vertical and horizontal mobility to permit raising it to proper level, lowering it from the set concrete and moving it to the next location. After the forms are centered, the reinforcing steel is placed as required by the design and the concrete poured continuously and monlithically between expansion points, arch haunches or columns having previously been built to the elevation of lean to roofs or edge beams, see fig. 30.

The form surfaces upon which the concrete is poured are generally constructed of ply wood panels shaped to the required curvature; before and after the steel is installed, and during pouring operations the curvature, the profiles and the lines and levels of the forms are checked by a survey party and maintained by a crew of carpenters.

The reinforcing steel of the shells consists of bars usually 3/8″ to 5/8″ diameter positioned on chair bars and secured in place by wiring or tack welding and checked for positioning during the pouring. The first

two layers are placed at right angles to each other and normal to the axis of the shell followed by the finishing layers which are draped diagonally following the stress pattern.

The concrete is composed generally of ordinary High Early Strength Portland cement, concrete sand and 3/4" maximum size coarse aggregate in the shells of as low a specific gravity as is available consistent with economy. The concrete is proportioned to attain a compression resistance of at least 3,000 psi at 28 days when ordinary cement is used or 7 days for High Early cement with a slump varying from 2" to 6" depending on the inclination of the sections to be poured. When the inclination is too steep, outside or top forms are provided.

As soon as possible after pouring, the concrete surface is screeded to a smooth and true surface suitable to receive the insulating material and roofing.

Test specimens of the concrete are taken from the fresh concrete in the form of beams which are broken at intervals to determine the safe stripping time.

In structures in which the thrust of the arched ribs carrying the shells is resisted by steel ties, a part of their elastic stretch is induced prior to decentering by prestressing them with special jacks against the foundations.

These structures consist of units built end to end and separated completely from each other by a space of about 1" in width thereby eliminating any accumulation of stresses due to expansion or shrinkage. This space is covered over with a flexible joint of suitable weathering material to ensure weather tightness.

The shells are made weather tight by applying on the exterior surface of the concrete or insulation such approved materials as metal roofing, weatherproof coatings, tile or built-up roofing.

The weather surfacing of the shells are treated in several ways depending upon the usage of the building. Where temperature or accoustical insulation is required insulation materials of approved type are applied to the top or bottom surface of the shell as required by the design.

In hangars where large doors are depending on the roof structure for their stability, suitable provision is made through the use of double ribs, extending brackets or independent rigid frames designed to resist the verticle or horizontal forces from dead load and wind.

General

Buildings designed and constructed on the foregoing basis have been erected in this country as well as abroad and are rendering satisfactory service. The applicant has furnished a list of some 47 American installations, some of them erected since 1932, many of them for military and war purposes, others for peacetime uses. These buildings thoroughly substantiate the adequacy of their designs and the applicant advised that since the erection of these structures, there have been no complaints made to them regarding the integrity of any structure designed and supervised by them. The theory

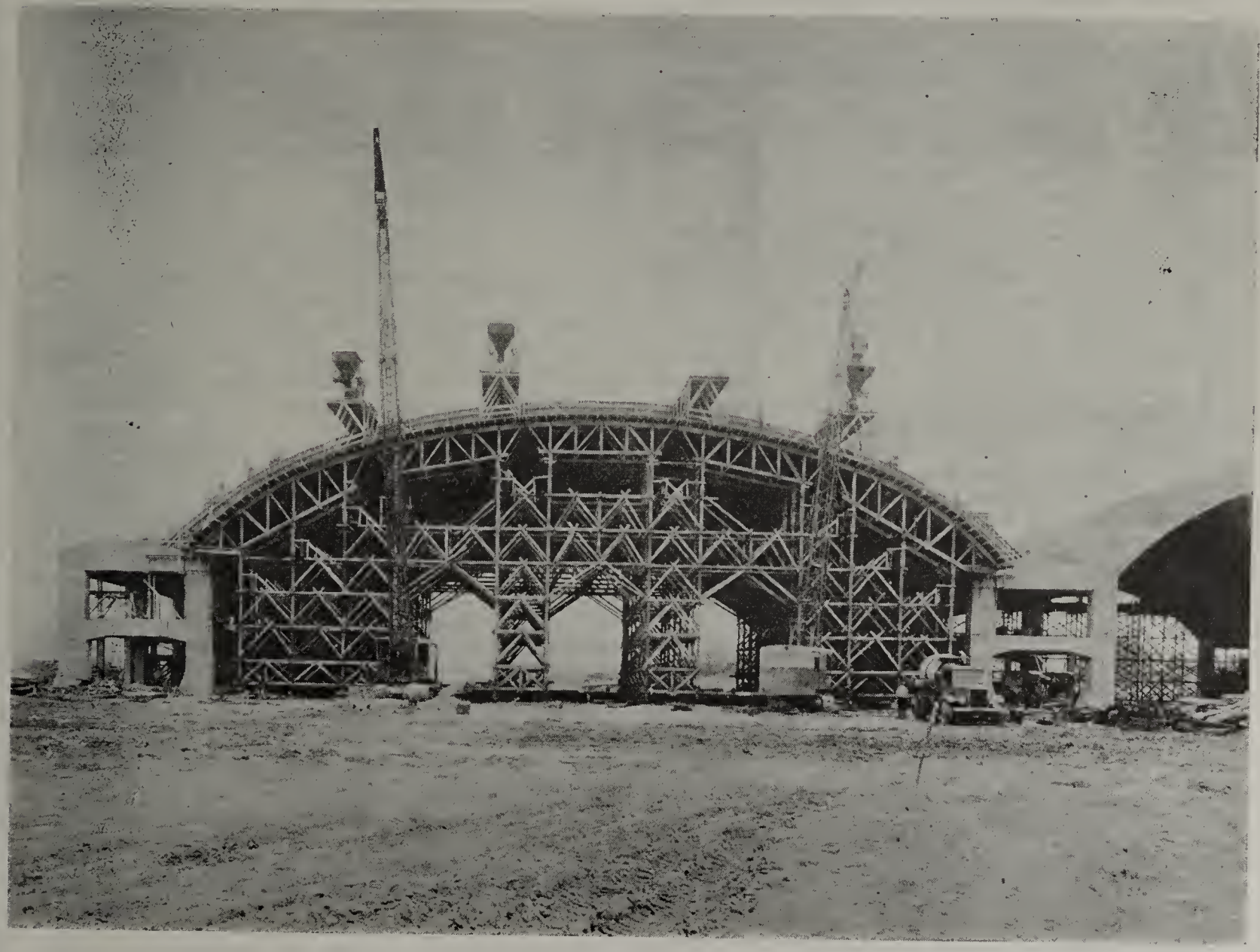


Fig. 30

of elasticity and the theory of thin shells as contained herein are established courses in the engineering colleges of America, and the applicant has filed data extracted from the curricula in substantiation thereof. Included also are letters from many practicing engineers stating that they are thoroughly familiar with the analysis of such structures and that they have already constructed or designed buildings of the applicant's types. The applicant proposes to furnish competent corroboration to the Department of Housing and Buildings that all designs be checked by a competent professional engineer acceptable to the Borough Superintendent and who, along with the applicant will assume the responsibility for the integrity of the structure and the adequacy and accuracy of each design submitted. The professional engineer will also certify to the Borough Superintendent that he will supervise in collaboration with the applicant the erection of each structure for full compliance with detailed plans and specifications as may be approved by the Borough Superintendent.

To meet the fire resistance requirements for the proposed construction, the applicant will comply with all the requirements of the Administrative Building Code, C26-509.0, as to protection of steel reinforcing materials. As a practical measure of the degree to fire resistance afforded by the applicant's structures, a fire broke out on March 6, 1945 at Wright Field in a Z-D type concrete hangar having a span of 160 ft., 45 ft. high and 200 ft. long. Stored in the hangar were many planes including the largest in use at that time. A transport plane in taking off developed trouble which resulted in its diving into the main door of this hangar where it exploded and set fire to all the planes in the hangar causing damage of 3-3/4 million dollars. The temporary end wall of the affected hangar and a partition wall in the adjacent hangar were blown out by the explosion and the steel doors and door guides were twisted by the heat. The heat was so intense that the glass portions of lighting fixtures softened and dropped. The underside of the concrete roof appeared spalled in about 5% of its area and a few cracks appeared in the concrete shell. The draft of flames and smoke, rising 300 feet, had lifted 10" pieces of broken asbestos cement siding from the temporary end wall and had dropped them on the roof. The asphalt roofing was blistered. The structural concrete shell roof did not fail and preliminary inspection indicated that the roof has not been seriously damaged by the heat. Although a load test has not yet been made, it is expected that the concrete shells can be completely repaired by minor gunite operations. The doors, temporary walls and the roofing will, of course, have to be replaced.

The applicant further proposes that he will use only approved materials and that all concrete used will be controlled concrete complying with C26-497.0, C26-500.0 when made, mixed, controlled, and designed in accordance with C26-364.0 and that in all other respects, the requirements of Sub-Article 5 "Reinforced Concrete Construction" of Article 9 "Construction" will be complied with.

Recommendation

On the basis of the foregoing data, the Committee on Tests recommends the approval under C26-191.0.a, Administrative Building Code, of the Roberts and Schaefer Company's Z-D System of Reinforced Concrete (Shell construction) when designed as provided herein and in accordance with the theory of flexure under C26-468.0, with flexural resistance of slabs meeting the requirements of C26-471.0 and the moments, shear and points of inflection to be in accordance with the provisions of C26-481.0,a,b,c, with the stresses as provided in C26-364.0, and that the concrete used shall be of controlled concrete of the proper water cement ratios complying with C26-38.0,c, C26-364.0, C26-26.0, through C26-329.0 and C26-497.0 and that the coarse aggregate be of approved type and be not larger than 3/4 in. in its largest dimension; that all materials be approved, and that each design submitted to the Borough Superintendent by the applicant be checked by a licensed professional engineer acceptable to the Borough Superintendent; that the applicant and the licensed professional engineer be held responsible for the design and that they both shall be responsible for the field inspection of the construction to insure compliance with the design details. All inserts in the roof construction for supporting under-hung loads, such as sprinkler systems, etc., shall be installed in roofs of adequate thickness and to the satisfaction of the Borough Superintendent. All openings in the roof shall be reinforced in such a manner as the Borough Superintendent shall require. Adequate prestressing of reinforcement ties between adjacent foundation shall be provided to control deformations.

It is further recommended that each design submitted to the Borough Superintendent shall bear a stamp or lettering reading as follows: "This design is exactly in accordance with the provisions of the approval granted by the Board of Standards and Appeals under Cal. 717-44-SM."

(Sgd). BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Z. D. System of Reinforced Concrete (Shell Construction) *on condition* that the design, supervision and construction shall be in accordance with the above report.

(*Continued from Page* 1)

have been approved prior to 1916 by the Board of Standards of the Fire Department or the several Superintendents of the Department of Buildings even though such approvals were certified by the Corporation Counsel as automatically becoming approvals of the Board. The reason for their non-inclusion is that due to subsequent changes in the law, practically none of the approvals given prior to 1916 have any present application.

Any such materials, appliances or methods of construction, which have been accepted for general use prior to or since 1916 should be submitted to the Board for test and approval under the present requirements of law, so that they may be included in the published list when next issued. Due to improvements in construction methods and design of materials and appliances, as well as amendments to the law, some materials and appliances herein listed may no longer meet the terms of their approval or the present law. In these instances, such materials and appliances should be resubmitted so as to keep the approvals abreast of the latest designs and methods.

It has been the intention of the Board in publishing the list to make it complete, and if any approvals are omitted it has been by inadvertence. At most, this list is merely a synopsis and index. *Reference in each case should be made to the resolution of approval itself.* For convenience, the index includes under each item the Calendar number of the application and the issue of the Bulletin in which the resolution of approval appeared. In such resolutions, the record of tests, the description of the material, appliance or method of construction is set forth, as well as the basis of the approval and the extent of the permitted use.

HARRIS H. MURDOCK, *Chairman.*

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-5600.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of September 18, 1945 will be printed in the Bulletin of October 2, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 18, 1945.

Cal. No. *Dept.* *Premises Affected*

546-45-SA—Crotty Double Jacket Fuel Oil Heater, Appliance.

547-45-A—H.B.M.—500 West 180th street and 2416 Amsterdam avenue, southwest corner (2nd and 3rd floors); (Block 2152, Lot 46), Borough of Manhattan, Alt. 1340-45.

548-45-BZ—H.B.B.—641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn, Alt. 2579-45.

549-45-A—F.D.—26 Thomas street, south side, 55 ft. east of Trinball place (Block 151, Lot 5), Borough of Manhattan, 35303-LF.

550-45-BZ—H.B.M.—248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan, Alt. 1158-45.

551-45-A—F.D.—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens, 304-LC.

552-45-SA—Davis Combustible Gas Alarm System, Remote Head Type, Appliance.

553-45-A—F.D.—29-10 Thomson avenue and south side of Skillman avenue, from 28th to 29th streets (Block 273, Lot 1), Long Island City, Borough of Queens, Decision.

554-45-A—H.B.Q.—48-02 25th avenue, south side, from 48th to 49th streets (Block 744, Lots 40-47 inclusive), Astoria, Borough of Queens, Misc. 3167-45.

555-45-BZ—H.B.Q.—145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens, Alt. 1522-45.

556-45-BZ—H.B.M.—410-412 West 34th street, south side, 120 ft. west of 9th avenue and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan, Amendment to Alt. 915-45.

557-45-BZ—H.B.Q.—51-01 72nd place and 72-28 to 72-36 51st road, southeast corner (Block 2465, Lots 1-5), Woodside, Borough of Queens, Alt. 898-45.

Restored to Calendar

216-44-A—F.D.—159-163 East 90th street, north side, 300 ft. east of Lexington avenue (Block 1519, Lots 25, 26 and 27), Borough of Manhattan, 37218-LC and 37706-LC.

246-38-A—F.D.—52-08 Grand avenue, south side, 431 ft. 9 in. west of 53rd (Sophie) street (1st floor, Building 3); (Block 2616(2317), Lot 1), Maspeth, Borough of Queens, Decision re 97152-LC.

391-44-A—F.D.—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan, 30978-LF.

412-44-A—H.B.B.—76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn, Alt. 1635-45.

87-45-A—F.D.—West side of Belt parkway, 38 ft. north of Bay 37th street and east side of Hunter avenue, between 24th avenue and Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn, 14061-LF and Decision.

181-45-A—F.D.—429 5th avenue, east side, 60 ft. 11 in. north of East 38th street (cellar); (Block 868, Lot 4), Borough of Manhattan, 18388-LF and Decision.

302-45-A—H.B.Q.—43 Windsor place (71st road), east side, 107 ft. south of Queens boulevard (1st and 2nd floors); (Block 3257, Lot 45), Forest Hills, Borough of Queens, Alt. 457-45.

427-45-A—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion (Barrett) street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn, Alt. 1426-45.

856-42-BZ—H.B.B.—298-318 2nd street, 303-311 4th avenue, southeast corner (Block 974, Lots 6, 12, 15 and 17), Borough of Brooklyn, Alt. 2303-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

SEPTEMBER 25, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September* 25, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

473-45-BZ—Application, July 26, 1945, under section 7c of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Equalshares, Inc., owner, to permit on a plot in a business and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; premises 231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

208-44-BZ—Application, April 5, 1944, under sections 7e, 7i and 21 of the zoning resolution, of F. Hale Atkinson, applicant, on behalf of Madeline Morea, owner, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a temporary period of two years with two families above; premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

400-45-BZ—Application, June 26, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Herbert K. Cornelius, owner, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; premises 122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

514-45-BZ—Application, August 17, 1945, under section 7c of the zoning resolution, of Max Siegel, applicant, on behalf of Flatbush Motors, Inc., owner, to permit partly in an unrestricted and partly in a business use district. the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles; premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

Appeals from Administrative Decisions

515-45-A—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

565-44-A—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 25, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September* 25, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

36-45-A—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn (reopened and restored to calendar; previously dismissed for lack of prosecution).

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

533-44-A—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn (reopened and restored to calendar September 11, 1945; previously dismissed for lack of prosecution).

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

453-45-A—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

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140-45-A—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

500-45-A—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn.

495-45-A—4218 Fort Hamilton parkway, northeast corner of 43rd street (1st floor); (Block 5596, Lot 51), Borough of Brooklyn.

429-45-A—30 West Fordham road, south side, 53 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx.

507-45-A—43-10 48th avenue, south side, from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens.

532-45-A—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.

526-45-A—155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 2, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 2, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

260-42-BZ—Application of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 36-02 Spray View avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

968-40-BZ—Application of Solomon Jochnowitz, applicant, on behalf of Irving Brown Realty Corp., present owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

146-45-BZ—Application of James Whitford, applicant, on behalf of Adam V. Bell, owner, reopened and restored to calendar July 17, 1945, under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn); premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

11-33-BZ—Application of Max Bache, applicant, on behalf of Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees), reopened and restored to calendar May 16, 1944, under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period; premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

CALENDAR

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

508-45-A—West side of Western avenue, 1500 ft. south of Richmond Terrace (2nd floor); (Block 1400, Lot 1), Port Ivory, Borough of Richmond.

523-45-A—1911-1929 Madison avenue, east side, 210 ft. 10 in. north of East 123rd and East 124th streets, 41-59 East 123rd street and 44-58 East 124th street (Block 1748, Lots 44, 48, 49 and 35), Borough of Manhattan.

551-45-A—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 2, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 2, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

517-45-A—West side of Wharf (Furman street), 1100 ft. north of Montague street (Block 199, part of Lot 3), Pier 9, East River, Borough of Brooklyn.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

503-45-A—638 Flatbush avenue, west side, 200 ft. south of Chester court (1st floor); (Block 5026, Lot 191), Borough of Brooklyn.

518-45-A—830-836 Hemlock street, west side, 91 ft. 7¼ in. south of Linden boulevard (Block 4486, Lot 12), Borough of Brooklyn.

522-45-A—1572-1576 Broadway, 201 West 47th street, northeast corner and 702-708 7th avenue (Block 1019, Lot 29), Borough of Manhattan.

560-45-A—1203 Atlantic avenue, north side, 265 ft. 1 in. west of Nostrand avenue (2nd floor); (Block 1866, Lots 12 and 13), Borough of Brooklyn.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

571-45-A—1391 Amsterdam avenue, east side, between West 128th and West 129th streets (Block 1968, Lot 1), Borough of Manhattan.

572-45-A—185-02 to 185-10 Ilion avenue, inclusive, south side, and 185-03 to 185-11 Jordan avenue, inclusive, north side, and east side of Dunkirk street, from Ilion to Jordan avenues (Block 10409, Lot 26), St. Albans, Borough of Queens.

573-45-A—51-01 to 51-71 Marathon parkway, inclusive, east side, from south side of Cambria avenue to north side of 52nd (Brattle) avenue (Block 8236, part of Lot 6, Block 8237, part of Lot 12 and Block 8238, part of Lot 1), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 16, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

CALENDAR

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one-story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

550-45-BZ—Application, September 14, 1945, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of 248 West 18th Street Corp., owner, to permit partly in a residence and partly in a retail district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

241-33-BZ—Application, of Gale Realty Corp. and Charles M. Spindler, applicants, on behalf of North American Oil Corp., owner, reopened June 26, 1945, under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales; premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

530-45-BZ—Application, September 5, 1945, under sections 21 and 7e of the zoning resolution, of Ervin Palmer, applicant, on behalf of Jacob Ruppert, owner (Walter Schultz, lessee), to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; premises 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

574-45-A—4705-4727 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 23, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

378-45-BZ—Application, June 19, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Sinclair Refining Co., owner (Litterin Service Station Co., lessee), to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station; premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

413-45-BZ—Application, June 23, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of Rabbi Samuel A. Rubin, owner, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution; premises 154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

570-45-BZ—Application, September 26, 1945, under sections 7c and 7d of the zoning resolution, of New York Telephone Co., applicant and owner, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station; premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of *September* 11, 1945.)

963-40-A

APPLICANT—H. W. Aichele, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from decisions of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—221-20, 221-24, 222-02 to 222-14 121st avenue, south side, from 1,488.53 ft. to 1,688.53 ft. east of Springfield boulevard, 120-78 to 120-86, 121-02 and 121-06 Francis Lewis boulevard, south side, 1,728 ft. west of Springfield boulevard (Block 3450, Lot 35), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Howard W. Aichele.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (963-40-A)

WHEREAS, this appeal from decisions of the borough superintendent, affecting premises 221-20, 221-24, 222-02 to 222-14 121st avenue, south side, from 1,488.53 ft. to 1,688.53 ft. east of Springfield boulevard, 120-78 to 120-86, 121-02 and 121-06 Francis Lewis boulevard, south side, 1,728 ft. west of Springfield boulevard (Block 3450, Lot 35), St. Albans, Borough of Queens, was granted by the Board on October 8, 1940, on certain conditions; and

WHEREAS, the applicant, the owner of 222-02 121st avenue, requested an amendment of the resolution, based on a decision of the borough superintendent, acting on Alt. Applic. 1277-45.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 8, 1940, by adding thereto:

"*Resolved, further* that the residence building under N.B. Applic. 5036 may be altered as proposed under Alt. Applic. 1277-45, consisting of an interior stair to attic and the construction of a new dormer to form a bedroom; that the roof of such dormer shall be surfaced with asbestos shingles as required for the main roof; that such windows in the dormer shall be casement windows of the size shown on plans filed with the borough superintendent.

58-45-A

APPLICANT—Kitzler and Nurick, for Jose-Lee Corp., owner (Honey-Knit Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—87-89 Osborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (58-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 87-89 Asborn street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn, was granted by the Board on June 5, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 5, 1945, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent acting on Alt. Applic. 1736-44, Objection 1, and that the appeal be and it hereby is *granted on condition* that no windows shall be barred, except those indicated on the 1st and 2nd floors, as shown on plans filed with this appeal marked "Received February 7, 1945"; that such windows shall be limited to three windows on the 1st floor, south side, interior lot line windows on the south and west side and all windows along the lot line on the north side, except three windows toward the westerly end marked on plans not to be barred, and not including any windows along the street front of Osborn street, on condition that the exits as shown thereon shall be maintained; that the windows as indicated not to be barred on the 1st and 2nd floors, shall be maintained so as to be readily usable at all times in the event of fire; that all the windows on the course of the fire escape shall be fireproof and self-closing; that exit to such fire escape shall be fireproof and self-closing as indicated; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

533-44-A

APPLICANT—Samuel Rosenblum, for National Feather & Down Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decision of the fire commissioner. (Previously dismissed for lack of prosecution).

PREMISES AFFECTED—160-166 7th street, south side, 245 ft. west of 2nd Avenue and 117-119 8th street (1st & 2nd floors); (Block 996, Lot 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, restored to the calendar and set for hearing September 25, 1945 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

ZONING APPLICATIONS.

59-27-BZ

APPLICANT—H. Herbert Lilien, for Lindy Exakta Heaters, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Application (decision of the superintendent of buildings) previously granted on condition under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2370 Hoffman street, east side, 269.28 ft. south of East 187th street (2nd floor); (Block 3065, Lot 27), Borough of The Bronx.

MINUTES

APPEARANCES—
For Applicant: H. Herbert Lilien.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (59-27-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles, affecting premises 2370 Hoffman street, east side, 269.28 ft. south of East 187th street (Block 3065, Lot 27), Borough of The Bronx, was granted by the Board on April 5, 1927, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the occupancy of the 2nd floor for factory work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 5, 1927, by adding thereto:

". . . that the 2nd floor of this building may be occupied for factory work, provided it is in compliance with the resolution adopted by the Board under Cal. 469-45-A, and that in all other respects, meets the requirements of this resolution adopted by the Board on April 5, 1927 and all other laws, rules and regulations relative to garage occupancy."

573-37-BZ

APPLICANT—Samuel Sadowsky, for Williams Auction Sales Corp., lessee (Murray Rosenberg, owner).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; (expired 6/29/45).
PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street and 100 West 68th street (Block 1139, part of Lot 24), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Sadowsky.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (573-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 158-176 Columbus avenue, 101 West 67th street and 100 West 68th street (Block 1139, part of Lot 24), Borough of Manhattan, was granted by the Board on January 10, 1939, on certain conditions; and

WHEREAS, the permit was extended on June 29, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 29, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

". . . . *granted* under section 7h for a temporary term of two years from the date of this *amended* resolution, to permit the parking and storing of more than five motor vehicles, *on condition*. . . . that other than as *amended* herein, the resolution adopted by the Board June 29, 1943, shall be complied with in all respects and that a certificate of occupancy shall be obtained."

680-41-BZ

APPLICANT—Max Horn, for Mollie Winter and Ethel M. Front, owners (Bill Gordon, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five motor vehicles for a term of years.
PREMISES AFFECTED—167-199 Beach 61st street, southwest corner of Rockaway Beach boulevard (Block 389, Lots 19, 22 and 24), Arverne, Borough of Queens.
APPEARANCES—
For Applicant Mrs. Max Horn.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (680-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 167-199 Beach 61st street, southwest corner of Rockaway Beach boulevard (Block 389, Lots 19, 22 and 24), Arverne, Borough of Queens, was granted by the Board on August 6, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 16, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on August 6, 1941, as corrected on January 12, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . that other than as *amended* herein, the resolution adopted by the Board August 6, 1941 and as amended and corrected on January 12, 1943, shall be complied with and that a certificate of occupany shall be obtained (Misc. Applic. 5612-41)."

793-42-BZ

APPLICANT—John C. Wandell, for Carmine and Marie Imbraile, owners.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—20-30 Bay Ridge avenue, south side, 233 ft. 8½ in. west of Narrows avenue (Block 5868, Lot 18), Borough of Brooklyn.
APPEARANCES—
For Applicant: John C. Wandell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.

MINUTES

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (793-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 20-30 Bay Ridge avenue, south side, 233 ft. 8½ in. west of Narrows avenue (Block 5868, Lot 18) Borough of Brooklyn, was granted by the Board on June 8, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 8, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles to accommodate the patrons of the adjoining tavern, provided only cars of the passenger type and those capable of operation shall be stored, *on condition* . . . that other than as herein *amended*, the conditions of the resolution of June 8, 1943 shall be compiled with and that a certificate of occupancy shall be obtained."

313-19-BZ

APPLICANT—Frank Randazzo, for Roswin Realty Corp., owner.

SUBJECT—Application for consideration—reopening and consideration of a new proposal—re Application (decision of the borough superintendent) permitting in a business use district, the erection and maintenance of garage for more than five motor vehicles, previously granted by the Board, subsequently reopened and extended and modified by order of Appellate Division of Supreme Court of New York State.

PREMISES AFFECTED—1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

APPEARANCES—
For Applicant: Frank Randazzo.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

968-40-BZ

APPLICANT—Solomon Jochnowitz, for Jamaica-Fulton Operating Corp., owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Solomon Jochnowitz.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing October 2, 1945 at 10 A.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

260-42-BZ

APPLICANT—Clayton G. Shirkey, for Mollie Lillienfeld, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

APPEARANCES—
For Applicant: Clayton G. Shirkey.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing October 2, 1945 at 10 A.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

132-45-BZ

APPLICANT—Kitzler and Nurick, for Beatrice Finkelstein, owner (Max Finkelstein, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the enclosure of an existing gasoline service station as part of a new building to be occupied for a conforming use.

PREMISES AFFECTED—30-02 to 30-20 Newton avenue and 29-01 to 29-11 30th street, southwest corner (Block 595, Lots 19 to 26 inc.) Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

Adjourned: 4:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 18, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the special meeting of the Board held on *Friday morning*, July 27, 1945, were approved as printed in Bulletin No. 32. Volume 30.

ZONING APPLICATIONS

108-45-BZ

APPLICANT—Lama and Proskauer, for Building Management Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution.
PREMISES AFFECTED—94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama, J. I. Friedman, Leo S. Silver and N. A. Willis.
For Opposition: Lawrence F. Sherman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M., for an inspection by a committee of the Board.

150-45-BZ
APPLICANT—Henry Nordheim, for Marion A. Mallon, owner (Edmund Fucci, lessee).
SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7i and 21 of the zoning resolution, to permit in a business use district, the change of occupancy from existing garage to motor vehicle repair shop.
PREMISES AFFECTED—3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Opposition: John A. O'Melia.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application Laid over to October 16, 1945, 10 A.M. at for inspection by a committee of the Board and for further consideration.

390-19-BZ
APPLICANT—Lama & Proskauer, for Edward Brodlieb, owner.
SUBJECT—Application reopened May 29, 1945—application (decision of the borough superintendent) under section 7e of the zoning resolution to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles.
PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama, Edw. Brodlieb, Patrick C. McAteer, R. Frederick Polen and Chris Vennakatos.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 2, 1945, at 10 A.M. for further consideration.

330-45-A
APPLICANT—Lama and Proskauer, for Edward Brodlieb, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 2, 1945 at 10 A.M. for further consideration.

351-45-BZ
APPLICANT—Lama & Proskauer, for Precision Realty Corp., owner.
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area.
PREMISES AFFECTED—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama and Harold M. Jacobs.
For Opposition: Irving Rivkin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Irwin Cohen, Fire Dep't.
ACTION OF BOARD—Laid over to October 2, 1945 at 10 A.M. for decision without further argument.

400-45-BZ
APPLICANT—Colonial Beacon Oil Co., for Herbert K. Cornelius, owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district the alteration and conversion of an existing garage for more than five motor vehicles, to a garage for more than five motor vehicles and gasoline service station.
PREMISES AFFECTED—122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Joseph B. Lynch and Harry A. Gross.
For Opposition: Otto C. Spreckles, Caroline Richert, C. J. Eisenhower, F. L. Vollmuth and Kurt Widder.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to September 25, 1945 at 10 A.M. for further consideration.

475-45-BZ
APPLICANT—Colonial Beacon Oil Co., for Chichester Realty Co. and Margaret Skene, owners.
SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station.
PREMISES AFFECTED—75-03 to 75-17 Rockaway boulevard and 91-02 76th street, northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.
APPEARANCES—
For Applicant: Joseph B. Lynch.
For Opposition: Walter Conway.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application—Laid over to October 2, 1945 at 10 A.M. for further consideration.

MINUTES

670-44-BZ

APPLICANT—Albert E. Wheeler, for Vinmont Land Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21-C of the zoning resolution, to permit in a C and F area district, a one-family residential development not conforming to the area district requirements.

PREMISES AFFECTED—East side of Mosholu avenue, from West 254th to West 255th streets (Block 3421C, Lot 1311 and Block 3421D, Lot 1417) Borough of The Bronx.

APPEARANCES—

For Applicant: Albert E. Wheeler.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application placed on Reserve Calendar.

910-42-BZ

APPLICANT—Brooklyn Trust Company (certificate trustee), owner.

SUBJECT—Application reopened July 24, 1945—Application (decision of the borough superintendent), previously granted on condition under section 7e of the zoning resolution, permitting in a business use district, the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom and workroom to a welding shop.

PREMISES AFFECTED—2801 West 8th street, 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edmund T. See.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (910-42-BZ)

WHEREAS, Edmund T. See for Brooklyn Trust Company, owner, filed December 30, 1942, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district the maintenance for not more than two years and the conversion of occupancy of an existing building from garage, showroom, and workroom to a welding plant; premises 2801 West 8th street, 641 Sheepshead Bay road, northeast corner and 644 Neptune avenue (Block 7270, Lot 14), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board April 6, 1943, for a temporary period of two years and owner requested an extension of the permit July 7, 1945, and the case was reopened July 24, 1945, by vote of the Board; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 8th street is in business and unrestricted uses, A area and Class 1 height districts; Neptune avenue and Sheepshead Bay road are in business use, A area and Class 1 height districts; and

WHEREAS, the decision of the borough superintendent, dated July 5, 1945, re Alt. Applic. 5750-41, reads:

"Const:

Occupancy was a welding plant was conditionally granted by the Board of Standards and Appeals under Cal. 912-42-BZ, B.15,V.28 and expired on 4/6/45. Secure approval of the Board of Standards and Appeals to extend proposed use. Denied."

and

WHEREAS, the existing building is of Class 3 construction, one story in height with a frontage of 108 ft. on Sheepshead Bay road, 153 ft. on West 8th street and 24 ft. on Neptune avenue, irregular in area. It is proposed to convert the occupancy of the existing building, constructed for storage from a garage, showroom and workroom, in accordance with certificate of occupancy No. 11376 issued January 5, 1921, to a welding plant and also to maintain this use for not more than two years.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 6, 1943 only in so far as it has reference to the term of the variance so that as amended this portion of the resolution shall read:

"Granted under section 7e for a temporary term of two (2) years, to permit the existing building to be occupied as proposed, on condition . . . and that other than as herein amended, the conditions of the resolution of April 6, 1943 shall be complied with; that a new Certificate of Occupancy shall be obtained."

390-27-BZ

APPLICANT—Reginald S. Hardy, for Morben Properties, Inc., owner.

SUBJECT—Application reopened July 24, 1945, for consideration as to extension of time to complete work (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition under section 7f of the zoning resolution, for a term of ten years, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—73-42 Cooper avenue, south side, 22.22 ft. west of 74th street (Block 3811, Lot 8), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Opposition: Frank Stephany.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn..... 3

Negative: Chairman Murdock 1

THE RESOLUTION (390-27-BZ)

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 28, 1945, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion shall read:

. . . that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution.

137-44-BZ

APPLICANT—John Joseph Carroll, for Estate of Michael Dwyer (Eugene S. McQuade, Exec.), owner (George Kayser, lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7f and 7i of the zoning resolution, to permit in a business use district, the change of occupancy from auto painting, battery service and tire repairs to a garage for more than five motor vehicles and motor vehicle repair shop.

PREMISES AFFECTED—112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Joseph Carroll and Eugene S. McQuade.

For Opposition: Max Epstein, Mrs. Max Epstein, William Resch, Mary Brienza, Emma Harf, Chas. Zellman, Gustave Lowenthal and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (137-44-BZ)

WHEREAS, John Joseph Carroll, for Estate of Michael Dwyer (Eugene S. McQuade), owner (George Kayser, lessee), filed May 2, 1944 an application under sections 7e, 7f and 7i of the zoning resolution, to permit in a business use district the change of occupancy from auto painting, battery service and tire repair to a garage for more than five motor vehicles, and motor vehicle repair shop affecting premises 112 Greenpoint avenue, south side, 295 ft. east of Franklin street (Block 2563, Lot 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Greenpoint avenue is in a business use C area and class 1½ district; Franklin street is in an unrestricted use C area and class 1½ district; Kent street and Milton street are in residece use C area and class 1½ district; and

WHEREAS, the decision of the borough superintendent dated February 7, 1944 on Alt. Applic. 3734-43 reads:

"1. Certificate of occupancy 85673 was granted on Jan. 5, 1938, for auto painting, battery service and tire repair. Proposed change of occupancy to a garage for more than five motor vehicles and repair shop is contrary to Art. II, Sec. 4(a), subd. (15) and (29) of the Zoning Resolution, as building is located in a business use district."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 ft. frontage by 95 ft. in depth, on which is located a one story class 3 constructed building, 25 ft. by 95 ft. in area, occupied as auto painting, battery service and tire repair. It is proposed to occupy the building as a motor vehicle repair shop and garage for more than five vehicles; and

WHEREAS, the applicant contends that upon this site was a two story frame building occupied as storage, shop and wagon shed; and the condition of the same made it imperative that this be demolished and in 1933 there was erected thereon a one story brick building classified as auto painting, tire service and battery repairs; that when this type of occupancy in this neighborhood became outmoded it became necessary to rent the premises for a use more financially desirable and one more necessary in the neighborhood; that it is requested the use now occupying the premises be granted for a limited duration, thus relieving the applicant of undue hardship; and

WHEREAS, the records of the Combustible Division of the Fire Department indicate that order 95038-LC was issued May 28, 1943 requiring a certificate of occupancy as a non-storage garage; that a previous violation 3716 was issued in 1939; that permits issued through April 4, 1943 call for five autos, auto painting, battery service and tire repairing; that no permit has been issued since the permit which expired April 4, 1944; that prior to 1937 the prior building was occupied as an iron works; and

WHEREAS, the premises and surrounding are were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under sections 7e, 7f and 7i of the zoning resolution.

Resolved, that the decision of the borough superintendent dated February 7, 1944 on Alt. Applic. 3734-43 only in so far as it has reference to the application for a repair shop be and it hereby is *affirmed* and the application be and it hereby is *denied*.

273-44-BZ

APPLICANT—Vincent M. Cajano, for Angela Lanzillotta, owner.
SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and E area district, the erection of a balcony and steps at front of building encroaching on the 10 ft. set back required by the zoning resolution.
PREMISES AFFECTED—1260 85th street, south side, 180 ft. west of 13th avenue (Block 6338, Lots 30 and 32), Borough of Brooklyn.
APPEARANCES—
For Applicant: Vincent M. Cajano.
For Opposition: Lilla Chisari and Einer P. Jensen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

APPEAL FROM ADMINISTRATIVE ORDER

519-45-A

APPLICANT—Herman Weiss, for B. Brothers Realty Corp., owner (Bloomingdale Bros., Inc., lessee).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-176 East 60th street and 990-1018 3rd avenue (6th floor); (Block 1394, Lot 23), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Weiss.
For Administration: Insp. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (519-45-A)

WHEREAS, Herman Weiss, for B. Brothers Realty Corp., owner; Bloomingdale Bros. Inc., lessee, filed August 28, 1945, an appeal from an order of the fire commissioner, affecting premises 743-765 Lexington avenue, east side, from East 59th to East 60th streets, 135-163 East 59th street, 140-178 West 60th street and 990-1018 Third avenue, 6th floor, (Block 1394, Lot 23), Borough of Manhattan; and

WHEREAS, Order No. 42488 LC issued by the Fire Commissioner August 24, 1945, reads:

"With reference to your application dated August 24, 1945, for a permit to store ammunition at above premises, it is regretted that this Department is without power to grant such a permit for the reason that the above premises is so used for drug store, paint store, stationery store, liquor store and tobacco store purposes contrary to Sec. C19-38.O-D of the Administrative Code.

YOU ARE THEREFORE, HEREBY, ORDERED TO:

1.—Discontinue the storage or sale of any ammunition in excess of two hundred small arm cartridges without a permit from this department."

and

WHEREAS, the applicant states that the building is 6, 8 and 9 stories, 127 ft. in height, 200 ft. 10 in. by 420 ft. in area; of Class 1 and 3 construction; located in business use, B area, Class 1½ height districts; erected in 1870, 1893,

1917 and 1929; and used throughout as a department store; and

WHEREAS, the applicant states that permit was applied for to store and sell at retail ammunition on the 6th floor, the Sporting Goods Department; and

WHEREAS, the applicant contends that the Sporting Goods Department handles a complete line of sporting goods and is licensed by the U.S. Treasury Department to handle guns; that other stores with whom the applicant competes have similar sporting goods departments and also carry cartridges and ammunition; that in order to meet this competitive situation it is felt the applicant should be permitted to handle ammunition in the quantities requested; that the ammunition will be stored in a metal cabinet with doors and be under the supervision of a person familiar with the handling of ammunition; that it will be provided with a lock and signs, reading "Ammunition" affixed to the exterior of cabinet; that it will be placed in such a position that there will be complete sprinkler protection over same and any other safety measures taken that the Board may recommend; and

WHEREAS, examination of Fire Department Folder 1519 indicates that application for a permit was filed to store the following:

20,000 shot gauge .10 to 410
20,000 pistol cartridges, 22 caliber
4,000 pistol cartridges, 32 to 45 caliber
30,000 rifle cartridges, 22 caliber
10,000 rifle cartridges from 22 caliber not to exceed 45 caliber.

Resolved, that the order of the fire commissioner acting on Order 42488-LC, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of ammunition shall not exceed that proposed and that the conditions as proposed shall be maintained; that the cabinet shall be of heavy steel satisfactory to the fire commissioner, but not less than 12 gauge; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

Adjourned: 12:45 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 18, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

325-45-A

APPLICANT—Henry George Greene, for Thifort Company, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Aaron Abramchek.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal laid over to October 2, 1945, at 2 P.M. at request of applicant's representative.

482-45-A

APPLICANT—Anastasios Catsanos, for Lithaloys Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Anastasios Castanos, Hont Asborg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal laid over to October 16th, at 2 P.M. for further consideration, after applicant obtains new decision from Fire Dept.

500-45-A

APPLICANT—Joseph Wagner, for May Guze, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); Block 6576, Lot 70), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joseph Wagner.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal laid over to September 25th, at 2 P.M. at request of applicant.

485-45-A

APPLICANT—L. E. Driver, for New York Dock Co., owner (Port Line Ltd., lessee)
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Wharf, west side, Columbia street, 630 ft. west of Congress street (Block 298, part of Lot 5), Pier 26, East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: George A. Eweler.
For Administration: Thomas A. Larkin, Fire Dept.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

496-45-A

APPLICANT—Sidney L. Strauss, for Bureau of Real Estate, City of New York, owner (Manhattanville Neighborhood Center, lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan.
APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Peter Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (496-45-A)

WHEREAS, Sidney L. Strauss, for Bureau of Real Estate, City of New York, owner; Manhattanville Neighborhood Center, lessee, filed an appeal from an order of the fire commissioner, affecting premises 525 West 126th street, north side, 148 ft. east of Old Broadway (Block 1983, Lot 6), Borough of Manhattan; and

MINUTES

WHEREAS, order No. 34040 LF, issued by the fire commissioner April 19, 1945, and repeated in a decision of the fire commissioner, dated August 9, 1945, reads:

"1. Install an adequate electric closed circuit interior fire alarm system of an approved type in accordance with the Interior Fire Alarm Rules of the Board of Standards and Appeals. Sec. C19-487e-2.0-c-1 Adm. Code."

and

WHEREAS, the applicant states that the building is 3 stories, 38 ft. in height, 36 ft. by 30 ft. in area; Class 1 construction; erected in 1909; located in a business use, B area, Class 1½ times height districts; used and occupied since July 1944 as follows: Cellar, boilerroom and adult activity, 20 persons; 1st, 2nd and 3rd floors, day nursery, 20 persons per floor and no change in use or occupancy is proposed. The building is equipped with one 44 in. wide fireproof stairs, equipped with hardwood doors which are not self-closing and with a scuttle to roof and leading directly to street; there is also provided one fire escape at the west side of building leading to street by stairway; and

WHEREAS, the applicant states the building was originally occupied as a hospital and complies in all respects with requirements of law with the exception of a fire alarm system, which is required due to the fact there are more than thirty children occupying the premises; it is proposed to install a substandard fire alarm system consisting of a 6 in. vibrating bell located in the stairhalls on the 1st, 2nd and 3d floors with push button below, the wiring to be run in ½ in. conduit with No. 14 wire used and the system to be supplied from two sets of dry cells contained in a wood box painted Fire Department red; and

WHEREAS, the applicant requests that this type of system be accepted in lieu of compliance with the requirements for a fire alarm system.

Resolved, that order No. 34040 LF of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that the interior fire alarm shall be installed and maintained substantially as proposed to the satisfaction of the fire commissioner; that fire drills shall be maintained at least once every two weeks, in accordance with the requirements, under the supervision of qualified persons at all times; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

498-45-A

APPLICANT—Interborough Engineering Co., for Anna Amelio, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Ribelle Perotto.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (498-45-A)

WHEREAS, Interborough Engineering Company for Anna Amelio, owner, filed August 13, 1945, an appeal from a decision of the borough superintendent affecting 592 Morris Park avenue, southwest corner of Garfield street (Block 4021, Lot 8), Borough of The Bronx and

WHEREAS, the decision of the borough superintendent dated August 3, 1945, on amendment to F. P. Applic. 47-45, reads:

"3. Provide a separate flue for each apparatus (Rule 12 Fuel Oil Rules) Reconsideration denied."

and

WHEREAS, the applicant states the building is 4 stories, 40 ft. in height; 25 ft. by 85 ft. 6 in. in area; of Class 3 construction; erected 1909; located in a business use B area, Class 1¼ height district and used and occupied since 1909—cellar, boiler room and storage; 1st floor, store and dwelling, one family; 2nd floor, dwelling, two families; 3rd floor, dwelling; two families; 4th floor, dwelling, two families. The building is equipped with one 36 in. wide wood stairs enclosed in partitions of wood lath and plaster equipped with wood doors which are self-closing and leading from roof bulkhead direct to street, one fire escape on Garfield street side leading to roof by ladder and to street by ladder; and

WHEREAS, the applicant states that it is proposed to install two oil fired boilers to be connected to one existing chimney; and

WHEREAS, the applicant contends that this chimney has been servicing two coal fired boilers since 1909; that the owner has purchased two General Electric furnaces fired by oil to replace the two coal fired boilers; that the furnaces will be equipped with the latest safety devices such as the "flame detector" and a flue pressure switch located at the smoke breeching of the furnace which automatically shuts off the oil burner in the event of excess flue pressure; that, owing to the sealed construction and down-flame design of the furnaces to be used, gases from one burner cannot permeate into the combustion chamber of another furnace which may be idle; that the changing from coal to oil should not change the requirements of the chimney specially when the chimney requirements for oil fired boiler is less than for coal fired; that to comply with Rule 12 of the Oil Burner Rules would require the erection of additional chimney which would be a hardship to the owner and is not necessary for the satisfactory use and safety of the fully automatic General Electric oil furnace.

Resolved, that the decision of the borough superintendent, acting on amendment to F.P. Applic. 47-45, objection 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects any requirements therefor shall be complied with.

542-45-A

APPLICANT—Reginald S. Hardy, for Sophie Himmelstein, owner (507 Flatbush Avenue Corp., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1-11 Lefferts avenue, 507-511 Flatbush avenue, northeast corner and 1118-1128 Washington avenue (cellar, 2nd and 3rd floors); (Block 1197, Lot 1). Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (542-45-A)

WHEREAS, Reginald S. Hardy for Sophie Himmelstein, owner, 507 Flatbush Avenue Corporation, lessee, filed on September 6, 1945, an appeal from a decision of the borough superintendent, affecting 507-511 Flatbush avenue, 1 to 11 Lefferts avenue, northeast corner and 1118 to 1128 Washington avenue (Block 1197, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 20, 1945, on Alt. Applic. 2871-44, reads:

"18. Comply with Section 270 of the Labor Law as to means of egress from cellar, 2nd and 3rd floors. Present fire escape from 2nd and 3rd floors and existing ramp from cellar do not constitute a required means of egress as specified by Section 270 Labor Law."

and

WHEREAS, the applicant states the building is 3 stories, 38 ft. 6 in. in height; 107 ft. 2½ in. by 109 ft. 11¼ in. in area; of Class 1 construction; erected in 1927; located in a business use B area, Class 1¼ height district and used and occupied since 1927 as a garage for more than 5 motor vehicles and proposed to be used and occupied as follows: cellar, motor vehicle repair shop, 10 persons; 1st floor, automobile showroom, 10 persons; 2nd floor, stockroom and garage, 4 persons; 3rd floor, garage for more than 5 motor vehicles, 1 person. The building is equipped with one 3 ft. 8 in. steel stairs, fireproof enclosed, equipped with fireproof steel covered self-closing doors and leading from roof bulkhead direct to street, and one fire escape on the Flatbush avenue front leading from top story with egress to street from lowest balcony by counterbalanced sliding drop ladder; and

WHEREAS, the applicant states that the building has been used as a garage for storage of more than five motor vehicles, having been erected pursuant to resolution adopted by the Board under Cal. 575-25-BZ. It is now proposed to use the cellar as a motor vehicle repair shop and service station; 1st floor as a motor vehicle sales space and showroom and the upper floors for the garaging of motor vehicles in connection with the business; and

WHEREAS, the applicant contends that the number of employees working in the building will not exceed 25 of whom 10 will be employed in the cellar, 10 on the street floor and 4 on the 2nd floor and one occasionally on the upper floor; that the 2nd and 3rd floors are served by an interior enclosed fireproof stairway and an exterior fire escape; cellar is served by interior fireproof stairway, an emergency exit at Flatbush avenue side and a large ramp leading to Washington avenue side; that during normal operations of the business no employee will be stationed on the 3rd floor; that one employee may be occasionally sent to the 3rd floor for the purpose of bringing down a car or taking a car to that location; that not more than 3 employees of the Parts Department or stock room will be employed on the 2nd floor immediately adjacent to the entrance of the interior stairway; a fourth employee may be on the floor merely for the purpose of placing a car thereon; that a maximum of 10 employees will be employed in the basement; that if the Board feels that the present ladder constituting the Flatbush avenue exit is of improper design the owner suggests that it be replaced with a metal stairway from cellar floor to street covered with the usual type of cellar doors flush with sidewalk or by the existing hinged grating; and

WHEREAS, the only portion of the building maintained for factory work is the cellar, and that no manufacturing is carried on above grade.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 2871-44, and that the application be and it hereby is *granted*, as to objection 18, *on condition* that the exits from the cellar to grade, as shown on plans filed with this appeal marked "Received September 6, 1945" shall be maintained, except that the ladder now to the Flatbush avenue sidewalk area shall be changed to a steel stair, as proposed, and the existing hinged grating may be maintained; that the ramp from the basement to grade shall not be deemed an exit, but shall be maintained during the time the cellar is occupied for repairing, as permitted by the Board under resolution adopted in Cal. No. 575-25-BZ, Vol. 2; that on the second floor the door in the wire mesh partition enclosing Parts department shall be changed to swing in the direction of exit and an additional door shall be installed in such partition at a remote location and arranged to swing outwardly and may be equipped on the interior with an approved panic bolt; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as herein modified and as modified by the Board under Cal. No. 575-25-BZ, except that door in cellar leading to vestibule outside of boiler room may be retained.

216-44-A

APPLICANT—Beth David Hospital, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from orders of the fire commissioner (previously dismissed for lack of prosecution).
PREMISES AFFECTED—159-163 East 90th street, north side, 300 ft. east of Lexington avenue (Block 1519), Lots 25, 26 and 27), Borough of Manhattan.
APPEARANCES—
For Applicant: Myron Ingelman.
For Administration: None.
ACTION OF BOARD—Application reopened and restored to calendar.
THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

246-38-A

APPLICANT—National Can Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision and order of the fire commissioner (previously withdrawn).
PREMISES AFFECTED—52-08 Grand avenue, south side, 431 ft. 9 in. west of 53d (Sophie) street (1st floor, Bldg. No. 3); (Block 2616 (2317), Lot 1), Maspeth, Borough of Queens.
APPEARANCES—
For Applicant: Robert E. Terchman.
For Administration: None.
ACTION OF BOARD—Application reopened and restored to calendar.
THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

391-44-A

APPLICANT—Earl D. Roberts, for Sixty Wall Tower, Inc., owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—Appeal from an order of the fire commissioner (previously dismissed for lack of prosecution).
PREMISES AFFECTED—56 Wall street, north side, 194 ft. 7 in. East of William street, and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan.
APPEARANCES—
For Applicant: Earl D. Roberts.
For Administration: None
ACTION OF BOARD—Appeal reopened and restored to calendar.
THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

327-44-A

APPLICANT—Herbert L. Carpenter, Executor for Estate of Alena F. Carpenter, owner; Flatbush Wilbur Co., Inc., lessee.
SUBJECT—Application for consideration—reopening and amendment of resolution—Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—546-554 Nostrand avenue and 107-111 Herkimer street, northwest corner (Block 1860, Lot 56), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: J. N. Carpenter and Eric G. Holmgren.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (327-44-A)

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 27, 1944, by adding thereto:

that the portion of premises on the 2nd floor south may be continued as a club room, as proposed, provided the requirements of this resolution are complied with in all other respects and that the exits are in accordance with the requirements for total occupancy of the second floor not exceeding 118 persons; that if such space is occupied by the club during working hours while the factory is in operation, the number of persons occupying the second floor, including the factory shall not exceed 100 during daytime working hours.

412-44-A

APPLICANT—Tobias Goldstone, for Barton, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn.

APPEARANCES—
For Applicant: Tobias Goldstone.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to calendar.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

87-45-A

APPLICANT—Otto J. Sambach, for Bartholdi Turecamo, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and a decision of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—Hunter avenue, east side, between 24th avenue and Bay 37th street and west side of Belt parkway, 38 ft. north of Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: Otto J. Sambach.
For Administration: None.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE VOTE TO GRANT ON CONDITION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (87-45-A)

WHEREAS, Bartholdi Turecamo, owner, filed February 21, 1945, an appeal from an order and a decision of the fire commissioner, affecting: Belt Parkway, west side, 38 ft. north of Bay 37th street and Hunter avenue, east side between 24th avenue and Bay 37th street (Block 6942, Lot 7), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, acting on Order 14061-LF, issued December 29, 1944, reads:

"1. Provide telegraphic communication with Fire Department Headquarters, as provided for by the Administrative Code. 487 e-2-ob. Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated February 19, 1945; and

WHEREAS, the applicant states the plot is 116 ft. 2 in. by 1001.51 ft. in area, on which is a series of buildings of Class 1, 3, 4 and 5 construction, located in an unrestricted use, B area, Class 1½ height district, and used as a construction yard and asphalt plant, for which no certificate of occupancy has been issued; and

WHEREAS, Inspection by the Division of Fire Prevention indicates (Folder 13946.01) that there is no fire box that could be used to transmit an alarm of fire on the premises, the nearest box being located on Cropsey avenue and Bay 34th street, a distance of about 6 blocks away, and in addition a person would have to cross the Belt Parkway. There is no coin telephone on the premises; and

WHEREAS, the applicant contends to the Fire Department that there is no need for telegraphic communication as they have only 8 employees in the entire building and all are located on one floor and that if the city wants a telegraphic connection it is incumbent upon the city to place a fire box outside near their building as it is unnecessary within the building; and

WHEREAS, the applicant contends to the Board that all buildings on the premises are fireproof; that the materials handled consist of sand, broken stone, gravel, cement, coal and asphalt; that a telephone operator is stationed at a switchboard on the premises 24 hours a day; that they have occupied these premises for 20 years handling the same materials and never have had a fire; that prior to the construction of the Belt Parkway fire alarm facilities by the city were available and since the construction of the Belt Parkway the city has not placed any boxes along the roadway as should have been done and no reason is seen why the owner should be put to the expense of installing such a system; that the construction of the buildings is as follows: Cement storage building—1 story metal sides and roof with concrete foundation approximately 35′ x 70′. Dust mill—1 story metal sides and roof with concrete foundation approximately 35′ x 75′. Asphalt plant—metal sides and roof, concrete foundation. Engine house—metal frame walls and roof of a fireproof composition. Blacksmith shop—metal sides and metal roof—approximately 10′ x 15′. Concrete coal pockets constructed entirely of iron and concrete. Yard office—frame building, tar roof—15′ x 40′. Office building—brick sides, slate roof—approximately 80′ x 25′. Frame hopper for coal.

Resolved, that Order No. 14061-LF of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1, *on condition* that a regulation fire alarm box shall be placed by the Bureau of Fire Alarm Telegraph at the corner of 24th avenue and the southerly service road within one year from the date of this resolution and when placed shall be continuously maintained; and that the conditions proposed herein by the applicant shall be maintained.

181-45-A

APPLICANT—Robert Teichman, for City Bank, Farmers Trust Co., trustees of Estate of Henry Bergh, owner.

MINUTES

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and a decision of the fire commissioner (previously withdrawn).
PREMISES AFFECTED—429 Fifth avenue, east side, 60 ft. 11 in. north of East 38th street (cellar); (Block 868, Lot 4), Borough of Manhattan.
APPEARANCES—
For Applicant: Robert Teichman, Manuel Radies, S. P. Loughman and Abraham Tarchee.
For Administration: None.
ACTION OF BOARD—Appeal reopened and granted on condition.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0
THE VOTE TO GRANT ON CONDITION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0
THE RESOLUTION (181-45-A)

WHEREAS, Robert Teichman, for City Bank, Farmers Trust Company, trustees of Estate of Henry Bergh, owner, filed March 28, 1945, an appeal from an order and a decision of the fire commissioner, affecting 429 5th avenue, east side, 60 ft. 11 in. north of East 38th street (Block 868, Lot 4), (Cellar), Borough of Manhattan; and

WHEREAS, Order 18388-LF, issued by the fire commissioner on October 19, 1943, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner, in cellar. C19-161.0, Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated March 16, 1945, reads:

"In reply to your letter and blueprint showing proposed changes in the cellar, in lieu of the sprinkler system required by Order 18388-LF after consideration, it is suggested that you submit the matter to the Board of Standards and Appeals for their consideration."

and

WHEREAS, the applicant states the building is 4 stories, 46 ft. in height; 16 ft. by 96 ft. in area at 1st floor; 16 ft. by 58 ft. in area at typical floor; of Class 3 construction; located in a restricted retail use B area, Class 1¼ height district; erected prior to 1886 and used and occupied since 1933 as follows: cellar, storage; 1st floor, store, 15 persons; 2nd to 4th floors, vacant, and proposed to be used and occupied without change. The building is equipped with one 32 in. wide wood stairs, enclosed in partitions of wood studs, lath and plaster, equipped with wood doors, which are not self-closing. This stair does not lead to roof or street. A ladder and scuttle is provided to roof. The building is also equipped with one fire escape at rear extending to roof by stair and to yard by stair with egress to adjoining properties to the north and south. Windows and doors on the course of the fire escape are fireproof self-closing; and

WHEREAS, Certificate of Occupancy 19117, issued September 14, 1933, permits the present use and occupancy; and

WHEREAS, the applicant contends that on March 7, 1945, proposed changes were submitted to the Bureau of Fire Prevention in an effort to comply with the order without installing a sprinkler system; that the fire department suggested that the matter be submitted to the Board; that in lieu of the new inside stairway at front as proposed to the Division of Fire Prevention, it is now proposed to install an engineer's exit outside of the building due to the very narrow width of the building and the space which would be taken up at the front for the proposed stairway; that additional entrance to cellar can be had by means of sidewalk elevator; that all combustible material is to be stored in an isolated space at the front of the cellar as indicated on plans filed with this appeal; that this space will be protected by sprinklers fed from the house supply as indicated on plans filed with this appeal; that proper signs will be posted at the front of the building indicating entrances.

Resolved, that order No. 18388 LF of the fire commissioner, dated October 19, 1943, item 1, as repeated in his decisions of March 16, 1945 and July 27, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the concrete block wall shall be constructed within the cellar with fireproof, self-closing door therein, as indicated on revised plans marked "Received March 28, 1945"; that there shall be no storage in the cellar, except within the portion toward the front, having a depth of approximately 30 feet; that an engineer's ladder shall be installed and maintained, leading to sidewalk grade; that the sidewalk elevator shall be continued; that the cellar storage space shall be protected by sprinkler heads, which may be fed from the domestic water line, provided such line is not less than one inch in diameter; that there shall be no human occupancy within the cellar; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

251-45-A

APPLICANT—Good and Kent, for Bush Terminal Buildings Co., owner. (Control Instrument Co., Inc., lessee).
SUBJECT—Application for consideration—reopening and amendment of resolution and restoration to calendar—re Appeal from an order of the fire commissioner (previously granted on condition).
PREMISES AFFECTED—33-67 35th street, east side of 2nd avenue, 1300 ft. 4 in. north of 39th street (5th floor, east section C, Bldg. No. 5); (Block 687, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Reginald S. Hardy.
For Administration: None.
ACTION OF BOARD—Application for reopening withdrawn.
THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

427-45-A

APPLICANT—Abraham Farber, for Nedma Corporation, owner; Louis Chazanov, lessee.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abraham Farber.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to calendar.
THE VOTE TO REOPEN AND RESTORE TO CALENDAR—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

302-45-A

APPLICANT—Grace M. Conlon, for Windsor Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn without prejudice).

MINUTES

PREMISES AFFECTED—43 Windsor place (71st road), east side, 107 ft. south of Queens boulevard, 1st and 2nd floors (Block 3257, Lot 45), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama, Ralph T. Conlon.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.: 4
Negative 0

THE VOTE TO GRANT ON CONDITION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative: Deputy Chief Gunn 1

THE RESOLUTION (302-45-A)

WHEREAS, Grace M. Conlon, for Windsor Corporation, owner, filed May 15, 1945, an appeal from a decision of the borough superintendent, affecting 43 Windsor place, east side, 107 ft. south of Queens boulevard (Block 3257, Lot 45), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 4, 1945, on Alt. Applic. 457-45, reads:

"1. Proposed conversion of a dwelling to a public building (note—day care nursery) must comply with

a. Article 6 as to exit.

b. § 7.3.2.3 B.C. as to live loads.

c. § 4.2.1. as to construction of building required to be fireproof."

and

WHEREAS, the applicant states the building is 2 stories, and attic, 28 ft. 10 in. in height; 22 ft. by 43 ft. in area; of Class 3 construction; erected 1910; located in a business use D area, Class 1 height district and used and occupied since October 1944, as follows; cellar, storage and boiler room, no persons; 1st and 2nd floors, dwelling, one family, attic, vacant, storage. Proposed to be used and occupied as follows: cellar, storage and boiler; 1st and 2nd floors, day care nursery, 15 persons on the 1st, 10 persons on the 2nd; attic, vacant. The building is equipped with one 2 ft. 10 in. wide wood stairs, enclosed in partitions of studs, lath and plaster and leading to street through hall. There is no ladder or scuttle to roof which is pitched. There are no doors on stair enclosure; and

WHEREAS, the applicant states that it is proposed to convert the existing one family brick building into a day care nursery for 25 children from 2 to 6 years of age between 9 A.M. and 4:30 P.M. Monday to Friday, inclusive; that at all other hours and on Saturdays and Sundays the building will be closed and not in use; that the ground floor will be used for the care of the children and two of the rooms on the 2nd floor for rest rooms as required by the Board of Health; that these rooms will each contain 3 cots and no other furniture except the small table in the rear room; that the office contains a desk, a chair and some cubicles for clothing against the brick wall; that besides the 6 children resting there may be 2 or 3 using the bath room on the 2nd floor so that the occupancy of the 2nd floor will never be in excess of 9 children and the licensed nursery teachers in attendance; no portion of the building is to be used for school purposes; that the stairs from the 2nd to 1st story exit either to the rear yard through the kitchen or to the street through the main hall. Cellar ceiling is fire retarded with half inch rock lath and half inch cement plaster and cellar stairs enclosed with 3 in. gypsum block, coated with half in. cement plaster, equipped with fireproof self-closing door at bottom; that in view of the limited occupancy of the 2nd floor and the fact that the load imposed on the floor beams is actually less than is usual in dwellings, it is requested that present exit facilities and floor loading be accepted; and

WHEREAS, the applicant further contends that the present two by 10 floor beams, 16 in. o.c. are good for a total load of 137 lbs. per sq. ft. on 1st and 2nd stories if bearing partitions are figured; that if the 2nd tier span is figured between masonry walls the beams are good for a total of 52 lbs.; and

WHEREAS, the premises were placed within a business use district by action of the Planning Commission and the Board of Estimate in 1940; and

WHEREAS, the premises are proposed to be occupied as a day nursery and not a school, as no academic instruction is given, although apparently classified as a nursery "school" by the department of health.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 457-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 1a permitting the first floor only to be occupied for the proposed day nursery and the second floor as a rest room, *on condition* that the cellar ceiling shall be fire-retarded; that the stairs to the cellar shall be enclosed in a fireproof partition; that the door to such stairway from the first floor shall be a one-hour self-closing fireproof door, that the existing storage of lumber and the use of machinery in the basement shall be completely discontinued; as to objection 1b, that the floor loads shall be as required for one-family residential ocupancy; as to objection 1c, that the building shall not be increased in height or area and shall be maintained as proposed and in accordance with the terms of this resolution; that in the stairway to the second floor at least one sprinklerhead shall be maintained as required for a similar stairway under the Multiple Dwelling Law, and such heads may be fed from the domestic water line, provided such heads are not less than ¾ in. in diameter; that no other occupancy shall be permitted within the building other than the nursery school herein permitted and that the occupancy shall be maintained as proposed, only during the hours of 9 A.M. to 5 P.M. on weekdays and the number of children in the nursery school shall not exceed twenty-five (25).

360-44-A

APPLICANT—Grosfeld House, Inc., lessee, for Rubanjo Realties, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner (withdrawn; reopened January 30, 1945).

PREMISES AFFECTED—949-953 Kent avenue, east side, 250 ft. north of DeKalb avenue (Block 1926, Lot 10), Borough of Brooklyn.

APPEARANCES—
For Applicant: S. A. Swenson.
For Administration: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

34-45-SA

APPLICANT—Ames Iron Works, owner.

SUBJECT—Cyclotherm Steam Generator (Oil Burner), approval of.

APPEARANCES—
For Applicant: Thomas Leonard.
For Administration: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

761-42-BZ

APPLICANT—Louis E. Ordwein, for Bank for Savings in the City of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a retail-1 use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles (previously withdrawn; reopened January 23, 1945).

PREMISES AFFECTED—879-887 Eighth avenue and 300-308 West 53d street, southwest corner (Block 1043, Lots 33½ to 38, inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

856-42-BZ

APPLICATION—Lama and Proskauer, for Louis Fatato, owner.

SUBJECT—Application for consideration—reopening and amendment as to extension of premises—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a term of five years, the conversion of occupancy of part of an existing building for storage of more than five motor vehicles (trucks to be used in conjunction with the business, beer delivery, conducted on the premises).

PREMISES AFFECTED—308-318 Second street, south side, 105 ft. 6 in. east of Fourth avenue (Block 974, Lots 12, 15 and 17), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

46-45-BZ

APPLICANT—Samuel Gardstein & Son, for Reuben Siskin, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension of the factory use in an existing factory building, so as to be in excess of the lot area.

PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Gardstein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

324-45-A

APPLICANT—Samuel Gardstein & Son, for Reuben Siskin, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—1256-1262 Bedford avenue, northwest corner of Fulton street (Block 2000, Lot 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Gardstein.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (324-45-A)

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 5, 1944, by adding thereto:

> . . . that the interior partitions as shown on plans filed with this appeal and the location of toilets may be changed, provided they meet all the requirements therefor, *on condition* that in all other respects the requirements of this resolution and the resolution adopted by the Board under Cal. 46-45-BZ shall be complied with and that any future subdivision of such second floor shall be so arranged as to provide from each space access to the primary means of exit and to a secondary means of exit meeting all requirements therefor.

271-39-BZ

APPLICANT—Bernard J. Thole, for Socony-Vacuum Oil Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension of an existing gasoline service station (previously granted by the Board; Boards decision reversed by Court without prejudice to further proceedings before the Board).

PREMISES AFFECTED—96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block 2088, Lot 22), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: Bernard J. Thole.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (271-39-BZ)

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 7, 1941, as amended through September 19, 1944, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

> . . . that all permits shall be obtained and all work completed within (1) year from the date of this amended resolution.

MINUTES

646-24-BZ

APPLICANT—Cherry and Matz, for The Manhattan Savings Bank, owner.

SUBJECT—Application (decision of the borough superintendent) previously granted on condition, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles also the omission of a rear yard as required by the zoning resolution (reopened July 18, 1944).

PREMISES AFFECTED—177-183 East 123rd street, north side, 82 ft. west of 3rd avenue (Block 1772, Lot 31), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

1087-24-BZ

APPLICANT—Herman Kron, for Nova Motors, Inc.

SUBJECT—Application reopened for consideration of amendment Oct. 31, 1944—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the operation of a motor vehicle repair shop in an existing garage for more than five motor vehicles, which had also been granted by the Board.

PREMISES AFFECTED—1680 Jerome avenue, east side, 50 ft. south of Clifford place (Block 2848, Lot 12), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1087-24-BZ)

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1098-24-BZ

APPLICANT—Herman Schwartzberg for Harry Schwartzberg, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the inclusion of light manufacturing and welding in existing motor vehicle repair shop for a temporary term (previously granted by the Board for garage).

PREMISES AFFECTED—458-466 Leonard street and 499-511 Manhattan avenue, southwest corner (Block 2712, Lot 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1098-24-BZ)

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

381-27-BZ

APPLICANT—Sgt. M. A. Pearl for U. S. Army Corps of Engineers, War Department, lessee; The Cord Meyer Company, owner.

SUBJECT—Application reopened May 8, 1945 (decision of the borough superintendent) under section 7e of the zoning resolution, for amendment, previously granted on condition, permitting in a residence use district, for a term of two years, the erection and maintenance of a driveway and loading platform to be used in conjunction with an existing garage and stores building (granted by the Board) for light manufacturing limited to 25% of total floor space of the building.

PREMISES AFFECTED—88-01 to 88-19 Roosevelt avenue, north side, between 88th and 89th streets (Block 617, Lot 38), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (381-27-BZ)

WHEREAS, the applicant failed to complete his papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

655-41-BZ

APPLICANT—Max Horn, for A. Joseph Geist, Geo. E. Netter and Morris A. Marks, owners.

SUBJECT—Application reopened January 26, 1943 (previously dismissed), re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district for a temporary term of not more than two years, the parking of more than five motor vehicles (previously denied, reopened, subject to usual procedure and dismissed for lack of prosecution).

PREMISES AFFECTED—224 Beach 99th street, east side, 120 ft. north of Rockaway Beach boulevard and 225 Beach 98th street (Block 583, Lots 1 and part of 23), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (655-41-BZ)

WHEREAS, the applicant failed to complete his papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

(Remaining minutes of the meeting of September 18, 1945 will be printed in the Bulletin of October 2, 1945.)

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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JOSEPH J. DOYLE, *Chief Clerk*

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TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

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559-45-BZ—H.B.B.—1589-1591 Broadway, north side, 17 ft. east of Halscy street (Block 3408, Lots 8 and 9), Borough of Brooklyn, N.B.370-45.

560-45-A—H.B.B.—1203 Atlantic avenue, north side, 265 ft. 1 in. west of Nostrand avenue (2nd floor); (Block 1866, Lots 12 and 13), Borough of Brooklyn, Alt. 2603-45.

561-45-A—H.B.Q.—34-28 21st street, west side, from 34th to 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens, Alt.1006-45.

562-45-SA—Crotty Improved "U" Tube Fuel Oil Heater, Appliance.

563-45-BZ—H.B.Q.—217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens, Alt.1568-45

564-45-A—H.B.M.—216-234 West 38th street, 500 7th avenue. northwcst corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan, Amendment to Alt.1346-45.

565-45-A—H.B.M.—494-498 7th avenue, 200-214 West 37th street, southwest corner and 205-221 West 36th street (Block 786, Lot 51), Borough of Manhattan, Amendment to Alt.1345-45.

566-45-A—H.B.B.—855 Meeker avenue, north side, 120 ft. west of Varick street (Block 2694, Lot 21), Borough of Brooklyn, Alt.2476-45.

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163-45-A—H.B.Q.—54-31 to 54-37 Myrtle avenue and 343-359 Woodbine street, northwcst corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgcwood, Borough of Queens, Alt.1441-44

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379-45-A—F.D.—Transportation of liquid pètroleum products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), Decision rc 40935-LC.

380-45-A—F.D.—Transportation of liquid petroleum products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), Decision rc 41218-LC.

381-45-A—F.D.—Transportation of liquid petroleum products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks), Decision re 40934-LC.

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234-36-BZ—H.B.M.—1690-1698 Broadway and 203-209 Wcst 53rd street, northeast corner (Block 1025. Lot 25), Borough of Manhattan, Decision re Certificate of Occupancy.

407-40-BZ—H.B.B.—1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn, N.B.175-40.

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CALENDAR

OCTOBER 2, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 2, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

260-42-BZ—Application of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 36-02 Spray View avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

968-40-BZ—Application of Solomon Jochnowitz, applicant, on behalf of Irving Brown Realty Corp., present owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

146-45-BZ—Application of James Whitford, applicant, on behalf of Adam V. Bell, owner, reopened and restored to calendar July 17, 1945, under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn); premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

11-33-BZ—Application of Max Bache, applicant, on behalf of Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees); reopened and restored to calendar May 16, 1944, under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period; premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

390-19-BZ—Application of Lama & Proskauer, applicants, on behalf of Edward Brodlieb, owner, reopened May 29, 1945, under section 7c of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board to garage, showroom, servicing and repairs to motor vehicles; premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

330-45-A—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

508-45-A—West side of Western avenue, 1500 ft. south of Richmond Terrace (2nd floor); (Block 1400, Lot 1), Port Ivory, Borough of Richmond.

523-45-A—1911-1929 Madison avenue, east side, 210 ft. 10 in. north of East 123rd and East 124th streets, 41-59 East 123rd street and 44-58 East 124th street (Block 1748, Lots 44, 48, 49 and 35), Borough of Manhattan.

551-45-A—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

412-45-A—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

OCTOBER 2, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 2, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

410-45-A—East side of Conover street, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

517-45-A—West side of Wharf (Furman street), 1100 ft. north of Montague street (Block 199, part of Lot 3), Pier 9, East River, Borough of Brooklyn.

325-45-A—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

532-45-A—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.

503-45-A—638 Flatbush avenue, west side, 200 ft. south of Chester court (1st floor); (Block 5026, Lot 191), Borough of Brooklyn.

518-45-A—830-836 Hemlock street, west side, 91 ft. 7¼ in. south of Linden boulevard (Block 4486, Lot 12), Borough of Brooklyn.

522-45-A—1572-1576 Broadway, 201 West 47th street, northeast corner and 702-708 7th avenue (Block 1019, Lot 29), Borough of Manhattan.

560-45-A—1203 Atlantic avenue, north side, 265 ft. 1 in. west of Nostrand avenue (2nd floor); (Block 1866, Lots 12 and 13), Borough of Brooklyn.

551-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

571-45-A—1391 Amsterdam avenue, east side, between West 128th and West 129th streets (Block 1968, Lot 1), Borough of Manhattan.

572-45-A—185-02 to 185-10 Ilion avenue, inclusive, south side, and 185-03 to 185-11 Jordan avenue, inclusive, north side, and east side of Dunkirk street, from Ilion to Jordan avenues (Block 10409, Lot 26), St. Albans, Borough of Queens.

573-45-A—51-01 to 51-71 Marathon parkway, inclusive, east side, from south side of Cambria avenue to north side of 52nd (Brattle) avenue (Block 8236, part of Lot 6, Block 8237, part of Lot 12 and Block 8238, part of Lot 1), Little Neck, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 9, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

391-44-A—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan. (reopened and restored to calendar, September 18, 1945; previously dismissed for lack of prosecution).

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

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212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

327-45-A—41-03 Broadway and 31-89 41st street, northeast corner (1st floor); (Block 679, Lot 7), Long Island City, Borough of Queens.

328-45-A—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bronx.

511-45-A—550 West 167th street, south side, from Audubon avenue to St. Nicholas avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan.

533-45-A—951-953 East 23rd street (951 displayed), east side, 340 ft. north of Avenue J (Block 7587, Lot 23), Borough of Brooklyn.

582-45-A—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn.

427-45-A—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn (reopened and restored to calendar, September 18, 1945; previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 16, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Borgiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one-story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

550-45-BZ—Application, September 14, 1945, under section 7c of the zoning resolution, of Horace Ginsbern applicant, on behalf of 248 West 18th Street Corp., owner, to permit partly in a residence and partly in a retail district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

241-33-BZ—Application, of Gale Realty Corp. and Charles M. Spindler, applicants, on behalf of North American Oil Corp., owner, reopened June 26, 1945, under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales; premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

530-45-BZ—Application, September 5, 1945, under sections 21 and 7e of the zoning resolution, of Ervin Palmer, applicant, on behalf of Jacob Ruppert, owner (Walter Schultz, lessee), to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; premises 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

574-45-A—4705-4727 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 23, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

CALENDAR

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

378-45-BZ—Application, June 19, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Sinclair Refining Co., owner (Litterin Service Station Co., lessee), to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station; premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

413-45-BZ—Application, June 23, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of Rabbi Samuel A. Rubin, owner, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution; premises 154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

570-45-BZ—Application, September 26, 1945, under sections 7c and 7d of the zoning resolution, of New York Telephone Co., applicant and owner, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station; premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.

Materials for Approval.

356-43-SM—Battleship Liquid Asbestos Coating.

652-44-SM—Crest Setting Compound (Plumbing Fixture Setting Compound).

393-45-SM—Taguline (flameproofing compound).

499-45-SM—Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank.

543-45-SM—Astoria 275 Gallon Obround Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 10 A. M

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of September 18, 1945.)

681-41-BZ

APPLICANT—Max Horn, for Julia E. Hoeffling, owner (Albert Van West, lessee).

SUBJECT—Application reopened July 18, 1944—for consideration as to extension of permit—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91 Beach 87th street, 92 Beach 88th street and north side of Ocean drive, from Beach 87th to Beach 88th streets (Block 626, Lot 9), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (681-41-BZ)

WHEREAS, the applicant failed to complete his papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

Adjourned: 3:45 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

MINUTES

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 25, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING APPLICATIONS

624-39-BZ

APPLICANT—Lama & Proskauer, for John J. Smith, owner.

SUBJECT—Application reopened April 17, 1945—Application (decision of the borough superintendent) under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district.

PREMISES AFFECTED—177-08 to 177-12 Union Turnpike, south side, 345 ft. east of Utopia Parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: F. Barlem, A. Arnold, Max Weiser, J. Arnold, Jerome Minskoff and Frank Coen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 10 A.M. at request of applicant.

354-45-BZ

APPLICANT—Louis C. Wills, for L. R. Realty Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory.

PREMISES AFFECTED—341-347 Reid avenue and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: David J. Brown, A. Lama, Morris Bienenfeld and L. Rosenberg.

For Opposition: Joseph Poitetta, Mrs. Huntly, C. Fastert and Alton Tacneau.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 10 A.M., for an inspection by a committee of the Board.

481-45-BZ

APPLICANT—Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), for Morewood Realty Corp., owner (Saks & Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations.

PREMISES AFFECTED—1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David I. Shivitz.

For Opposition: Francis Higson and R. B. Freedkin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 2, 1945 at 10 A.M. at request of objector's representative.

208-44-BZ

APPLICANT—F. Hale Atkinson, for Madeline Morea, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7i and 21 of the zoning resolution, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot, from a garage for more than five motor vehicles and packing and storage of pickles, etc., with two families above, to garage for five motor vehicles and motor vehicle repair shop for a temporary term of two years, with two families above.

PREMISES AFFECTED—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (208-44-BZ)

WHEREAS, F. Hale Atkinson, for Madeline Morea, owner, filed Arpil 5, 1944, an application under sections 7e, 7i and 21 of the zoning resolution, to permit on a plot partly in a business use and partly in a residence use district, the change of occupancy of a building located in the business portion of the plot, from a garage for five motor vehicles and packing and storage of pickles, etc., with two families above, to a garage for five motor vehicles and motor vehicle repair shop for a term of two years, with 2 families above; affecting premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (Block 5141, Lot 154), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers by filing proof of service, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

400-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Herbert K. Cornelius, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles, to a garage for more than five motor vehicles and gasoline service station.

PREMISES AFFECTED—122-17 to 122-19 Hillside avenue, northwest corner of 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Lynch and H. A. Gross.

For Opposition: Caroline Ridhert, Otto Spreckels, J. Eisenhaur and K. Widder.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (400-45-BZ)

WHEREAS, Colonial Beacon Oil Co., for Herbert K. Cornelius, owner, filed June 26, 1945, an application under sec-

tions 7c and 21 of the zoning resolution, to permit in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles to a garage for more than five motor vehicles and gasoline service station; affecting premises: 122-17 to 122-19 Hillside avenue, northwest corner 123rd street (Block 9268, Lot 27), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 25, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hillside avenue is in a residence use, C area and Class 1 height district; 122nd, 123rd and 124th streets are in a residence use, C and D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1945, re Alt. Applic. 564-45 reads:

> "1. The altering of present garage for the additional use as a gasoline service station, car washing and lubritorium is contrary to Article 2 section 3 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage by 60 ft. in depth on which is located a one-story, Class 3 constructed building, 100 ft. by 60 ft. in area, occupied as a garage for more than five motor vehicles with gasoline pumps outside the building and that it is proposed to cut away the front of the building for a distance of 37 ft. and to relocate pumps now in front of the building for a drive-in gasoline service station; and

WHEREAS, the applicant contends that the Building Department records show that a garage for 30 cars, a motor vehicle repair shop and two 275 gallon gasoline tanks were permitted under NB plan 2039 of 1908, and no certificate of occupancy has ever been issued; that Alt. plan 4752-26 was approved for continuance of this use and permitted minor office alterations; that the Fire Dept. record (Folder 12706.04) indicates combustible permit 233692 expiring August 22nd, 1945, as being in force; that F.D. plan 892-19 was approved for one 550 gallon gasoline tank to replace the two 275 gallon tanks installed in 1908; that F.D. Plan 3201-26 was approved for two additional 550 gallon gasoline tanks; two 550 gallon tanks in use located within building line outside of building, 3 present pumps located on the lot line in front of the building; that the proposed work consists of removing the front wall on Hillside avenue and a portion of the wall on 123rd street to a depth of about 37 ft. and erecting a new wall parallel to Hillside avenue at this point; that the front portion is to be repaved, the boilerroom now in cellar to be filled in and the westerly wall of the present building to be cut down to a height of 6 ft. from the building line to the building; that two pump islands of two pumps each are to be installed ten feet back from the lot line; that the present tanks to be abandoned and eight new 550 gallon tanks installed; that the curb cut is now continuous along Hillside avenue and is to be partially restored and two 30 ft. cuts are to be used; that one 20 ft. new cut will be set on 123rd street; that plans filed with application show all the proposed work; that two gasoline brand signs to be erected; that the building will be finished in face brick or porcelain enamel on masonry; that there will be no increase in metes or bounds; that the plot is now located in a residence use district, the district having been rezoned from business on June 27, 1937; that the Building Dept. has not raised any objection in respect to height or area; that in view of the fact the garage and repair shop use were established prior to 1916 and the present change in use will benefit the neighborhood as well as improve the present building, a favorable decision by the Board is respectfully requested; and

WHEREAS, the existing building occupies the entire rear portion of the lot and no rear yard is now provided; and

WHEREAS, the proposed construction is intended to replace such building; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does here *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the lawfully existing garage and gasoline service station to be reconstructed substantially as shown on plans filed with this application, marked "Received September 12, 1945"; that all buildings and uses on the premises shall be removed; that the accessory building shall be constructed toward the rear of the plot, but shall be reduced in length along the rear lot line to approximately 91 feet; that 9 feet shall be left vacant toward 123rd street; that the building shall be designed with face brick, substantially as shown, except that the false roof shall return along the rear building line for a distance of approximately 10 feet from the 123rd street end; that the sloping roof of the accessory building shall be surfaced with natural slate and the building shall be arranged as indicated for washing and lubrication of cars and storage of motor vehicle accessories; that there shall be no storage of motor vehicles within the building, other than those being serviced, and no repair work shall be permitted on the premises; that there shall be no storage or parking of cars on the unbuilt upon portion of the premises, except those being serviced; that along the westerly lot line there shall be constructed a wall and fence, substantially as indicated, except that the fence shall be of wrought iron or steel; that the wall shall be suitably coped and constructed to agree with the masonry of the accessory building and for the first 12 feet from the building line shall not be over one foot in height with a steel fence not over two feet high, making a total of three feet; that for the balance of the distance, the wall and fence shall be a total of not over five feet in height; that a suitable fence shall be erected continuously along the line of 123d street with no opening therein to 123d street; that curb cuts shall be restricted to two to Hillside avenue only, each 30 feet in width; that no curb cut shall be nearer than 5 feet from the street building line of 123d street or the adjoining interior lot line as extended; that new curbs on both streets and new cement sidewalks shall be installed in accordance with the requirements; that planting shall be maintained substantially as indicated, on the west against the walls and fences and on the east shall be continued to the rear lot line with a path provided for entrance to boilerroom; that such planting areas shall be protected with a concrete curb not less than one foot in depth and 6 inches in width; that such planting areas shall be planted with suitable material at all times; that where not occupied by accessory building, walls, planting areas and pump areas, the entire unbuilt upon space shall be concreted with portland cement concrete or asphalt; that pumps erected shall be not nearer than 10 feet from the street building line of Hillside avenue, consisting of two islands with two pumps each, located substantially as shown; that a new pump for supplying compressed air, as proposed, shall be of the type that will not be noisy or objectionable to the adjoining owners; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps and to one brand sign, supported by a post erected within the building line at the intersection of Hillside avenue and 123d street, permitting such sign to extend beyond the building line for a distance of not more than 4 feet, and permitting such sign to be illuminated; that no roof signs shall be erected; that all existing gasoline storage tanks shall be removed and not over eight 550 gallon storage tanks installed; that the gasoline pumps shall be of the parkway type with masonry bases, agreeing with the facing of the accessory building as proposed; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that there shall be no window openings in the rear, easterly or

westerly side walls of the accessory building; that complete working drawings shall be submitted, adhering to the requirements of this resolution, for approval by the Board before same are filed with the borough superintendent; that such plans shall be filed within two months from the date of this resolution and after their approval, all permits shall be obtained and all work completed within one year thereafter.

473-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Equalshares, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit on a plot in a business 1 and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot.

PREMISES AFFECTED—231-253 Bay street, southeast corner of Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (473-45-BZ)

WHEREAS, Colonial Beacon Oil Company, for Equalshares, Incorporated, owner, filed July 26, 1945, an application under section 7c of the zoning resolution, to permit on a plot in a business 1 and unrestricted use district, the reconstruction and extension in area of a gasoline service station located on the business portion of the plot; affecting premises 231-253 Bay street, southeast corner Minthorn street and northeast corner of Hannah street (Block 487, Lot 60), Tompkinsville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 25, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bay street is in a business 1 use, A area and Class 1½ height district; Minthorn street is in a business 1 and unrestricted use A area and Class 1½ height district; Hannah street is in a business 1, business and unrestricted use, A area, Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated July 5, 1945, re N.B. Applic. 90-45, reads:

> "The proposed erection of this Class 3 gasoline service station including a lubritorium and auto laundry on a plot now occupied partially by a gasoline service station, warehouse and auto salesroom is not permitted in a business-1 use zone which is contrary to zoning resolution, Art. II, Sec. 4, a, 46."

and

WHEREAS, the applicant states the premises consist of a plot, 200 ft. frontage by 89.4 ft. in depth, irregular, on which is located a one story, class 3 and 5 constructed building, 63 ft. 6 in. by 30 ft. in area, the premises being occupied as a gasoline service station, warehouse garage for more than five motor vehicles and auto showroom and that it is proposed to occupy the premises as a gasoline service station, lubritorium, auto laundry and warehouse, reconstructing the building on the Bay street front; and

WHEREAS, the applicant contends that the premises now consist of a building one story in height, occupying 80 ft. by 100 ft. and used as a gasoline service station on the front portion along Bay street, of 27 ft. by 100 ft.; that this use was established in 1931 under Alt. Plan 800-31; that Certificate of Occupancy 1775 was issued on this approval; that the plot is located on the northeast corner of Bay and Hannah streets; that on the southeast corner of Bay and Minthorn streets, there exists a building one story in height occupying an area of 80 ft. by 100 ft. which was originally built in 1919, subsequently destroyed by fire in 1925, rebuilt in 1926 and altered in 1938 under Alt. Applic. 1165-38; that Certificate of Occupancy 1694 was issued June 10, 1939 for use as a one story auto showroom; that the one story metal building toward the rear of the plot at or about Minthorn street, with irregular dimensions of 100 ft. by 70 ft. by 39 ft. by 72 ft. by 29 ft. was erected under NB-819-19 and Certificate of Occupancy 535 was issued in 1936 for a warehouse and garage; that the Fire Department record (Folder 192R253.04) indicates that plan 4242-31 was approved October 13, 1931 for 4 550 gallon gasoline tanks; the description of the premises being 100 ft. on Bay street, thence east 150 ft., southeast 118 ft. and west on Hannah st. 86.5 ft.; that the present combustible permit known as 208986 which expires August 8, 1945, was issued to the Will Mac Service for three 550 gallon gasoline tanks and 20 car storage; that the proposed work provides for the removal of all buildings facing Bay street and the erection of a 3 bay service center with a frontage of 63 ft. 6 in. and a depth of 30 ft., erected of masonry and finished with porcelain enamel, 1 story in height with no basement; that two hydraulic lifts will be installed and space provided for boiler room, storage room, lounge, car washing and toilet; that the present gasoline tanks will be abandoned and 8 new 550 gallon tanks installed; that three new pump islands for 6 pumps will be installed, set back a minimum of 10 ft. from any lot line; that curb cuts will be rearranged as indicated on plan marked proposed conditions and the entire yard area will be resurfaced with cold asphalt concrete; that a 1,000 gallon fuel oil tank will be installed for oil heating purposes; that also two brand signs will be erected as shown on plans filed with this application; that the plot will be divided at a depth of 80 ft. east of Bay street for service station purposes and a wood picket fence on a concrete base will be erected; that the present building toward the rear will not be changed, nor will it be used as part of the gasoline service station; that in view of the fact that Bay street is the main traffic artery serving the east shore of Staten Island and that gasoline service stations are located on the southeast and southwest corners of Hannah street at Bay street, and that there is an exising legal gasoline service station on a portion of the premises, it is requested that the Board approve the proposed reconstruction, as well as the required extension in area; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the lawfully existing gasoline service station on a portion of the premises to be extended and reconstructed substantially as indicated on plans filed with this application, marked "Received July 26, 1945" (3 sheets), except that the plot plan is superseded by the revised plot plan, marked "Received September 20, 1945", *on condition* that the entire plot to be occupied as proposed as a gasoline service station shall not exceed the dimensions indicated thereon, namely, 200 feet on Bay street and a depth of 80 feet, except for a slight extension toward the rear, as shown, to permit entrance to boiler room; that all existing buildings and structures on the premises shall be completely removed, including the existing gasoline storage tanks; that the plot shall be leveled substantially to the grade of Bay street; that the accessory building shall be constructed substantially as proposed, to accommodate car washing, lubrication, office, storage and boilerroom, as

shown; that this accessory building shall not exceed one story in height and shall meet the requirements of the Building Code therefor; that along the easterly property line from Minthorn street to Hannah street, there shall be constructed an iron picket fence on a concrete curb as proposed and as shown; that curb cuts shall be restricted to four, leading from Bay street, each 30 feet in width and no curb cut shall be nearer than five feet to the intersection of the side streets, and one curb on Hannah street of similar width, not nearer than five feet to the Bay street building line, and a similar curb on Minthorn street; that all existing curb cuts shall be removed, the curb replaced and new curb cuts installed in accordance with the above requirements; that new cement sidewalks shall be installed on all the street fronts abutting the premises; that planting areas, as indicated shall be maintained, with suitable planting and such planting areas shall be protected by a concrete curb not less than one foot in depth and at least 6 inches in width; that pumps erected shall not be nearer than 10 feet to the nearest street building line of Bay street, located substantially as shown in three islands; that the storage of gasoline shall be restricted to eigth new 550 gallon gasoline tanks, as shown; that lighting shall be restricted to the locations indicated; that any signs on the premises shall be restricted to a permanent sign attached to the facade of the accessory building and the illuminated globes of the pumps and to an identification sign at either corner as indicated, advertising only the brand of gasoline on sale; that such sign may be illumminated and may extend beyond the building line for a distance of not over 5 feet; that there shall be no roof sign nor temporary signs; that the entire plot where not occupied by accessory building, planting and pumps, shall be paved with concrete or asphalt and whichever is selected shall be uniformly used throughout the premises; that no motor vehicle repairing shall be carried on or any parking or storage of cars other than those being serviced; that no combustible permit shall be issued for the premises until a certificate of occupancy is obtained; that all permits shall be obtained and all work completed within one year from the date of this resolution.

514-45-BZ

APPLICANT—Max Siegel, for Flatbush Motors, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board) to automobile showrooms, motor vehicle repair shop and garage for more than five motor vehicles.

PREMISES AFFECTED—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel and Oscar Regen.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (514-45-BZ)

WHEREAS, Max Siegel, for Flatbush Motors, Inc., owner, filed August 17, 1945, an application under section 7c of the zoning resolution, to permit partly in an unrestricted and partly in a business use district, the change of occupancy from a garage for more than five motor vehicles (previously granted by the Board), to automobile showrooms, motor vehicle repair shop and garage for more than 5 motor vehicles affecting premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 25, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bedford avenue and Tilden avenue are in an unrestricted and business use, C area and class 1¼ hight district; and

WHEREAS, the decision of the borough superintendent, dated August 2, 1945 re Alt. Applic. 1961-45 reads:

> "1. The change in use of this building located partly in a business and partly in an unrestricted use district from a garage for more than five motor vehicles to a garage for more than five motor vehicles, automobile salesroom and incidental repair shop, is contrary to the Zoning Resolution. Sect. 4 (a).
>
> 2. The original approval of this building was granted conditionally by the Board of Standards and Appeals under Cal. 155-26-BZ. No change in the use may be made without approval of the Board."

and

WHEREAS, the applicant states that the premises consist of a plot, 158 ft. 3 in. frontage by 102 ft. 3 in. in depth, 2 stories (25 ft. 3 in.) in height of class 3 construction, 148 ft. 3 in. by 102 ft. 3 in. in area and that it is proposed to convert the building to a garage for more than five motor vehicles, automobile salesroom and incidental repair shop; and

WHEREAS, the applicant contends that the building has been continuously occupied since its erection as a garage for more than five motor vehicles and a gasoline service station; that the greater portion of the plot is located in the unrestricted use district and a zoning variance was granted by the Board at the time of the erection of this building, permitting its extension into the business use district; that the greater portion of the building is now permitted to be occupied for the uses requested; that the lesser portion of the building now in the business use district, is permitted to be used for a garage for more than five motor vehicles and the proposed use of this area is similar in character, if not better, and will in no way affect the general surroundings and neighborhood; that the proposed use will be an improvement to the neighborhood, as the building will be altered so as to enhance its appearance; that the alterations consist of removing the gasoline service station at the corner intersection and replacing it with a new one story extension to be used for the automobile salesroom, which will be located in this corner; that the remaining frontage on Bedford avenue will be altered, so that the first floor garage type windows will be changed to plate glass show windows; that one vehicular driveway will be eliminated on the Bedford avenue front and will be converted to the main entrance to the salesroom; that the remaining vehicular driveway on Bedford avenue, together with the other driveway doors on Tilden avenue, will be modernized, by installing new overhead doors; that the facade of the building will be generally improved to be more in harmony with the proposed use, by making certain parapet wall changes; that the interior alterations will consist of creating an automobile salesroom on the first floor, new toilet rooms and exit stairway on both floors and similar modernizations; that the proposed limited repair shop will be incidental and accessory to the automobiles sold by this organization and not for a general repair shop; that the proposed alteration to the building will in no way violate any of the original safeguards and conditions set by the Board in the original variance; that the extension of these permitted uses into the lesser area of the same building is in harmony with the general purpose and intent of the Zoning Resolution and is an appropriate case for the Board to exercise its jurisdiction; and

WHEREAS, the cut-off corner of the premises at the intersection of Bedford and Tilden avenues is now occupied by

gasoline pumps for the sale of gasoline and a sign and it is proposed to roof over a portion of such cut-off corner as part of the proposed salesroom; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted,* under section 7c thereof, to permit the additional use for sale of new and used cars and service station, substantially as indicated on plans filed with this application marked "Received August 17, 1945" (3 sheets), *on condition* that the requirements of the resolution adopted by the Board on April 27, 1926, under Cal. 155-26-BZ shall be complied with other than as herein modified; that the building in all other respects, shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 515-45-A; that one of the existing vehicular entrances from Bedford avenue shall be removed as proposed and the curb cut serving such entrance shall be restored; that the existing gasoline pumps shall be removed from the exterior of the building and not over two new gasoline pumps may be installed within the building in the unrestricted area portion; that any signs erected on the building shall be permanent signs attached to the facade and may be erected in both the unrestricted and business areas, provided such signs comply with the requirements of law and do not extend beyond the building line for a distance of more than one foot; that all permits shall be obtained and all work completed within one year from the date of this resolution.

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter J. Hartmann.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (449-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles, affecting premises 238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn, was granted by the Board, on January 9, 1945 on certain conditions; and

WHEREAS, the applicant has requested under date of July 13, 1945, that one condition of the resolution adopted January 9, 1945, be amended in relation to the requirement that no windows shall be constructed in the side line or rear walls, inasmuch as the windows have been constructed in such walls without authorization; and

WHEREAS, the Board required that the applicant file consents from adjoining owners as to such windows and such consents have been filed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 9, 1945, by adding thereto:

". . . that the above requirement as to the omission of windows in the side line or rear walls may be waived, provided consents are filed with the Board of owners of property adjacent at the side and rear and that other than as above *amended,* the conditions of the resolution of January 9, 1945, shall be complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS

412-45-A

APPLICANT—Herman E. Horwood, for Elizabeth A. Stevenson, owner. (Eugene Lackenbach, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to October 2, 1945 at 10 A. M., for further consideration. No appearance for applicant.

565-44-A

APPLICANT—F. Hale Atkinson, for Madeline Morea, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (565-44-A)

WHEREAS, F. Hale Atkinson, for Madeline Morea, owner, filed October 3, 1944, an appeal from a decision of the borough superintendent, affecting premises 659 Coney Island avenue, east side, 100 ft. 3¼ in. south of Slocum place (1st floor); (Block 5141, Lot 154), Borough of Brooklyn; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

515-45-A

APPLICANT—Max Siegel, for Flatbush Motors, Inc., owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn.
APPEARANCES—
For Applicant: Max Siegel and Oscar Regen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (515-45-A)

WHEREAS, Max Siegel, for Flatbush Motors, Inc., owner, filed August 17, 1945, an appeal from a decision of the borough superintendent, affecting premises 2339-2357 Bedford avenue, southeast corner of Tilden avenue (Block 5135, Lots 1-3), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated August 2, 1945 on Alt. Applic. 1961-45 reads:

"3. Two enclosed stairs are required by Section 270 of the Labor Law as exits."

and

WHEREAS, the applicant states that the building is 2 stories (25 ft. 3 in.) in height, 158 ft. 3 in. by 102 ft. 3 in. in area, of class 3 construction, located in an unrestricted and business use, C area class 1¼ height district, erected in 1926, pursuant to a variance granted by the Board under Cal. 155-26-BZ and used and occupied since erection as follows:

Cellar, boiler room; 1st floor, garage for more than five motor vehicles and gasoline service station; 2nd floor, garage for more than five motor vehicles, and proposed to be used and occupied: cellar, boiler room; 1st floor, garage for more than five motor vehicles, automobile salesroom and incidental repair shop, 40 persons; 2nd floor, garage for more than five motor vehicles and incidental repair shop, 15 persons; that the building is equipped with a standpipe system and it is proposed to install one 44 in. wide iron stairs, fireproof enclosed and equipped with fireproof self-closing doors and leading from the second story directly to the street; that there is an existing fire escape, consisting of balcony and sliding drop ladder to the street with a ladder to the roof, which ladder to the roof, it is proposed to remove; and

WHEREAS, the applicant states that this appeal is subject to the disposition by the Board of an application for a zoning variance filed under Cal. 514-45-BZ; and

WHEREAS, the applicant contends that to fully comply with the exit requirements of the Labor Law would result in unnecessary hardship and practical difficulties and the Board is requested to grant a variance, for the reason that the building is only two stories in height, facing two strects and the occupancy will be limited by the nature of the proposed uses; that it is proposed to install one legal Labor Law stairway and in lieu of the second required stairway, the Board is requcsted to accept the existing ramp and exterior fire escape on the second floor leading to the street, all in substantial compliance with the Labor Law; and

WHEREAS, the applicant further contends that the proposed fire stair and existing ramp and fire escape arc remote from each other and are more than adequate to accommodate the number of occupants; that no practical purpose can be served by the installation of the requircd second stairway; that the existing wide ramp and fire escape will more than offset the benefits of any second stairway; that in all other respects, the building will be made to comply with thc Labor Law; and

WHEREAS, the applicant states that the trees in front of the premises are to remain.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a dccision of the borough superintendent, acting on Alt. Applic. 1961-45, objection 3, and that the appeal be and it hereby is *granted on condition* that the exits from the second floor shall be maintained as proposed and as shown on plans filed with this appeal marked "Received August 17, 1945," (3 sheets) and that a ladder, leading to a scuttle within the stair enclosure, shall be constructed and maintained as proposed; that such scuttle shall have an easy-opening device; that the existing fire escape on the Bedford avenue side, as shown, shall be continued with the gooseneck ladder to the roof; that a counterbalanced drop ladder now installed, shall be changed so as to drop on the opposite side or south side of the building against the masonry pier; that the ramp from the second floor shall be continued, but shall not be deemed a lawful exit; that the standpipe system shall be maintained in accordance with the requirements therefor and such portable fire-fighting appliances maintained as the fire commissioner shall direct; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 155-26-BZ, as amended by rcsolution adopted under Cal. 514-45-BZ.

Adjourned: 11:45 A.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 25, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

533-44-A

APPLICANT—Samuel Rosenblum, for National Feather & Down Co., owner.
SUBJECT—Application reopened and restored to calendar September 11, 1945—Appeal from an order and decision of the fire commissioner (previously dismissed for lack of prosecution).
PREMISES AFFECTED—160-166 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Thomas A. Larkin, Fire. Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (533-44-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 160-66 7th street, south side, 245 ft. west of 2nd avenue and 117-119 8th street (1st and 2nd floors); (Block 996, Lot 17), Borough of Brooklyn, was dismissed for lack of prosecution on May 22, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on September 11, 1945, restorcd to the calendar, subject to usual procedure; and

WHEREAS, Order 12845-LF, issued by the fire commissioner May 25, 1944, and refered to in a decision of the fire department communication dated August 16, 1944, reads:

"1. Arrange all exit doors on 1st story leading into

and out of factory so same will be open from both sides during working hours. Section 272 of the Labor Law.

2. Arrange all wire screens on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law."

and

WHEREAS, the applicant states the building is four stories (44 ft.) in height; 100 ft. by 200 ft. in area; of Class 3 construction erected 1897; located in an unrestricted use, A area and Class 1½ height district and used and occupied: cellar, storage; 1st floor, office wash plant and shipping, 9 persons; 2nd floor, steaming and renovating feathers, 2 persons; 3rd floor, pillow manufacturing, 6 persons; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, a standpipe system, two interior concrete stairs, concrete enclosed, equipped with fireproof, self-closing doors and leading from the roof bulkhead, directly to the street, each stairway approximately 6 ft. in width and two fire escapes on the 7th street front, extending to the roof by stairs and to the street by a ladder with fireproof door and windows on the course of the fire escape; and

WHEREAS, the applicant states there are 10 windows affected, 6 windows on 7th street front and four windows on the 8th street front at the first story; and

WHEREAS, the applicant contends as to Item 1 of the order, that two doors are affected, leading to the fireproof stairways; that these doors are readily openable from the inside; that the order would require the owner to place an extra man at each one of these entrances, as an outsider would be readily able to get into the building without detection; that there are sufficient exits by way of doors and fire escapes, to permit quick exit in the event of fire and contends as to Item 2 of the order, that the windows involved are on the 1st floor, which is used as an office and shipping room and on the 8th street side of the building, where there is processing done; that the windows are equipped with a small opening for ventilation and should be sufficient to satisfy the requirements of the order; that to make the change would work a hardship and is not necessary in view of the number of exits; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order 12845-LF of the fire commissioner and that the appeal be and it hereby is *granted* as to Item 1, *on condition* that no doors shall be equipped with panic bolts, except the exit doors on the street floor leading from stairways; that such panic bolts shall be of an approved type; that this variance shall continue only during the time the premises are occupied substantially as at the present time; withdrawn to comply as to Item 2.

36-45-A

APPLICANT—Irving Soloway, for Emma E. Smith, owner (National Maple Products Co., Inc., lessee).

SUBJECT—Appeal reopened and restored to calendar June 12, 1945—re Appeal from decision re order of the fire commissioner.

PREMISES AFFECTED—285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Soloway.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (36-45-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 285-289 Prospect Park West, south side, 40 ft. east of 18th street (2nd floor); (Block 877, Lot 3), Borough of Brooklyn, was dismissed for lack of prosecution on May 29, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on June 12, 1945, and restored to the calendar, subject to usual procedure, and

WHEREAS, Order 98391-LC, issued by the fire commissioner on December 9, 1944, and repeated in his decision of January 8, 1945, reads:

"1. Discontinue the process of spraying, dipping or immersing, using flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used in connection therewith, on the above premises or a portion thereof, which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on. Rule 1.3.4, Spray Rules."

and

WHEREAS, the applicant states that the building is two stories (30 ft.) in height, 60 by 100 ft. in area; of Class 3 construction; located in business use, C area and Class 1 height district; erected in 1920 and used since 1939 as follows: 1st floor—steel storage, 0 persons; 2nd floor, furniture assembly and finishing, 3 persons; no change of use or occupancy is proposed; that no certificate of occupancy has been issued; that there are two interior stairs, one at the east side and one at the west side of the building, one 46 in. wide and the other 32 in. wide, constructed of wood and enclosed with metal, having wood doors, which are self-closing; that these stairs extend to the roof through a scuttle and lead directly to the street; and

WHEREAS, the applicant contends that he has been unable to install a proper heating plant in the building, which he was willing to do, had he been able to obtain priorities; that with a proper heating plant, the order would not have been placed against the premises; that he now has only one year left on his lease; and

WHEREAS, the plans indicate that the building is heated by a stove in the center of the floor toward the rear and approximately 22 ft. away from the spray booth, the fuel used in such stove is not stated; and

WHEREAS, the premises and surrounding area have been inspected by a committee of the Board.

Resolved, that Order 98391-LC issued by the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

429-45-A

APPLICANT—Irving Blum, for Estate of Edward Waters, owner (Lederman Pharmacy, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—30 West Fordham road, south side, 53 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Irving Blum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (429-45-A)

WHEREAS, Irving Blum, for Estate of Edward Waters,

owner (Lederman Pharmacy, lessee), filed July 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 30 West Fordham road, south side, 50 ft. west of Davidson avenue (ground floor); (Block 3199, Lot 26), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated July 6, 1945, on amendment to E. S. Applic. 32-45, reads:

"Reconsideration denied—1. In a business use district, the area of the sign shall comply with the provisions of subdivision 49 "a" of Section 4-A of the Zoning Resolution."

and

WHEREAS, the amendment dated July 6, 1945, on which such decision was issued, reads:

"1. Consideration is hereby requested granting approval to obtain permit for electric sign. This sign will replace 2 electric signs that are now existing. The area of signs to comply with subdivision 49 "a" of Sec. 4 "a" of the Zoning Resolution literally has to do with the entire building and not necessarily with the individual's store front."

and

WHEREAS, the applicant states that the building is 1 story (24 ft.) in height, 75 ft. by 55 ft. in area, of class 3 construction, erected in 1926, located in a business use, B area and class 1¼ height district, and used and occupied: cellar—storage; 1st floor—stores; and

WHEREAS, the applicant contends that it is proposed to erect a sign 8 ft. by 22 ft. in area for the Lederman Pharmacy at 30 W. Fordham road to replace two existing signs, which it is proposed to remove; that in addition, there is one other existing sign on the West Fordham road front; that the existing sign on the West Fordham road front and the proposed 8 ft. by 22 ft. sign for the Lederman Pharmacy will not exceed the area permitted by subdivision 49a of section 4a of the zoning resolution, in that all of the signs will be within 15% of the area of the building wall on West Fordham road; that the size of the signs to be removed consists of a parallel sign 4 ft. by 12 ft. and a projecting sign 5 ft. by 5 ft. in area; and

WHEREAS, the Board held under Cal. No. 164-42-A, that signs are permitted under the Zoning Resolution, provided they do not exceed a total area in excess of 15% of the area of the street wall, computed for its full length and height including parapet.

Resolved, that the decision of the borough superintendent on E. S. Applic. 32-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the total area of signs on each street front wall do not exceed 15% of the area of such wall; that the area of such wall shall be figured as the total height from the sidewalk to the top of the parapet, times the width of the wall on such street front and the signs shall in no case exceed a total of 15% of the area of such wall on which the signs are to be located.

453-45-A

APPLICANT—Fred Liese, for Amanda C. Wood, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMIUMS AFFECTED—298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Fred Liese.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (453-45-A)

WHEREAS, Fred Liese, for Amanda C. Wood, owner, filed July 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 298 Clinton avenue, west side, 40 ft. 2 in. south of DeKalb avenue (Block 1929, Lot 27), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 17, 1945, on Alt. Applic. 1709-45, reads:

"2. Proposition to occupy 4 story and basement non-fireproof building as a nursing home, is contrary to Section 4.2.1 of the Building Code."

and

WHEREAS, the applicant states the building is 4 stories (48 ft. 6 in.) in height; 20 ft. by 76 ft. in area at 1st floor; 20 ft. by 59 ft. 1 in. in area at typical floor; of Class 3 construction; erected 1913; located in a residence use, B area and Class 1½ height district and used and occupied: cellar, boiler room, laundry, kitchen two persons; 1st floor, reception hall, dining room and chambers, 3 persons; 2nd, 3rd and 4th floors, chambers, 6 persons each floor; that the building is equipped with one interior stairs and one service stairs, 3 ft. 2 in. and 2 ft. 9 in. in width of hardwood construction, enclosed in frame partitions, plastered, equipped with hardwood doors which will be self-closing and leading directly to the street and provided with a ladder and scuttle to the roof and proposed to be equipped with one fire escape in the rear, installed as per Section 145 of the Multiple Dwelling Law, leading to the roof by a ladder with egress from the lowest termination to the yard by iron stairs, thence through the adjoining premises; and

WHEREAS, the applicant contends that as a third means of egress, a new fire escape will be erected in the rear, substantially constructed and convenient for the comfort of the patients at all times and not only in case of fire; that present coal fired heating and hot water supply will be eliminated and replaced by an oil burner; that there is an intercommunication telephone system throughout the building; that all doors from rooms to public halls will be self-closing; that all doors and windows are hardwood, 1¾ in. thick; that all doors are oak and there is maple flooring on 1st, 2nd and 3rd floors, and North Carolina pine flooring on 4th floor; that there will be no cooking facilities on any floors, except on the basement floor; that the owner is a registered nurse, who selected this building to arrange for a high class nursing home, because of its excellent condition and fine layout; that since 1942, the owner has conducted a private nursing home in this building under the constant attendance of a registered nurse; that the Department of Hospitals has indicated is willingness to issue a permit for a private nursing home provided a certificate of occupancy could be obtained; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent dated July 17, 1945 on Alt. Applic. 1709-45 be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 2, *on condition* that the changes as proposed shall be carried out to the satisfaction of the borough superintendent; that the opening in the fence from the foot of the proposed fire escape, shall be maintained and a letter giving the consent of the adjoining owner shall be filed with the borough superintendent; that a sprinkler system, complying with the requirements for a converted class A dwelling under the Multiple Dwelling Law, shall be installed throughout the main stairhall; that the stair shall be continued to the roof through an approved bulkhead of one hour construction; that the door leading from the boiler room in the basement shall be a fireproof door, meeting one hour test requirements; that such portable fire-fighting appliances shall be maintained throughout the building as the fire commissioner shall direct; that the building shall not be increased in height or area; that the use of the premises as proposed shall not exceed 20 patients and shall be maintained to the satisfaction of the Department of Hospitals having jurisdiction; that a non-pay telephone shall

be located in the building for use in the event of fire and the telephone number of fire headquarters shall be posted above same; that the premises at all times shall be under the jurisdiction of a registered nurse; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that a certificate of occupancy shall be obtained.

495-45-A

APPLICANT—Richard J. Ceraso, for Louis and Richard J. Ceraso, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—4218 Fort Hamilton parkway, northeast corner of 43rd street (1st floor); (Block 5596, Lot 51), Borough of Brooklyn.
APPEARANCES—
For Applicant: Richard J. Ceraso.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (495-45-A)

WHEREAS, Richard J. Ceraso, for Louis and Richard J. Ceraso, owners, filed August 9, 1945, an appeal from a decision of the borough superintendent affecting premises 4218 Ft. Hamilton parkway, northeast corner of 43rd street (1st floor) (Block 5596, Lot 51), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1598-45, dated August 9, 1945, reads:

"2. The new extension, 'portico', is a frame extension to this public bldg. and as such is prohibited by the Building Code. Sect. 4.1.2.

3. The evidence submitted that this frame building was formerly legally occupied as a funeral chapel is not acceptable to the Superintendent Therefore the change of use from a private dwelling to public use as proposed is contrary to the Bldg. Code, Sec. 2.1.3.5 and 4.1.2."

and

WHEREAS, the applicant states the building is 2½ stories (22 ft.) in height; 28 ft. 8 in. by 49 ft. in area; of Class 4 construction; erected 1899; located in a business use, C area and Class 1 height district and used and occupied since 1924 as follows: Cellar, heating and storage; 1st floor, funeral parlors, 40 persons; 2nd floor, dwelling, one family, 5 persons; that no change in use or occupancy is proposed; that the building is equipped with on three ft. wide wood stairs, leading directly to the street; and

WHEREAS, the applicant contends that the building was purchased by the present owner in March 17, 1924, and its use as a funeral parlor started December 30, 1924, as evidenced by the photostatic copies of application for telephone service, bill for the erection of signs and letters from City and State Health Departments filed with this appeal; that these proofs were submitted to the borough superintendent, who denied the application for alterations, on the grounds that no certificate of occupancy was ever issued for such use; that the proposed portico is only for the improvement of the premises and does not actually increase the use of the building; and

WHEREAS, the applicant has filed with this appeal, a copy of a letter dated May 12, 1945, from the New York State Department of Health, stating that its records indicate that the premises have been used since 1930 by this corporation; and

WHEREAS, the applicant has filed a copy of a letter dated April 18, 1945, from the Department of Health of the City of New York, certifying that according to the records of such department permit to conduct an undertaking establishment at 4218 Ft. Hamilton Parkway was issued September 19, 1935; and

WHEREAS, the applicant has filed copy of a bill for the erection of sign dated June 3, 1925, such sign reading "Ceraso & Sons, Inc., funeral directors"; and

WHEREAS, the applicant has filed copy of contract signed December 30, 1924, with the N. Y. Telephone Company, between Ceraso Sons, Inc., 4218 Ft. Hamilton Parkway and the N. Y. Telephone Company indicating that the telephone was connected March 23, 1925; and

WHEREAS, the applicant has filed a communication dated September 17, 1945, from Ocean Casket Company, stating it has delivered caskets to Ceraso Sons, Inc., at 4218 Ft. Hamilton Parkway for the past 15 years; and

WHEREAS, the applicant has filed copy of communication from the National Casket Company, certifying that it sold and delivered to Ceraso Sons, Incorporated at 4218 Ft. Hamilton Parkway since May, 1925; and

WHEREAS, in the opinion of the Board, ample proof is submitted that the premises have been occupied for the present use since 1924, but that the owner failed to comply with the requirements of the building code and zoning resolution in not obtaining a certificate of occupancy.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1598-45, Objection 2 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed portico shall be installed substantially as proposed and shall comply in all other respects with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that this variance shall continue only so long as the building is continued to be occupied as it has been since 1924: withdrawn as to objection 3, in view of the finding by the Board and that a certificate of occupancy shall be obtained.

500-45-A

APPLICANT—Joseph Wagner, for May Guze, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joseph Wagner.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (500-45-A)

WHEREAS, Joseph Wagner, for May Guze, owner, filed August 14, 1945, an appeal from a decision of the borough superintendent, affecting premises 1413 West 9th street, east side, 97 ft. 5¼ in. south of Bay parkway (1st floor); (Block 6576, Lot 70), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 2037-45, dated July 24, 1945, reads:

"1. Proposed changes of occupancy of frame building in the fire limits to business use, is not permitted, as same is in violation of C26-185.0 and C26-247.0 of the Administrative Code."

and

WHEREAS, the applicant states the building is 2 stories (25 ft.) in height; 12 ft. 7 in. by 62 ft. 6 in. in area at 1st floor; 12 ft. 7 in. by 54 ft. in area at 2nd floor; of Class 4 construction; erected 1924; located in a business and residence use, C area and Class 1½ height district and used and occupied since 1942, as one family dwelling and proposed to be used and occupied as follows: cellar, ordinary; 1st floor, dwelling and corsetier shop, 2 employees; 2nd floor, dwelling, one family; that the building is equipped with one

2 ft. 10 in. wide wood stairs, enclosed in partitions of wood studs covered wth plaster boards, plastered both sides, equipped with wood doors which are not self-closing and leading directly to the street and that a ladder and scuttle to the roof is provided; and

WHEREAS, Violation 2304-45 was issued May 31, 1945, for occupying the building as a two family dwelling and factory, without a certificate of occupancy; and

WHEREAS, Certificate of Occupancy B3376 issued February 28, 1924 on Alt. Permit 14413-23, permits the use of the building as a one family dwelling; and

WHEREAS, it is proposed to erect a fire retarded partition, separating the residential portion of the building from the business portion; and

WHEREAS, the applicant contends that the attached side wall is brick filled and the other three walls are stuccoed on the exterior; that the building was occupied as a one family dwelling and purchased by the present owner in 1942; that in order to make a livelihood for her family, the owner used two rooms on the 1st floor for business use for the buying and selling of ladies' corsets and for this purpose maintains three small machines which are used solely for the purpose of making necessary alterations on the corsets for proper fitting; that most of the time the owner is the sole operator of these machines, engaging at the most two temporary helpers in the busy season; that a local trade and good will has been established, which renders the present address invaluable to the owner and if denied the relief requested, the owner would be forced to abandon the business and thus deprived of her only source of livelihood; it is therefore requested that the Board grant the relief requested; and

WHEREAS, the applicant contends that the building is not occupied as a two family dwelling, but is occupied throughout as a one family dwelling and the same family operates the proposed business use in the front portion of the first floor.

Resolved, that the decision of the borough superintendent on Alt. Applic. 2037-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed business use shall not be extended beyond the space indicated on plans filed with this appeal marked "Received August 14, 1945," two sheets; namely, front portion of the street floor within the business use area; that the fire-retarded partition, separating the space used for such business use and the balance of the first floor, shall be constructed and maintained as proposed; that the building shall be occupied throughout by one family, who also maintains the business proposed for the first floor; that the number of persons engaged at factory work in such portion of the first floor, shall at no time exceed two, in addition to the occupant of the building; that the cellar ceiling under the portion used for business purposes shall be fire-retarded; that such portable fire-fighting appliances shall be maintained within such business portion as the fire commissioner shall direct; that the attic shall remain vacant; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that a certificate of occupancy shall be obtained.

507-45-A

APPLICANT—A. F. Morganier, for City and Suburban Homes Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-10 48th avenue, south side, from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (507-45-A)

WHEREAS, A. F. Morganier, for City and Suburban Homes Co., owner, filed August 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 43-10 48th avenue, south side, between 43rd and 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens; and

WHEREAS, when this case was called for hearing, no appearance was made on behalf of the applicant, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

526-45-A

APPLICANT—Allen A. Blaustein, for Anthony Donadio, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen A. Blaustein and Anthony Donadio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (526-45-A)

WHEREAS, Allen A. Blaustein, for Anthony Donadio, owner, filed August 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 155 Freeman street, north side, 125 ft. west of Manhattan avenue (1st and 2nd floors); (Block 2504, Lot 48), Borough of Brooklyn; and

WHEREAS, the decision of the Borough superintendent, acting on Alt. Applic. 1199-45, dated July 11, 1945, reads:

> "1. Exits are deemed inadequate under C26-276.0 of the Adm. Code. Provide 3 ft. wide stairway, enclosed and leading directly to the street, complying with the requirements of C26-292.0 of the Adm. Code."

and

WHEREAS, the applicant states the building is 3 stories (37 ft.) in height; 25 ft. by 100 ft. in area at 1st floor; 25 ft. by 95 ft. in area at 2nd floor; 25 ft. by 39 ft. in area at 3rd floor; of Class 3 and Class 4 construction; erected prior to 1898; located in an unrestricted use, A area and Class 2 height district; and used and occupied as follows: 1st floor, junk shop, scrap rags, paper, rope, baling and storage, two persons; 2nd floor, same, 2 persons; 3rd floor, vacant; that no change in use or occupancy is proposed; that the building is equipped with one interior wooden stairs from the 1st floor to the 2nd floor, 3 ft. wide and an iron ladder from the 2nd floor to the 3rd floor; that there is also one fire escape at the rear of building, leading to the yard by a sliding drop ladder, with egress from the rear yard to Eagle street, through an adjoining yard; and

WHEREAS, Certificate of Occupancy B335—issued December 6, 1923, permits the use of the 1st and 2nd floors for manufacturing of fireproof doors and sash, 4 persons; 3rd floor, vacant; and

WHEREAS, the applicant states that an application was made for a certificate of occupancy, pursuant to the request contained in the Board's resolution adopted under Cal. 578-44-A; that the building is class 3 construction with rear wall of third story of Class 4 construction and was erected prior to 1898 as a stable; that the building is now occupied

by one tenant, as described; that there is an outside stairs from the cellar to street but there are no inside stairs from the cellar to the 1st floor; that the second story is reached by means of a 3 ft. wide open wooden stair from the first floor; that the third story is a small area, reached from the 2nd floor by means of 15 in. wide 75 degree iron ladder leading to a scuttle opening in 3rd floor, which is closed with a horizontal metal covered cover; that the building is an old factory building and there is a rear fire escape from the roof of the 1st story extension to the roof of the 2nd story, with a drop ladder in guides to the rear adjacent concrete yard level at the north, with exit to Eagle street; that the present interior open wooden stairs were examined and accepted in 1923 as an old factory building before a certificate of occupancy was issued December 6, 1923, as an existing building; that in 1925, the Bureau of Fire Prevention questioned the stairs and an appeal was taken and relief granted by the Board under Cal. 649-25-S, accepting the present interior wooden stairs with the present rear fire escape and sliding drop ladder in guides; that Section C26-272 refers only to buildings erected after January 1, 1938, except exits for factories, which come under the Labor Law; that as the building was erected prior to January 1, 1938 and present exits were accepted by the Department of Housing and Buildings before the issuance of the present certificate of occupancy and also accepted by the Board under Cal. 649-25-S, it is requested the Board grant a variance from the decision of the borough superintendent to accept the present egress, since the use classification of the building was not changed as a factory.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1199-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a fire-retarded one hour partition shall be constructed on the first floor from the floor to the ceiling, enclosing the stair with fireproof, self-closing doors therein; that such enclosure may terminate at a distance back from the street of approximately 20 ft. at the existing passage leading to street door; that the secondary means of exit, as shown on plans filed with this appeal marked "Received August 10, 1945" shall be maintained and a letter of consent from the adjoining owner shall be filed with the borough superintendent, to permit access across the adjoining premises; that the number of occupants on the 1st and 2nd floors shall not exceed the number stated and the third floor shall remain vacant as proposed and as shown; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that this variance shall continue only so long as the premises are occupied substantially as proposed throughout; that the requirements of the resolution adopted by the Board November 24, 1925 under Cal. 649-25-S and the requirements of the resolution adopted by the Board on November 28, 1944, under Cal. 578-44-A shall be complied with; that a revised plan, showing the stair enclosure as herein required, shall be filed for approval by the Board before same is filed with the borough superintendent; that a new certificate of occupancy shall be obtained.

283-41-A

APPLICANT—Bethlehem Steel Company, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—3075 Richmond terrace, north side, 300 ft. northwest of Harbor road (Building #125, office and tool room); (Block 1207, Lot 1), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: Thomas J. Hughes.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (283-41-A)

WHEREAS, J. S. Myers, for Bethlehem Steel Co., Inc., owner, filed April 3, 1941, an appeal from a decision of the borough superintendent; premises 3075 Richmond terrace, north side, 300 ft. northwest of Harbor road (Building No. 125); (Block No. 1207, Lot No. 1), Mariners Harbor, Borough of Richmond; and

WHEREAS, this appeal was granted on certain conditions, on April 15, 1941; and

WHEREAS, the resolution was amended on April 21, 1942 and the applicant requested an extension of the permit; and

WHEREAS, the applicant states that it is the intention of the company to comply with the requirements after approximately January 1, 1946.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 21, 1942, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of one (1) year from the date of this *amended* resolution."

129-44-A

APPLICANT—Thomas C. Wilson, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from an order and decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—21-11 44th avenue, north side. 79.3 ft. west of 23rd street (Block 441, Lot 4), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: James V. Tamin.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (129-44-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises, 21-11 44th avenue, north side, 79.3 west of 23rd street (Block 441, Lot 4), Long Island City, Borough of Queens, was granted by the Board on December 5, 1944, on certain conditions; and

WHEREAS, on June 5, 1945, time was extended relative to the maintenance of fire drills and the applicant requested a further extension of time for such similar purpose; and

WHEREAS, the applicant states that no further application will be made for extension of this variance beyond the three months now requested.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 5, 1944, as amended June 5, 1945, only in so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"that an interior fire alarm shall be maintained to the satisfaction of the fire commissioner and that fire drills, as required by law, shall be maintained, commencing on a date not more than three months from the date of this *amended* resolution and that other than as *amended* herein, the conditions of the resolutions of December 5, 1944 and June 5, 1945, shall be complied with."

379-45-A

APPLICANT—John J. Beatty, for Atco Tank Service Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order

and decision of the fire commissioner re Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—
For Applicant: John J. Beatty.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (379-45-A)

WHEREAS, John J. Beatty, for Atco Tank Service Inc., owner, filed June 20, 1945, an appeal from an order and a decision of the fire commissioner, relating to the use of Tank Truck #1272 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 40935-LC of the Fire Commissioner, dated March 27, 1945, and repeated in his decision of June 5, 1945, reads:

"An inspection of truck #1272, Autocar chassis, used for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-52.0-A, Title C, Part 1, Art. 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Provide a tank constructed in accordance with the specifications set forth in Sec. 5.
2. Locate engine fuel tank immediately back of rear axle between frame side members. NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle, Section 20.6."

and

WHEREAS, the order is repeated in a decision of the fire commissioner, dated August 31, 1945; and

WHEREAS, the applicant states that this Tank Truck #1272 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best of the knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel which in its opinion, is as strong or stronger than 8 gauge O'Neill steel; that the truck was purchased at a time when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested to use the engine fuel tank as now built in its present location behind the Driver's Cab be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the order of the fire commissioner, acting on Order 40935-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the truck shall comply with the requirements of the fire commissioner, except as to thickness and type of steel for the tank as proposed; as to Item 2, that there shall be a substantial guard of heavy steel satisfactory to the fire commissioner, placed over and around the engine fuel tank, satisfactory to the fire commissioner.

380-45-A

APPLICANT—John J. Beatty for Atco Tank Service, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decision of the fire commissioner—re Transportation of liquid petroleum products, shale oil or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank trucks).

APPEARANCES—
For Applicant: John J. Beatty.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (380-45-A)

WHEREAS, John J. Beatty, for Atco Tank Service Inc., owner, filed June 20, 1945, an appeal from an order and decision of the fire commissioner, relating to the use of Tank Truck #1274 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 41218-LC issued by the Fire Commissioner, dated April 20, 1945 and referred to in his decision of June 5, 1945, reads:

"An inspection of truck #1274 with a Fruehauf tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by section C19-52.0-A, Title C, Part 1, Article 2 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Provide a tank constructed in accordance with the specifications set forth in Section 5.
2. Locate engine fuel tank immediately back of rear axle between frame side members.

NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle. Section 20.6."

and

WHEREAS, the order is repeated in a decision of the fire commissioner, dated August 31, 1945; and

WHEREAS, the aplicant contends that this tank truck #1274 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel, which in its opinion, is as strong or stronger than 8-gauge O'Neill steel; that the truck was purchased when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested that the engine fuel tank as now built in its present location behind the Driver's Cab, be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the order of the fire commissioner, acting on Order 41218-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the truck shall comply with the requirements of the fire commissioner, except as to thickness and type of steel for the tank as proposed; as to Item 2, that there shall be a substantial guard of heavy steel satisfactory to the fire commissioner placed over and around the engine fuel tank, satisfactory to the fire commissioner.

381-45-A

APPLICANT—John J. Beatty, for Atco Tank Service, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decision of the fire commissioner re Transportation of liquid petroleum products, shale oil

or coal tar products in Tank Truck in New York City (capacity of tank not in conformity with Administrative Code specifications covering Tank Trucks).

APPEARANCES—
For Applicant: John J. Beatty.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Depnty Chief Gunn... 4
Negative 0

THE RESOLUTION (381-45-A)

WHEREAS, John J. Beatty, for Atco Tank Service, Inc., owner, filed June 20, 1945, an appeal from an order and decision of the fire commissioner, relating to the use of Tank Truck #1276 for the transportation of liquid products of petroleum, shale oil or coal tar in the City of New York; and

WHEREAS, Order 40934-LC issued by the Fire Commissioner dated March 27, 1945, and referred to in his decision of June 5, 1945, reads:

"An inspection of truck #1276 with a Fruehauf Tank mounted on an Autocar chassis, for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Section C19-52.0-A, Title C, Part 1, Art. 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Provide a tank constructed in accordance with the specifications set forth in Section 5.
2. Locate engine fuel tank immediately back of rear axle between frame and side members. NOTE: If the cargo tank or body is skirted, doors with permanently attached handles must be provided in the skirting on both sides of the vehicle. Section 20.6."

and

WHEREAS, the order is repeated in a decision of the fire commissioner, dated August 31, 1945; and

WHEREAS, the applicant contends that this tank truck #1276 is a semi-trailer with a capacity of approximately 4,000 gallons; that the tanks are electrically welded with bump heads and partitions; that to the best of knowledge and belief of the owner, the material used in the tank construction is 10-gauge hi-tensile steel, which in its opinion is as strong or stronger than 8-gauge O'Neill steel; that the truck was purchased when the city permitted such tanks to be used, due to the priority on #8 gauge blue annealed steel; that permission is respectfully requested that the engine fuel tank as now built in its present location behind the Driver's Cab, be accepted instead of in back of the rear exit, as required by item 2 of the order.

Resolved, that the order of the fire commissioner acting on Order 40934-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the truck shall comply with the requirements of the fire commissioner, except as to thickness and type of steel for the tank as proposed; as to Item 2, that there shall be a substantial guard of heavy steel satisfactory to the fire commissioner placed over and around the engine fuel tank, satisfactory to the fire commissioner.

285-43-A

APPLICANT—Alexander S. Pilot, for Plough Sales Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the fire commissioner re Packaging of inflammable mixture known as "Mufti-Dry Cleaner" in 2 oz., 6 oz. and 12 oz. glass bottles (capacity of same not in conformity with Admin. Code Specifications); (previously granted on condition for six months.)

APPEARANCES—
For Applicant: Alexander S. Pilot.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock 1
Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

140-45-A

APPLICANT—Charles A. Duncker, for Ethel Selznick, owner (Max Selznick, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—686 Richmond terrace, south side, 125 ft. east of Lafayette avenue (2nd floor); (Block 67, Lot 111), New Brighton, Borough of Richmond.

APPEARANCES—
For Applicant: Charles A. Duncker.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

163-45-A

APPLICANT—Jaffa & Silverman, for Kalvid Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn without prejudice).

PREMISES AFFECTED—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street, 2nd floor, (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

37-45-A

APPLICANT—William Shary, for Wedgewood Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

APPEARANCES—
For Applicant: William Shary.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 2 P.M., for an inspection by a committee of the Board.

212-45-A

APPLICANT—Herman Kron, for Long Acre Properties, Inc., owner. (Lewis J. Hoffman, lessee).

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 9, 1945 at 2 P.M. for decision by the Board, without further argument.

410-45-A

APPLICANT—L. E. Driver, for New York Dock Co., owner (Atlantic Basin Iron Works, Inc., lessee).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—Conover street, east side, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: George Eweler.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to October 2, 1945 at 2 P.M., for further information from Fire Department.

532-45-A

APPLICANT—Kitzler and Nurick, for Lawrence Avenue Building Corp., owner (Edward Dobbin and Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sidney H. Kitzler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 2, 1945, at 2 P.M., for further consideration.

ZONING APPLICATIONS

984-22-BZ

APPLICANT—Samuel Goldfein, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the superintendent of buildings) previously granted on condition, under section 7f of the zoning resolution, permitting in a residence use district, for a temporary term of two years, the maintenance of a garage for the storage of three motor vehicles, three spaces rented to persons not residing on the premises.
PREMISES AFFECTED—2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block 3147) Lot 32), Borough of The Bronx.
APPEARANCES—
For Applicant: Samuel Goldfein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (984-22-BZ)

WHEREAS, this application under section 7f or the zoning resolution, permitting in a residence use district for a temporary term of two years, the maintenance of a garage for the storage of three motor vehicles, three spaces rented to persons not residing on the premises; affecting premises 2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block 3147, Lot 32), Borough of The Bronx, was granted by the Board on February 19, 1924, on certain conditions; and

WHEREAS, this permit was extended from time to time, the last extension being on September 21, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 19, 1924, as amended through September 21, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7f for a term of five (5) years from the date of this *amended* resolution, to permit the storage of five automobiles on the premises restricted to the plot of ground 25.0 ft. by 125.0 ft. in depth, located 141.05 ft. north from the intersection of 184th street and Tiebout avenue, including the maintenance of one two-car and one three-car garage for the storage of automobiles of the pleasure-car type, space for three of which may be rented to persons not residing on the premises, *on condition* . . . and that other as herein *amended,* the conditions of the resolution of February 19, 1924, shall be complied with, and that a certificate of occupancy shall be obtained."

31-35-BZ

APPLICANT—Leon Cohn, for Whitlock Building Corp., owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7i of the zoning resolution, permitting in a business use district, the alteration and change of occupancy of an existing building to a motor vehicle repair shop, for a term of years.
PREMISES AFFECTED—1506 Jerome avenue, east side, 55.36 ft. north of East 172nd street (Block 2846, Lot 4), Borough of The Bronx.
APPEARANCES—
For Applicant: Leon Cohn.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (31-35-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business district, the alteration and change of occupancy of an existing building to a motor vehicle repair shop, affecting premises 1506 Jerome avenue, east side, 55.36 ft. north of East 172nd street (Block 2846, Lot 4), Borough of The Bronx, was granted by the Board April 23, 1935, on certain conditions; and

WHEREAS, the permit was extended on January 4, 1938, July 15, 1941 and September 14, 1943 and the applicant requested a further extension on the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 23, 1935, as amended through September 14, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7i for a temporary term of five (5) years from the date of this *amended* resolution, to permit the existing building to be occupied as a motor vehicle repair shop, *on condition* . . . . and that other than as herein *amended,* the conditions of the resolution of April 23, 1935, shall be complied with, except for substituting the section under which the variance is based, from Section 21 to Section 7, subdivision i."

MINUTES

416-38-BZ

APPLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under sections 7a and 21 of the zoning resolution, permitting in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five motor vehicles and also a motor vehicle repair shop.

PREMISES AFFECTED—162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road) west side, 235.23 ft. north of Laburnum avenue (Block 5461, Lots 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Lubin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (416-38-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five motor vehicles and, also, a motor vehicle repair shop, affecting premises 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block 5461, Lots 44, 46, 47 and 49), Flushing, Borough of Queens, was granted by the Board October 18, 1938, on certain conditions; and

WHEREAS, the resolution was amended on December 13, 1938, February 21, 1939, October 10, 1939, February 14, 1940 and September 23, 1941; and

WHEREAS, the permit was extended on September 14, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 18, 1938, as amended through September 14, 1943, only so far as it has reference to the term of the variance, to permit continuation of the storage building, so that as amended, this portion of the resolution shall read:

"... may be permitted for a term of two (2) years from the date of this *amended* resolution, provided such building is used solely for the storage of household goods and tools and in no way connected with the operation of the gasoline tanks and garage (N.B. 8313-38)."

480-38-BZ

APPLICANT—Boris N. Dorfman, for William C. Schoof, Margaret Schoof and Charl H. Schoff, owners.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block 5103, Lot 91), Borough of Brooklyn.

APPEARANCES—

For Applicant: Boris N. Dorfman and Margaret Scott.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (480-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block 5103, Lot 91) Borough of Brooklyn, was granted by the Board on October 21, 1941, on certain conditions; and

WHEREAS, the resolution was amended on November 18, 1941 and the permit was extended on November 16, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 21, 1941, as amended November 18, 1941, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* ... and that other than as herein *amended,* the condition of the resolution as amended November 18, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

566-39-BZ

APPLICANT—Francis X. Walsh, for Nicholas F. Walsh, Joseph A. Walsh, John A. Walsh, Helen A. Walsh and Mary A. Walsh, owners (Henrietta Taylor, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—140 Post avenue, west side, 100 ft. north of West 207th street (Block 2223, Lot 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis X. Walsh.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (566-39-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block 2223, Lot 22), Borough of Manhattan, was granted by the Board January 3, 1940, on certain conditions; and

WHEREAS, the permit was extended on September 30, 1941 and September 28, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 3, 1940, as amended through September 28, 1943, only so far as it has reference to the term of the permit, so as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of January 3, 1940, shall be complied with and that a certificate of occupancy shall be obtained.

586-41-BZ

APPLICANT—Gabriel Nathan, for Fadisuru Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business and residence use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—311-315 Beach 44th street, west side, 75.33 ft. north of Rockaway Beach boulevard and 308-314 Beach 45th street, east side, 53.22 ft. north of Rockaway Beach boulevard (Block 368, Lot 7 and part of Lot 1), Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: Anton Arnheiter and Gabriel Nathan.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (586-41-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business and residence use district, the parking and storage of more than five motor vehicles affecting premises 311-315 Beach 44th street, west side, 75.33 ft. north of Rockaway Beach boulevard and 308-314 Beach 45th street, east side, 53.22 ft. north of Rockaway Beach boulevard (Block 368, Lot 7 and part of Lot 1), Far Rockaway, Borough of Queens, was granted by the Board July 17, 1941, on certain conditions; and

WHEREAS, the permit was extended on September 14, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 17, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of July 17, 1941, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 5001-41)."

654-41-BZ

APPLICANT—Max Horn, for Nessim Heffez, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—106-116 Beach 87th street, northeast corner of Ocean drive (now known as Shore front parkway); (Block 662, Lot 5), Rockaway Beach, Borough of Queens.

APPEARANCES—
For Applicant: Mrs. Max Horn.
For Opposition: Harold Klorfein, Dept. of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (654-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 106-116 Beach 87th street, northeast corner of Ocean drive (now known as Shore front parkway); (Block 662, Lot 5), Rockaway Beach, Borough of Queens, was granted by the Board on August 6, 1941, on certain conditions; and

WHEREAS, the permit was extended on September 14, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on August 6, 1941, as amended through September 14, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended*, the conditions of the resolution of August 6, 1941, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 5614-41)."

812-41-BZ

APPLICANT—Lama and Proskauer, for C. J. Neumann Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the reconstruction and extension of a gasoline service station.

PREMISES AFFECTED—1916-1922 Flatbush avenue and 3822-3832 Avenue L, southwest corner (Block 7815, Lots 32 and 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (812-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the reconstruction and extension of a gasoline service station, affecting premises 1916-1922 Flatbush avenue and 3822-3832 Avenue L, southwest corner (Block 7815, Lots 32 and 35), Borough of Brooklyn, was granted by the Board on July 7, 1942, on certain conditions; and

WHEREAS, time was extended to obtain permits and complete the work, on September 28, 1943 and September 19, 1944 and the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 7, 1942, as

amended by resolutions through September 19, 1944, so that as amended, this portion of the resolution shall read:

". . . that in view of statement by applicant that permits have been obtained and the work is about to be started, that all work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended*, the conditions of the resolution of July 7, 1942, shall be complied with."

91-45-BZ

APPLICANT—Lama and Proskauer for Frank Bros., owner.

SUBJECT—Application for approval of plans—re Application (decision of the borough superintendent) previously granted on condition under sections 7c and 7i of the zoning resolution, permitting in a business use district, the extension in area of an existing gasoline service station, and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building.

PREMISES AFFECTED—61-20 to 61-26 Fresh Meadow Lane, west side, 111.40 ft. south of Horace Harding Boulevard (Block 2673 (new 6901), Lots 42 and 45), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (91-45-BZ)

WHEREAS, this application under sections 7c and 7i of the zoning resolution, permitting in a business use district, the extension in area of an existing gasoline service station and the erection of a new office, lubritorium, auto laundry, brake testing and realigning (minor repairs) building, affecting premises 61-20 to 61-26 Fresh Meadow Lane, west side, 111.40 ft. south of Horace Harding Boulevard (Block 2673 (new 6901) Lots 42 and 45), Flushing, Borough of Queens, was granted by the Board on July 10, 1945, on certain conditions; and

WHEREAS, the applicant has submitted plans for approval, in accordance with the conditions of the resolution of July 10, 1945.

Resolved, that the Board of Standards and Appeals does hereby *approve* the plans marked "Received September 14, 1945" as being in compliance with the requirement for design and arrangement of the resolution of the Board of July 10, 1945.

234-36-BZ

APPLICANT—Joseph Brill, for Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the commissioner of buildings) previously granted on condition, for a term of five years, permitting in a business use district the conversion of occupancy of part of an existing building to a garage for more than five years (expired by limitation 3/16/42).

PREMISES AFFECTED—1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Brill, Saul A. Nack and Charles Herman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

803-38-BZ

APPLICANT—Lama and Proskauer, for Anna Weiss, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 13, 1945, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

407-40-BZ

APPLICANT—Lama and Proskauer, for Frederick L. Cranford, as trustee under declaration of trust, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—Application (decision of the borough superintendent) previously granted on condition for a term of ten years, under section 7f of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension of a gasoline service station and also the extension and maintenance of an accessory building.

PREMISES AFFECTED—1927-1935 Flatbush avenue, northeast corner of Kings highway (Block 7819, Lot 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

APPLIANCE SUBMITTED FOR APPROVAL

561-38-SA

APPLICANT—Clayton Mfg. Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Kerrick Cleaner, additional Models J. and L.

APPEARANCES—

For Applicant: B. Burroughs and T. G. Coutant.

ACTION OF BOARD—Application reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

Adjourned: 4:15 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

RULES

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or mounmental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of October 2, 1945 will be printed in the Bulletin of October 16, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 2, 1945.

Cal. No. Dept. Premises Affected

567-45-A—H.B.Bx.—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Blocks 2321, Lots 1-4 incl., 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 incl.), Borough of The Bronx (Morrisania Houses), N.B. 103-44 to 117-44, incl. and Amendment.

568-45-A—H.B.M.—30 West 48th street, south side, 411 ft. 6 in. west of 5th avenue (4th floor); (Block 1263, Lot 55), Borough of Manhattan, Amendment to Alt. 1244-45.

569-45-BZ—H.B.Bx.—2230 Gleason avenue, south side, 280.80 ft. east of Castle Hill avenue (Block 3820, Lot 21), Borough of The Bronx, Alt. 492-45.

570-45-BZ—H.B.R.—3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond, Alt. 172-45.

571-45-A—H.B.M.—1391 Amsterdam avenue, east side, between West 128th and West 129th streets (Block 1968, Lot 1), Borough of Manhattan, Misc. F.P. 1701-45.

572-45-A—H.B.Q.—185-02 to 185-10 Ilion avenue, incl., south side, and 185-03 to 185-11 Jordan avenue, incl., north side, and east side of Dunkirk street, from Ilion to Jordan avenues (Block 10409, Lot 26), St. Albans, Borough of Queens, N.B.1162-45 to 1167-45, inclusive.

573-45-A—H.B.Q.—51-01 to 51-71 Marathon parkway, incl., east side, from south side of Cambria avenue to north side of 52nd (Brattle) avenue (Block 8236, part of Lot 6, Block 8237, part of Lot 12 and Block 8238, part of Lot 1), Little Neck, Borough of Queens, N.B. 1131-45 to N.B. 1144-45, inclusive.

574-45-A—H.B.Q.—47-05 to 47-27 Metropolitan avenue, north side, 248 ft. 8 in. west of L. I. R. R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets), Alt. 1547-45.

575-45-A—F.D.—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan, 19321-LF and Decision.

576-45-A—H.B.M.—108 West 74th street, south side, 80 ft. west of Columbus avenue (cellar); (Block 1145, Lot 37), Borough of Manhattan, Misc. P. & D. 132-45.

577-45-A—H.B.B.—134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); (Block 3154, Lots 18-22), Borough of Brooklyn, B.N. 825-45.

578-45-A—F.D.—Re Transportation of gasoline and kerosene in a gasoline type tank truck (not in conformity with Fire Department's specifications governing tank trucks) in New York City, Decisions.

579-45-A—H.B.B.—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn, Alt. 1277-45.

580-45-A—H.B.B.—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn, Alt. 1276-45.

581-45-A—H.B.B.—938 Fulton street, south side, 64 ft. 5 in. east of St. James place (Block 2014, Lot 13), Borough of Brooklyn, Alt. 2606-45.

582-45 A—H.B.B.—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn, Alt. 3423-44.

583-45-BZ—H.B.M.—388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan, N.B. 199-45.

584-45-A—H.B.Bx.—1070 Bruckner boulevard (formerly 1066 Whitlock avenue), south side, 134.99 ft. east of Bryant avenue (Block 2755, Lot 40), Borough of The Bronx, Amendment to N.B. 55-45.

585-45-A—H.B.B.—44-60 Empire boulevard and 1039-1063 Franklin avenue, southeast corner (1st floor); (Block 1313, Lot 1), Borough of Brooklyn, Alt. 2653-45.

Restored to Calendar

461-45-A—F.D.—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan, 33426-LF and Decision.

248-39-BZ—H.B.R.—41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond, Alt. 1459-38.

235-28-BZ—H.B.Bx.—3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx, Amendment to Alt. 412-45.

1129-39-BZ—H.B.Bx.—900-908 Southern boulevard and 908-912 Barretto street, northeast corner (Block 2735, Lot 1), Borough of The Bronx, Alt. 482-45.

51-30-BZ—H.B.Q.—112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 79 and 73), Forest Hills, Borough of Queens, Alt. 1525-45.

1205-40-BZ—H.B.M.—421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan, Alt. 3153-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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RULES

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Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
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Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
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Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

OCTOBER 9, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 9, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

624-39-BZ—Application of Lama & Proskauer. applicants, on behalf of John J. Smith, owner, reopened April 17, 1945, under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use D area district, the erection and maintenance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district; premises 177-08 to 177-12 Union Turnpike; south side, 345 ft. east of Utopia parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

968-40-BZ—Application of Solomon Jochnowitz, applicant, on behalf of Irving Brown Realty Corp., present owner, reopened September 11, 1945, for consideration as to extension of permit (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles; premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

585-42-BZ—Application, of Lama & Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened February 6, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn); premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

531-45-A—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (under section 35, General City Law re bed of mapped street—Nelson avenue).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 9, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 9, 1945, at 2 o'clock in

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Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

391-44-A—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan. (reopened and restored to calendar, September 18, 1945; previously dismissed for lack of prosecution).

37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

212-45-A—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

327-45-A—41-03 Broadway and 31-89 41st street, northeast corner (1st floor); (Block 679, Lot 7), Long Island City, Borough of Queens.

328-45-A—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bronx.

511-45-A—550 West 167th street, south side, from Audubon avenue to St. Nicholas avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan.

533-45-A—951-953 East 23rd street (951 displayed), east side, 340 ft. north of Avenue J (Block 7587, Lot 23), Borough of Brooklyn.

582-45-A—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn.

427-45-A—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn (reopened and restored to calendar, September 18, 1945; previously withdrawn).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 16, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one-story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

550-45-BZ—Application, September 14, 1945, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of 248 West 18th Street Corp., owner, to permit partly in a residence and partly in a retail district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

241-33-BZ—Application, of Gale Realty Corp. and Charles M. Spindler, applicants, on behalf of North American Oil Corp., owner, reopened June 26, 1945, under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales; premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

530-45-BZ—Application, September 5, 1945, under sections 21 and 7e of the zoning resolution, of Ervin Palmer, applicant, on behalf of Jacob Ruppert, owner (Walter Schultz, lessee), to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; premises 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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OCTOBER 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

527-45-A—324-342 4th avenue, 25-55 East 24th street, northwest corner, 38-60 East 25th street and 19-25 Madison avenue (Block 854, Lots 1-41, inclusive), Borough of Manhattan.

553-45-A—29-10 Thomson avenue and south site of Skillman avenue, from 28th to 29th streets (Block 273, Lot 1), Long Island City, Borough of Queens.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

574-45-A—4705-4727 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets).

412-44-A—76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn.

516-45-A—481 East Tremont avenue, north side, 90.83 ft. east of Washington avenue (Block 3043, Lot 38), Borough of The Bronx.

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

567-45-A—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Blocks 2321, Lots 1-4 incl., 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 incl.), Borough of The Bronx (Morrisania Houses).

568-45-A—30 West 48th street, south side, 411 ft. 6 in. west of 5th avenue (4th floor); (Block 1263, Lot 55), Borough of Manhattan.

576-45-A—108 West 74th street, south side, 80 ft. west of Columbus avenue (cellar); (Block 1145, Lot 37), Borough of Manhattan.

599-45-A—675-679 (675-677 displayed) Rockaway avenue, east side, 225 ft. south of Dumont avenue (2nd floor); (Block 3576, Lot 15), Borough of Brooklyn.

547-45-A—500 West 180th street and 2416 Amsterdam avenue, southwest corner (2nd and 3rd floors); (Block 2152, Lot 46), Borough of Manhattan.

585-45-A—44-60 Empire boulevard and 1039-1063 Franklin avenue, southeast corner (1st floor); (Block 1313, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 23, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

378-45-BZ—Application, June 19, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Sinclair Refining Co., owner (Litterin Service Station Co., lessee), to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station; premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

413-45-BZ—Application, June 23, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of Rabbi Samuel A. Rubin, owner, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution; premises 154 Henry street, south side, 83 ft.

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east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

570-45-BZ—Application, September 26, 1945, under sections 7c and 7d of the zoning resolution, of New York Telephone Co., applicant and owner, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station; premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.

Appeal from Administrative Decision.

551-45-A—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

Materials for Approval.

356-43-SM—Battleship Liquid Asbestos Coating.

652-44-SM—Crest Setting Compound (Plumbing Fixture Setting Compound).

393-45-SM—Taguline (flameproofing compound).

499-45-SM—Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank.

543-45-SM—Astoria 275 Gallon Obround Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

275-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Dora Rothenberg and Rose Strauss, owners (Thomas Brodlieb, lessee), to permit in a residence and business use district, the inclusion of minor repairs to existing gasoline service station, office, laundry and lubritorium; premises 125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239 West 43rd street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

555-45-BZ—Application, September 13, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of William E. Winkle, owner, to permit in a business use district and residence use district, the extension to an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station, to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

484-45-BZ—Application, August 3, 1945, under sections 7c and 21 of the zoning resolution, of Thomas E. Huser, applicant, on behalf of International Tailoring Co. of New York, owner, to permit in a business use, B area and Class 2 height district, the extension of an existing factory building, to exceed the area and height permitted by the zoning resolution; premises 101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan.

Appliances and Material for Approval.

151-44-SA—Jennings Sewage Ejector, Types A and B.

164-44-SA—O and S Powermaster Boiler and Oil Burner, Models AA, B, AC5 and AC6.

492-45-SM—Vitroliner Type "E" Flue Pipe.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 10 A. M

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 2, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING APPLICATIONS

968-40-BZ

APPLICANT—Solomon Jochnowitz, for Irving Brown Realty Corp., Owner.

SUBJECT—Application reopened September 11, 1945 for consideration as to extension of permit (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 10 A.M., for further consideration.

351-45-BZ

APPLICANT—Lama & Proskauer, for Precision Realty Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area.

PREMISES AFFECTED—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Irving Rivkin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 10 A.M., for decision without further argument.

470-45-BZ

APPLICANT—Lama & Proskauer, for 137-20 Cross Bay Boulevard Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices.

PREMISES AFFECTED—137-20 Cross Bay boulevard 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and H. Paning.

For Opposition: John Camden, Mrs. J. Greene, George Pfeiffer, Mrs. Otto and Charles J. Otto.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M., for an inspection by a committee of the Board and decision without further argument.

475-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Chichester Realty Co. and Margaret Skene, owners.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station.

PREMISES AFFECTED—75-03 to 75-17 Rockaway boulevard and 91-02 76th street, northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 10 A.M., at request of applicant.

476-45-BZ

APPLICANT—Jacob J. Gloster, for Sunny Tower Holding Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. (The premises adjoin a residence district).

PREMISES AFFECTED—93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Jacob J. Gloster, J. Hiel, J. Lang, Leah S. Mahlab and S. Mahlab.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M., for an inspection by a committee of the Board and decision without further argument.

481-45-BZ

APPLICANT—Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), for Morewood Realty Corp., owner (Saks & Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations.

PREMISES AFFECTED—1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33d street (Block 809, Lot 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David I. Shivitz, William Eipel and H. Lorett.

For Opposition: Joseph Lorenz, W. O. Le Gette, M. A. Le Gette and F. Higson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Laid over to October 16, 1945 at 10 A.M., for inspection by a committee of the Board and objector to file plans.

535-45-BZ

APPLICANT—Paul Friedman, for Helene Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners.

SUBJECT—Application (decision of the borough superintendent) under sections 7b, 7c, 7e and 21 of the zoning resolution, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant.

PREMISES AFFECTED—403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Friedman and Maxwell Ross.
For Opposition: H. O. Catenaccio.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 10 A.M., for further consideration. Applicant to file a new decision.

390-19-BZ

APPLICANT—Lama and Proskauer, for Edward Brodlieb, owner.

SUBJECT—Application reopened May 29, 1945—application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board, to garage, showroom, servicing and repairs to motor vehicles.

PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Edward Brodlieb.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (390-19-BZ)

WHEREAS, this application, permitting in a business use district, the erection of a garage for more than five motor vehicles, affecting premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn, was granted by the Board on June 26, 1919, on certain conditions; and

WHEREAS, the resolution was amended on October 30, 1934 and on January 7, 1936; and

WHEREAS, the applicant requested a further amendment of the resolution, under section 7i of the zoning resolution, to permit the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board, to garage, showroom, servicing and repairs to motor vehicles; and

WHEREAS, this case was reopened by vote of the Board on May 29, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bay Ridge avenue is in a business use, C area and Class 1¼ height district; 4th avenue is in a business and residential use, C area and Class 1¼ height district, 68th street and Ovington avenue are in a residential use C area, Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated April 27, 1945 re Alt. Applic. 1104-45, reads:

"1. Resubmit additional nonconforming uses, to the Board of Standards and Appeals. See Cal. 390-19, BZ Bul. 45, Vol. 19 (Business zone)

2. Area for manufacturing excessive—contrary to Art II, Sec. 4, par. "B" of zone resolution."

and

WHEREAS, the applicant contends that the premises in question has a frontage of 78 ft. 4¾ in. on Bay Ridge avenue, 99 ft. 11⅞ in. on 4th avenue, 97 ft. 8 in. on the westerly lot line; 101 ft. 11¼ in. on the southerly lot line; that the premises are improved with a two story public garage, and store, for more than 5 motor vehicles, covering the entire plot; that this building was constructed under Permit 11083-1934, for which Certificate of Occupancy 74994 was issued on January 2, 1935; that this garage was granted by the Board of Standards and Appeals under Cal. 390-1919; that it is the intention of the owner to add to the present use, an automobile showroom, parts department and general servicing of automobiles; that as the premises in question is presently zoned for business, the building is existing and the additional uses are in a business zone, it is requested that the application be granted.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 26, 1919, as amended through January 7, 1936, so that as amended, the resolution as a whole, shall read:

"Resolved, that the decision of the superintendent of buildings, acting on N. B. Applic. 5452-19, dated May 26, 1919, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that the westerly and southerly walls of the structure shall be unpierced throughout their entire height; that there shall be no skylight or other opening in the roof within 20 ft. of the adjoining property on the west and south; that the sills of the windows on the Bay Ridge avenue front shall be placed at least 6 ft. above the level of the sidewalk; that the walls of the structure facing on Fourth avenue and Bay Ridge avenue shall be of pressed brick or similar materials; that there shall be but one doorway in the Bay Ridge avenue frontage, which may be used as a fire exit only and to be located within 3 ft. of the westerly line of the lot; and

Resolved further, that the decision of the borough superintendent, acting on Alt. Applic. 1104-45, Objection 1, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that in the event the owner desires to occupy the first story of the building as a sales room for the Chrysler agency, in lieu of the present permitted garage use on such floor, that such use of the first floor may be permitted and the alterations to the first floor may be substantially in accordance with the revised plans marked 'Received September 27, 1945,' provided that in all other respects, the requirements of the resolution as above recited are complied with, and in all other respects, the building and occupancy complies with all laws, rules and regulations applicable to the continued use of the second story as a garage for more than five cars entirely independent of the permitted use in the first story as a sales room for such sales agency, including minor repairs hereby permitted under section 7 subdivision i and servicing, consisting of greasing and washing, exclusively for cars dealt in by such agency; that all signs shall be removed from the building and no new signs erected, except there may be one sign on the Fourth avenue front, advertising the Chrysler sales agency; that such

sign may be illuminated and may extend beyond the building line for a distance of not more than 4 ft.; that there shall be no roof sign, wall sign or temporary sign; that the windows along Bay Ridge avenue may be cut down to within 6 ft. of the floor where such windows occur within the proposed enclosed showroom, as shown on plans marked 'Received September 27, 1945'; that all such repair work, except for wheel realignment, shall be done by hand tools with no machine driven tools greater than one-half horse power; that the gasoline pumps may be reset as therein indicated and as an accessory use only for supplying cars dealt in; that such portable fire fighting appliances shall be maintained throughout the building as the fire-commissioner shall direct; that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and *withdrawn* as to objection 2."

11-33-BZ

APPLICANT—Max Bache, for Richmond Borough Home Sites Corp., owner (P. Piccininni and James Coscia, lessees).

SUBJECT—Application reopened and restored to calendar May 16, 1944 (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the extension of an existing office and accessory building to include a lubritorium on a gasoline service station, previously granted by the Board for a temporary period.

PREMISES AFFECTED—2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, Lot 1), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Max Bache and Italo Nicolai.

For Opposition: Mrs. Fisher, Mrs. J. McWilliams, Mrs. Ziallo and A. Ziallo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (11-33-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 2435 Hylan boulevard, northwest corner of New Dorp lane (Block 3649, part of Lot 1), New Dorp, Borough of Richmond, was granted by the Board on May 2, 1933, on certain conditions, for a term of two (2) years; and

WHEREAS, the resolution was amended on June 20, 1933 and on July 18, 1933; and

WHEREAS, the permit was extended on March 19, 1935, the resolution amended on October 6, 1936 and the permit further extended on March 30, 1937 and March 14, 1939, for a term of two years; and

WHEREAS, on March 18, 1941, the permit was further extended for a term of five years; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit the extension of an existing office and accessory building to include a lubritorium; and

WHEREAS, this case was reopened by vote of the Board on May 16, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, as its regular meeting, October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hylan boulevard and New Dorp lane, northwest corner is in a business use, D area and class ¾ height district and that East New Dorp lane is in a retail-1 and business use, D area and class ¾ height district; and

WHEREAS, the decision of the borough superintendent dated April 14, 1944 on Alt. Applic. 38-44 reads:

> "The proposed alteration to an existing gasoline service station in a business use district is denied, being contrary to Art II, sec. 4a, 4b Zonng Resolution. Refer to Cal. 11-33-BZ, Board of Standards and Appeals."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 ft. frontage by 100 ft. in depth, on which is located a building 48 ft. front by 22 ft. deep, 1 story (15 ft.) in height; that it is proposed to extend and existing office and accessory building to include a lubritorium, on a gasoline service station previously granted by the Board; and

WHEREAS, the applicant contends that this application is based on the fact that this building was erected in 1933 to be used as a gasoline service station and intended to continue so, but now it is inadequate, because the automobile business has changed immensely in the past few years, due to war conditions; that car laundering and lubricating work has boomed; that when this building was erected, it included a four car lifter, but for lack of space, only two were installed and because of the low ceiling, they could not operate very conveniently and it was decided to install one of them on the open space on the northeast side of the building and its use is possible only when the elements permit; that for this reason it was decided to extend the building, to house the car lifters and in the meantime procure additional space for batteries recharging; that the proposed extension is of the type and style as the existing building, with hollow masonry walls, steel casement windows, fire-retarded ceiling and cement floor; that the wall on the northeast side, connecting to the extension, will be opened as to form an entire open area to facilitate movements; and

WHEREAS, a temporary variance, to permit the construction and operation of the gasoline service station was originally granted by the Board on May 2, 1933, and continued by resolution of March 18, 1941, expiring on March 18, 1946; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f of the zoning resolution as to the proposed extension of the accessory building.

Resolved, that the decision of the borough superintendent dated April 14, 1944, on Alt. Applic. 38-44, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

260-42-BZ

APPLICANT—Clayton G. Shirkey, for Mollie Lilienfeld, owner.

SUBJECT—Application reopened September 11, 1945 for consideration as to extension of permit (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (260-42-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block 317, part of Lots 83 and 87), Edgemere, Borough of Queens, was granted by the Board on July 14, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on September 11, 1945, restored to the calendar and set for hearing on October 2, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 14, 1942, and modified the new decision of the borough superintendent, acting on Misc. Applic. 1620-42, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises, with a frontage of 60 ft. on Sprayview avenue and 100 ft. on Beach 36th street, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended*, the conditions of the resolution of July 14, 1942, shall be complied with and that a certificate of occupancy shall be obtained."

146-45-BZ

APPLICANT—James Whitford, for Adam V. Bell, owner.

SUBJECT—Application reopened and restored to calendar July 17, 1945, (decision of the Commissioner of Marine and Aviation) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for motor boats for a term of years, and parking and storage of more than five motor vehicles (previously withdrawn).

PREMISES AFFECTED—126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond.

APPEARANCES—
For Applicant: James Whitford and Adam V. Bell.
For Opposition: L. E. Steffenson, S. Brittin, Mrs. McCormick, H. Hill, Mr. Bloch, Mr. Daint and H. Brown.
For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Charles Pekus, Dep't of Marine and Aviation.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: Chairman Murdock 1
Negative: Commissioners Savage and Blum and Deputy Chief Gunn 3

THE RESOLUTION (146-45-BZ)

WHEREAS, James Whitford, for Adam V. Bell, owner, filed March 13, 1945, an application under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for motor boats for a term of years and the storage of more than five motor vehicles, affecting premises 126 Mansion avenue, south side, foot of McKee avenue (Block 5202, Lots 10 and 13), Great Kills, Borough of Richmond; and

WHEREAS, on June 5, 1945, the application was withdrawn at request of applicant after discussion; and

WHEREAS, the application was reopened by vote of the Board on July 17, 1945, and restored to the calendar, subject to the usual procedure; and

WHEREAS a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Mansion avenue is a business and residence use, D area and Class 1½ height district and McKee avenue is in a residence use, D area and Class 1½ height district; and

WHEREAS, the decision of the Commissioner of Marine and Aviation, dated June 28, 1945, reads:

"The application which you filed with this Department under date of June 6th, 1945, covering the installation of an 1100 gallon gasoline tank on your property located at the foot of Mansion Avenue facing McKee Avenue, Great Kills, Borough of Richmond, and also to occupy a portion of this property for a parking lot after the site has been properly bulkheaded and in accordance with a permit to be obtained from this Department, is hereby denied.

This action is taken inasmuch as the premises upon which the tank and parking lot would be located are situated in a business zone and the proposed installation would therefore be contrary to the provisions of Section 4-46 of the Zoning Resolution.

It is our understanding that you will, in accordance with the direction given you by the Chairman of the Board of Standards and Appeals, at the hearing held on June 5th, 1945, submit an appeal to the Board of Standards and Appeals."

and

WHEREAS, the applicant states the premises consist of a plot 150 ft. frontage by 641.61 ft. in depth, now vacant, on which it is proposed to install an 1100 gallon gasoline tank and to run a 2 in. line from tank to 2 pumps at the end of the pier for servicing of motor boats; and

WHEREAS, the applicant contends that he now applies for the inclusion of a gasoline filling station for motor boats and a parking area for more than five cars on the subject premises and that since this case was presented to the Board on June 5, 1945, several conferences have been held with the objectors who appeared at that time and a verbal agreement has been entered into, which he believes will eliminate any objection to the application; and

WHEREAS, the following resolution was offered for consideration:

"The motion is to *grant* under section 7f of the zoning resolution, for a term of ten (10) years, to permit the premises to be occupied as proposed, as a gasoline service station for servicing boats and for the parking of more than five motor vehicles of persons using the pier and boats for fishing purposes and not for others, *on condition* that the construction of the pier and dock shall be as may be required by the Commissioner of Marine and Aviation; and that all permits required shall be obtained and all work completed within one year from the date of this resolution;"

and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f of the zoning resolution.

Resolved, that the decision of the Commissioner of Marine and Aviation, dated June 28, 1945, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

551-45-A

APPLICANT—I. D. Watch Case Co., lessee, for Eastport Realty Corp., owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Jacob M. Zinam, Bernard Discount and Nicholas Schilling.
For Administration: Insp. E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to October 23, 1945, at 10 A.M. for applicant to file plans.

330-45-A

APPLICANT—Lama and Proskauer, for Edward Brodlieb, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama and Edward Brodlieb.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (330-45-A)

WHEREAS, Lama and Proskauer, for Edward Brodlieb, owner, filed May 29, 1945, an appeal from a decision of the borough superintendent, affecting premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn; and
WHEREAS, the decision of the borough superintendent, dated April 27, 1945 on Alt. Applic. 1104-45, reads:

"3. Exit to comply with Sect. 270 of Labor Law."

and
WHEREAS, the applicant states the building is 2 stories (33 ft.) in height; 99 ft. 11 in. by 75 ft. 4 in., irregular in area, of Class 1 construction; erected in 1919; located in a business use, C area and Class 1¼ height district and used and occupied as follows: cellar, boiler room; 1st floor, store and garage, 3 persons; 2nd floor, garage, 2 persons; proposed to be used and occupied: cellar, boiler room, 1st floor, showroom, garage, minor repairs and parts department, 5 persons; 2nd floor, minor repairs, garage, painting and spraying, 10 persons; that the building is equipped with one 3 ft. wide fireproof stairs, fireproof enclosed, equipped with fireproof, self-closing doors and leading directly to the street and provided with a ladder and scuttle to the roof; and
WHEREAS, the applicant contends that it is proposed to add to the present use, an automobile showroom, parts department and general servicing of automobiles; that the premises do not comply with Section 270 of the Labor Law; that the 2nd floor will not have more than 10 persons employed, for which there is a 3 ft. enclosed stairway, leading directly to Bay Ridge avenue; that in addition, there is an existing ramp, leading to the street and it is proposed to install a new fire escape and sliding counterbalanced ladder; that in view of the fireproof construction and the sufficient exit facilities, it is requested that this appeal be granted.
Resolved, that the appeal be and it hereby is *withdrawn,* in view of change of proposal not to occupy the 2nd floor for repair work, constituting a factory and to continue permitted garage occupancy on the 2nd floor independent of the sales agency proposed for first-floor as permitted under 390-19-BZ, amended October 2, 1945.

412-45-A

APPLICANT—Herman E. Horwood, for Elizabeth A. Stevenson, owner. (Eugene Lackenbach, lessee).
SUBJECT—Appeal from a decision re an order of the fire commissioner.
PREMISES AFFECTED—24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens.
APPEARANCES—
For Applicant: H. E. Horwood.
For Administration: Insp. E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (412-45-A)

WHEREAS, Herman E. Horwood, for Elizabeth A. Stevenson, owner (Eugene Lackenback, lessee), filed July 2, 1945, an appeal from a decision re an order of the fire commissioner, affecting premises 24-26 Steinway street, west side, 103.48 ft. south of Astoria boulevard (1st floor); (Block 654, Lot 54), Astoria, Borough of Queens; and
WHEREAS, Order 99014-LC issued by the fire commissioner February 14, 1945, and repeated in his decision of June 6, 1945, reads:

"1. With reference to your application for the storage and use of sodium chlorate, aluminum grindings and ammonium carbonate, please be advised that this Department disapproves such storage and use, as it creates a grave fire risk and is against the interest of public safety.

"2. You are therefore ordered to discontinue the storage of sodium chlorate, aluminum grindings and ammonium carbonate and discontinue the manufacture of curling powders."

and
WHEREAS, the applicant states that the building is one story (11 ft. 2 in.) in height, 50 ft. by 67 ft. and 36 ft. in area; Class 3 construction; located in a business use, B area and Class 1¼ height district; erected in 1921 and used and occupied since October, 1944, as follows: Cellar, boiler room; 1st floor, south store manufacturing hair wave pads, 3 persons; center and north store, retail furniture show room, 0 persons; that the building is equipped with one 24 in. wide wood stairs, unenclosed; and
WHEREAS, the applicant contends that the occupant of the south store is engaged in the manufacture of hair wave pads, packed in small containers with 28 pads in each, which are shipped out as fast as they are made; that the portion of the premises occupied for this purpose has an area of 930 sq. ft.; that permission was requested to store and use 200 lbs. each of sodium chlorate and aluminum grindings and were refused, although the tenants were formerly in business at 22 East 26th street, Manhattan and received a permit for operation at that location; that only three persons are employed and all mixing is done at the room in the northwest corner, which has a window to the outer air and exit at the front to the street and at the rear to the yard; that the other two stores are used for furniture showroom and entered only occasionally when a salesman will bring a customer from the main store located nearby.
Resolved, that Order 99014-LC of the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that the premises shall remain substantially as proposed and maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct and the portable fire-fighting equipment installed in the mixing room shall be a CO_2 extinguisher of the type and size recommended by the fire commissioner; that the material used shall be maintained in

metal containers with metal covers; that any finished product not shipped out at the end of each day shall be stored in metal cabinets, satisfactory to the fire commissioner.

508-45-A

APPLICANT—Proctor and Gamble Manufacturing Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—West side of Western avenue, 1500 ft. south of Richmond Terrace (Laboratory Building, 2nd floor); (Block 1400, Lot 1), Port Ivory, Borough of Richmond.

APPEARANCES—
For Applicant: S. W. Blackett and Jas. E. Egan.
For Administration: Insp. E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (508-45-A)

WHEREAS, Proctor & Gamble Manufacturing Company, owner, filed August 24, 1945 an appeal from an order of the fire commissioner, affecting premises, west side of Western avenue, 1500 ft. south of Richmond Terrace (Laboratory Building, 2nd floor); (Block 1400, Lot 1), Port Ivory, Borough of Richmond; and

WHEREAS, order 42270-LC, issued by the fire commissioner, July 26, 1945, reads:

"Before a permit may be issued to you for a technical establishment, the following must be done:

"6. Either submit evidence from the Department of Housing and Buildings that the recreation area and cafeteria do not constitute a place of assembly or discontinue storage and use of liquid chlorine on these premises. (This refers to laboratory building). Sec. C19-95.0-d."

and

WHEREAS, the applicant states that the building is 2 stories (34 ft.) in height, 97 ft. by 84 ft. 10 in. in area, of class 1 construction, erected in 1916, located in an unrestricted use, A area class 1½ height district and used and occupied as follows: basement, private recreation room, 150 persons; 1st floor, private cafeteria, 250 persons; 2nd floor, analytical laboratory, 30 persons; that the building is equipped with a two source sprinkler system, two 3 ft. 6 in. wide steel stairs with cast iron treads, enclosed in 3 in. solid cement plaster partition, equipped with tinclad self-closing, fireproof doors and leading directly to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that although no certificate of occupancy was available, the 2nd floor was first used as an analytical laboratory about 1918 and the private cafeteria installed on the first floor during 1927; that the basement was first used as a private recreation room in 1934; that permission has been requested to store and use on the 2nd floor, three one pound bottles of chlorine; that 1½ bottles of chlorine is normally carried in storage, but permission is requested for three bottles to cover possible variations in shipment; that the normal usage is about 1/6 lbs. per week used for chemical testing in evaluating fats; that when in use, the chlorine bottle is in a hood equipped with mechanical draft and when in storage, the bottles are kept under an open sprinkler controlled by a valve outside the room; that the chlorine is used only by a properly qualified chemist who holds a certificate of fitness; it is requested that the Board approve the use of chlorine in the analytical laboratory, because of the limited amounts involved, the fireproof construction of the building, the limited occupancy of the private cafeteria and recreation room which is in use only 1½ hours per day at lunch time and the hardship that would be imposed on the owner if the construction of a new laboratory were necessitated.

Resolved, that Order 42270-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 6, *on condition* that the storage of bottles shall be maintained in a cabinet ventilated to the outer air and to the satisfaction of the fire commissioner and shall otherwise be maintained as proposed; that all other items of the order shall be complied with, to the satisfaction of the fire commissioner; that the sprinkler system shall be maintained in accordance with the requirements therefor.

523-45-A

APPLICANT—Hospital for Joint Diseases, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1911-1929 Madison avenue, 41-59 East 123rd street and 44-58 East 124th street (Block 1748, Lots 44, 48, 49 and 35), Borough of Manhattan.

APPEARANCES—
For Applicant: Eugene Koch.
For Administration: Insp. E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (523-45-A)

WHEREAS, Hospital for Joint Diseases, owner, filed August 14, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 1911-1929 Madison avenue, 41-59 East 123rd street and 44-58 East 124th street (Block 1748, Lots 44, 48, 49 and 35), Borough of Manhattan; and

WHEREAS, Order 40263-LC issued by the fire commissioner, dated January 16, 1945, reads:

"Before a permit may be issued for your refrigerating system, the following must be done:

5. Provide a hood and independent mechanical ventilation for open flames, so arranged as to convey all the products of combustion to the outside of the building, as per Sec. C19-96.0-8, Administrative Code of the City of New York.

Note: Applies to the seven new (Mueller) refrigerating machines containing 4 lbs. Freon in each one located in Diet kitchens in Ward "O" 8th floor, Ward "L" 7th floor, 5th, 4th, 3rd, 2nd and 1st floors."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated August 10, 1945; and

WHEREAS, the applicant states that the building is 7 stories (84 ft.) in height, 210 ft. by 97 ft. in area, of class 1 construction, erected in 1925, located in a business and residence use B area and class 1½ height district and used throughout as a hospital; and

WHEREAS, a conviction was had and sentence suspended June 29, 1945 on a charge of violation of the Administrative Code on complaint of the Fire Department; and

WHEREAS, Certificate of Occupancy 9329, issued March 10, 1925 on N.B. Applic. 106-22, permits the present use and occupancy; and

WHEREAS, the applicant contends that the blowers for hoods are not available, due to war time restrictions; that hermetically sealed units cannot be obtained for civilian use at this time; that each room is equipped with a self-closing door; that the kitchens on the 7th and 8th floors have windows containing 2,924 sq. in. of glass area; that on the 2nd, 3rd, 4th and 5th floors, each kitchen has two windows containing 5,208 sq. in. of glass area; that on the first floor the kitchen has one window containing 3,600 sq. in. of glass area; that the Board is therefore requested to extend the time for compliance with the order, until sealed units are available, when they will be promptly installed by the contractor who furnished the refrigerators now installed.

MINUTES

Resolved, that Order 40263-LC of the fire commissioner be and it hereby is *modified* as to Item 5, and that the appeal be and it hereby is *granted on condition* that natural ventilation shall be maintained; that the door opening to each room in which the refrigerator is installed shall be reasonably tight-fitting and self-closing; that the equipment shall at all times be under the control of qualified persons; that the open flame shall consist only of the gas flame for preparing special diets; that the flame shall be removed from the refrigerator at a distance indicated on plans filed with this appeal.

Adjourned: 12:55 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 2, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

517-45-A

APPLICANT—L. E. Driver, for New York Dock Co., owner (Universal Terminal and Stevedoring Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—West side of Wharf (Furman street), 1100 ft. north of Montague street (Block 199, part of Lot 3), Pier 9, East River, Borough of Brooklyn.

APPEARANCES—

For Applicant: George Eweler, C. E. Hicks and L. E. Driver.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (517-45-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner (Universal Terminal and Stevedoring Company, lessee), filed August 24, 1945, an appeal from an order and a decision of the fire commissioner, affecting Pier 9, East River, West side of Wharf (Furman street) 1100 ft. north of Montague street (Block 199, part of Lot 3), Borough of Brooklyn; and

WHEREAS, Order 9879-LF, issued by the fire commissioner January 9, 1943, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the fire commissioner. The transferring and storage of sisal at this location is in violation of stipulation in Resolution 154-32-A of Board of Standards and Appeals, which expressly prohibits the transfer or storage of inflammable, explosive or highly combustible material. Sprinkler Rules of the Board of Standards and Appeals and C19-161.0 Adm. Code."

and

WHEREAS, a decision of the fire commissioner dated August 9, 1945, reads:

"In reply to your request for rescindment of Order 9879-LF, covering above mentioned premises you are advised that your request must be denied. However, you may appeal this decision to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is one story (23 ft. 6 in. and 28 ft.) in height; 81 ft. 6 in. by 604 ft. average area, Class 4 construction; erected prior to 1880; located in an unrestricted use, A area and Class 2 height district and used and occupied since July, 1943, for repairing and equipping steamships, 100 persons and that the building is equipped with a standpipe system; and

WHEREAS, the applicant contends that the order requiring the installation of a fixed fire extinguishing system was issued by the fire commissioner apparently because of the discharge of a shipment of sisal at this pier, alleged to be in violation of the Board's resolution under Cal. 154-32-A; that the issuance of such an order to correct the violation of the resolution is unfair, when a simple order to discontinue handling such shipment would have served the purpose; that shortly after receiving the order, the cargo objected to, was removed and the department notified with a request that the order be withdrawn, only to be told that a subsequent inspection disclosed the storage of paint, which was also considered objectionable; and

WHEREAS, the applicant contends a determination of what might be considered inflammable, explosive or highly combustible material is difficult; that the applicant does not concede that sisal is in that category, especially when suitably packed for transportation; that a prohibition against the handling of paint on steamship piers seems extraordinarily restrictive; that pier owners and occupants have no way of determining in advance what materials the Fire Department may object to, since the Department makes public no list of such materials; that the Fire Department on November 17, 1943, stated that they also took exception to the premises being used for making repairs to ships; that the owner applied to the Department of Marine and Aviation for approval of this occupancy and received an approval on May 27, 1944; that this approval permits the use of the premises for the usual storage and transfer of products and merchandise from cargo ships, as well as its use for repairing, equipping and servicing vessels; that the premises in addition to being equipped with a standpipe system, possesses numerous auxiliary fire preventive, fire fighting and extinguishing apparatus, including a portable pumper unit; that the pier is in direct charge of a Fire Marshal, who employs a dozen or more fire watch aids to patrol the premises, in addition to the U. S. Coast Guard supervision.

Resolved, that Order 9879-LF issued by the fire commissioner, dated January 9, 1943, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

518-45-A

APPLICANT—Lama and Proskauer, for Harry Peritz, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—830-836 Hemlock street, west side, 91 ft. 7½ in. south of Linden boulevard (Block 4486, Lot 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Harry Peritz and Arthur Peritz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO GRANT—

Affirmative 0

Not Voting: Commissioner Savage and Deputy Chief Gunn 2

Negative: Chairman Murdock and Commissioner Blum 2

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (518-45-A)

WHEREAS, Lama and Proskauer, for Harry Peritz, owner, filed August 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 830-836 Hemlock street, west side, 91 ft. 7¼ in. south of Linden boulevard (Block 4486, Lot 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 28, 1945, on N.B. Applic. 145-45, reads:

"3. Const:—Building which was partially destroyed by fire and demolished under Unsafe Bldg. violation #178-45 was of frame construction (See N.B. 9933-27).

The proposed new Class 3 building does not constitute a restoration within the meaning of Sec. 25 of the zoning resolution."

and

WHEREAS, the applicant states that the building will be one story (15 ft. 6 in.) in height; 30 ft. by 50 ft. in area, of Class 3 construction; located in a residence use, D area and Class 1 height district and to be used and occupied for auto wrecking and storage of used auto parts, 3 persons; and

WHEREAS, Violation U. B. 178-45, issued March 19, 1945, stated: "Building badly damaged by fire. All vertical supports, roof beams and siding badly charred. All roof covering entirely burnt off. Building open to unauthorized persons. Damage about 95%. You are therefore required to have the building demolished"; and

WHEREAS, the applicant contends that up until the early part of 1945, the premises were used for auto wrecking and for storage and sale of used auto parts; that the building was of frame construction, took fire and was destroyed more than 90%; that unsafe Building Violation 178-45, was placed and the structure demolished; that the building was originally erected under N.B. Applic. 4933-27, when such use was permitted on the plot; that the premises were placed in an unrestricted use district on May 10, 1928; that the building originally measured approximately 69 ft. along the westerly lot line; 50 ft. along the southerly lot line; 100 ft. along the northerly lot line and 30 ft. on the easterly lot line; that it is now proposed to erect a new building of Class 3 construction 30 ft. by 50 ft. in area, as under the Building Code a frame building is prohibited; that it is requested permission be granted to construct the building of masonry and reduce its size from what it was when originally constructed; that in view of the fact that Section 25 of the Zoning Resolution permits reconstruction of buildings declared unsafe and the Code prohibits reconstruction of a frame building in this area, it is requested that this appeal be granted; and

WHEREAS, the Board deemed that the proposed Class III building could not be permitted as a matter of right to replace a frame building of larger area and located differently on the lot destroyed by fire and that an application for a Zoning Variance should be filed.

Resolved, that the appeal be and it hereby is *withdrawn.*

522-45-A

APPLICANT—Joseph Kleinberger and Paul Chapman, for Central Hanover Bank and Trust Co., trustee (Atlantic Leasing Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1572-1576 Broadway, 201 West 47th street, northeast corner and 702-708 7th avenue (Block 1019, Lot 29), Borough of Manhattan.

APPEARANCES—
For Applicant: Joseph Kleinberger and Paul Chapman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (522-45-A)

WHEREAS, Joseph Kleinberger and Paul Chapman, for Central Hanover Bank and Trust Company, trustee (Atlantic Leasing Company, Incorporated, lessee), filed August 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 1572-1576 Broadway, 201 West 47th street, northeast corner and 702-708 7th avenue (Block 1019, Lot 29), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated August 23, 1945, on B. N. Applic. 1982-44, reads:

"1. Proposal to place a sheet metal plaque or sign directly behind existing sign is an enlargement and contrary to Sec. B26-16.0 Adm. Code."

and

WHEREAS, the applicant states the building is 3 stories (40 ft.) in height; 44 ft. 11 in. by 77 ft. 7 in. in area; of Class 3 Construction; erected prior to 1900; located in a retail-1 use B area and Class 2 height district and used and occupied since 1912 as follows: cellar, service men's center, 20 persons; 1st floor, service men's center and stores, 25 persons; 2nd floor, offices, 32 persons; 3rd floor, offices, 32 persons; that no change in use or occupancy is proposed; that the building is equipped with a one source sprinkler system, one interior 3 ft. 8 in. steel stairs, enclosed in partitions of wire lath and cement plaster, without doors; and

WHEREAS, the applicant contends that the existing sign approximately 60 ft. wide and 129 ft. high was originally approved May 29, 1912 and has not been enlarged, rebuilt, structurally altered or relocated since that day; that the sign meets the requirements of the zoning law; that the proposed plaque does not increase the area of the sign exposed to wind; that under Cal. 397-45-A, the Board ruled that "the sign as shown to be double-sided shall be deemed a single sign structure;" that Section B-26-16.0 of the Administrative Code is not intended to interfere with existing property rights; that the existing sign conforms to the Building Code and the mere addition of the proposed plaque behind the existing plaque does not affect these requirements; that the sign is not to be enlarged, rebuilt, structurally altered or relocated in any manner by the mere addition of the proposed plaque; and

WHEREAS, the applicant stated that this appeal is solely for the purpose of obtaining an interpretation of the law and is not a request for variance of the provisions of law; and

WHEREAS, the Board deemed that the proposal constituted an addition to the sign and therefore was contrary to section B26-16 and B26-11.

Resolved, that the decision of the borough superintendent dated August 23, 1945 on B. N. Applic. 1982-44, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

532-45-A

APPLICANT—Kitzler and Nurick, for Lawrence Avenue Building Corp., owner. (Edward Dobbin and Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—134-144 Lawrence avenue, south side, 200 ft. east of East 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn.

APPEARANCES—
For Applicant: Henry J. Nurick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (532-45-A)

WHEREAS, Kitzler and Nurick, for Lawrence Avenue Building Corporation, owner (Edward Dobbin & Company, lessee), filed September 5, 1945, an appeal from a decision of the borough superintendent, premises 134-144 Lawrence avenue, south side, 200 ft. East of 3rd street (1st floor); (Block 5423, Lot 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 2258-45 dated September 5, 1945, reads:

"6. Proposed change of occupancy from public garage to bottling, packaging and shipping liquid and other products with the right to revert to the present use at the end of five years, cannot now be approved, as the zoning regulations at that time may not permit the public garage use at the location."

and

WHEREAS, the applicant states the building is 1 story (12 ft.) in height, 100 ft. 2 in. by 90 ft. in area; of Class 3 construction; erected in 1924, located in an unrestricted use, C area and Class 1 height district; and used and occupied as follows: cellar, boiler room; 1st floor, bottling, packaging, crating and shipping liquid products and other goods, 21 persons, and proposed to be used and occupied without change and the building to revert to garage use at termination of present lease or its renewal; and

WHEREAS, Violation 2736 issued June 28, 1945 was for changing the occupancy to factory, without a certificate of occupancy; and

WHEREAS, the applicant contends the building was erected 1924 as a public garage and Certificate of Occupancy 28631 issued therefor; that the building is now under lease for bottling, packaging and shipping liquids and other products; that at the termination of the lease, the owner proposes that the building revert to the garage use; that the products handled are non-inflammable; that dressing rooms, toilet space and exits will be provided to the satisfaction of the Department of Housing and Buildings; that the purpose of this application is to protect the owner in the event of a possible use district change, which might prevent the reversion to garage use at some future date; it is therefore requested that the Board grant permission to maintain the present use for a stated period subject to renewal and with the provision that the building revert to public garage use at the termination of the present lease or its renewal.

Resolved, that the decision of the borough superintendent on Alt. Applic. 2258-45, Objection 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the proposed use for a term not to exceed the time during which the building is occupied in connection with war contracts as proposed and in no event later than May 31, 1947 and to permit the building to be restored as a garage for more than five (5) motor vehicles after that date, *on condition* that meanwhile, the building shall comply with all laws, rules and regulations applicable thereto.

560-45-A

APPLICANT—Sidney L. Strauss, for Atland Holding Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1203 Atlantic avenue, north side, 265 ft. west of Nostrand avenue (2nd floor); (Block 1866, Lots 12 and 13), Borough of Brooklyn.

APPEARANCES—
For Applicant: Sidney L. Strauss.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (560-45-A)

WHEREAS, Sidney L. Strauss, for Atland Holding Corporation, owner, filed September 20, 1945, an appeal from a decision of the borough superintendent, affecting premises 1203 Atlantic avenue, north side, 265 ft. west of Nostrand avenue (2nd floor); (Block 1866, Lots 12 and 13), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 2603-45, dated September 20, 1945, reads:

"1. Exists to comply with Section 270 of Labor Law.

2. Floors to be adequate for 120 lbs. per sq. ft. live load."

and

WHEREAS, the applicant states the building is 2 stories (32 ft.) in height; 90 ft. by 99 ft. 1 in. in area; of Class 3 construction; located in an unrestricted use, C area and Class 1¼ height district, and used and occupied as follows: cellar, boiler room; 1st floor, U. S. Post Office, 50 persons; 2nd floor, public garage, 5 persons; and proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, metal parts factory, 20 persons, and non-public post office; that the building is equipped with one interior 44 in. wide fireproof stairs, equipped with one hour self-closing doors and leading directly to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant states that the cellar is used as a boiler room, the first floor as a post office, the second floor was originally erected as a public garage and post office and that it is now proposed to convert the garage portion of the 2nd floor to a factory manufacturing small metal parts; and

WHEREAS, the applicant contends that the Labor Law requires two means of egress and it is proposed to erect a new fireproof interior stair, as indicated on plans filed with this appeal, as additional means of egress and to use the existing ramp which is of fireproof construction, extending from 2nd floor directly to the street, as a third means of egress; that the **ramp has no enclosure** at the 2nd floor, but it is now proposed to be enclosed at 2nd floor with fireproof partitions and one hour test fireproof doors, leading thereto and to install proper exit doors at the foot of the ramp leading to the street; that the existing interior stair, which is fireproof enclosed on the 2nd floor but open on the first floor, is entirely within the post office space and in an emergency, access could be had to this stair; that the 2nd floor is designed to sustain 85 lbs. live load; that the proposed use will be light and permission is requested to post this floor for 75 lbs. and

WHEREAS, Certificate of Occupancy 70073 issued January 12, 1933 permits the use of the building as a post office and public garage.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 2603-45 and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that in addition to the proposed stairway 4 ft. in width leading to Herkimer place, there shall be constructed and maintained a fire escape from the easterly side of the Herkimer place portion of the premises, with a counter balanced stair complying with the requirements of the Labor Law; that the existing ramp may be continued with a fireproof self-closing door as proposed, but shall not be deemed as a permitted means of exit; as to Objection 2, that the floor load of 75 lbs. per sq. ft. may be permitted for light manufacturing as proposed, provided the floor at no time shall be loaded beyond such carrying capacity; that the approved floor load shall be posted; that such portable fire-fighting appliances shall be maintained within the space proposed to be occupied for factory purposes as the fire commissioner

shall direct; that the building shall not be increased in height or area, except for the stair as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a new certifificate of occupancy shall be obtained.

571-45-A

APPLICANT—Wininger & Selby, Inc., for Third Avenue Transit Corp. (Successor to Third Ave. Railway Co.), owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1391 Amsterdam avenue, east side, between West 128th and West 129th streets (Block 1968, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur C. Mandel, Frank E. Seeney, Edward Wininger and Raymond L. Brandin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (571-45-A)

WHEREAS, Wininger & Selby, Incorporated for Third Avenue Transit Corporation (Successor to Third Avenue Railway Company) owner, filed September 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 1391 Amsterdam avenue, east side, between West 128th and West 129th streets (Block 1968, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Misc. F.P. Applic. 1701-45, dated September 19, 1945, reads:

"1. The proposed installation of four (4) 5000 gallon tanks to hold Diesel Oil is contrary to C19-51 a.1 of the Adm. Code, which limits the tanks to 550 gallons each.

"2. Pumps not to be installed below grade level."

and

WHEREAS, the applicant states that the building will be one story (26 ft.) in height; 200 ft. by 367 ft. in area; of Class 1 construction; located in an unrestricted use, B area and Class 1½ height district, and used and occupied as follows: 1st floor, bus repair and storage, 60 persons; mezzanine, locker rooms, office, recreation, etc., 100 persons; that the building will be equipped with an approved two source sprinkler system; and

WHEREAS, it is proposed to install four 5,000 gallon Diesel oil tanks for servicing of approximately 200 45 passenger buses powered by Diesel electric motors; and

WHEREAS, the applicant contends as to Objection 1 of the borough superintendent's decision, that the proposed four 5,000 gallon Diesel oil storage tanks will be installed in lieu of thirty-six (36) 550 gallon tanks, to eliminate hundreds of pipe fittings, each one of which is a possible source of leakage; eliminate 40 valves which would be required to control these thirty-six (36) 550 gallon tanks; that the Diesel oil is not a volatile liquid; and

WHEREAS, the applicant contends as to Objection 2, that there is an existing deep basement on the present property in which the Diesel oil tanks will be placed; that this is a firm base and will eliminate the likelihood of settlement and, therefore, possible leakage; that there is ample space between the tops of these tanks and the bottoms of the work pits overhead, to install the pumps; that there is no space on the main floor level to place the pumps, without seriously impairing the efficiency of bus operation and storage; that the suction lift of rotary pumps is a maximum of 12 ft.; that even if the tanks were placed hard against the underside of the pits, the lift would still be in excess of 12 ft.; that it is essential to conserve and utilize all possible main floor space for bus operation; that at best, there is hardly enough room available in this garage for the number of buses that are required at this station; that if forced to place the pumps on the main floor, it would impose an additional hardship; that it is proposed to locate these pumps in a space where there will be two means of egress and which will be provided with ample ventilation by means of louvered doors and air ducts; that Diesel oil is not a volatile liquid, and while the Code states that no gasoline pumps may be installed below grade, it is not proposed to dispense gasoline; that this installation is similar to an oil burner pump, of which there are many thousands installed below grade in the City of New York.

Resolved, that the decision of the borough superintendent on Misc. F.P. Applic. 1701-45, dated September 19, 1945, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the tanks shall be used for storing only the Diesel oil (fuel oil No. 2); that the construction of the tanks shall comply with the requirements for similar size tanks in the Oil Burner Rules of the Board; that the installation of tanks shall be substantially as proposed and as shown on plans filed with this appeal marked "Received September 27, 1945," three sheets, to the satisfaction of the fire commissioner; as to objection 2, that the motor-driven pumps may be installed as shown on such plans, provided they are sparkproof and of a type satisfactory to the fire commissioner; that the entire installation shall meet the requirements of all departments having jurisdiction and shall be maintained to the satisfaction of the fire commissioner; that the ventilation of the pump space shall be by means of louver doors and air ducts, as described and shown on such plans; that the outward flow of air through the ducts shall be actuated by means of an electrically driven fan connected with the dispensing system, so as to assure operation when the pumps are being operated; that the installation of filling pipes and vents shall be in accordance with the requirements of the Administrative Code and the Oil Burner Rules of the Board; that there shall be no gasoline storage tank installed on the premises; that such automatic fire-fighting appliances consisting of a foam system or other system as required by the fire commissioner, shall be installed in connection with the pump room and storage tanks; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

572-45-A

APPLICANT—Joseph S. Ammirati, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—185-02 to 185-10 Ilion avenue, inclusive, south side, and 185-03 to 185-11 Jordan avenue, inclusive, north side and east side of Dunkirk street, from Ilion to Jordan avenues (Block 10409, Lot 26), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: William G. Burke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (572-45-A)

WHEREAS, Joseph S. Ammirati, owner, filed September 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 185-02 to 185-10 Ilion avenue, 185-03 to 185-11 Jordan avenue and east side of Dunkirk street, from Ilion avenue to Jordan avenue (Block 10409, Lot 26), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 17, 1945, re N.B. Applics. 1162 through 1167—1945, reads:

"1. Proposed erection of frame buildings inside of fire limits is contrary to Section 4.1.2 Bldg. Code."

and

WHEREAS, the premises consist of a plot fronting 216 ft. on Dunkirk street, 111 ft. on Ilion avenue and 171 ft. on Jordan avenue, located in a business and residence use, D area and Class 1 height district, which it is proposed to subdivide into seven lots and to erect on each lot, a one-story, one-family dwelling 24 ft. 6 in. by 39 ft. 2 in. in area, 23 ft. in height, as indicated on plans filed with this appeal marked "Received September 27, 1945"; that the dwellings will be set back from Ilion avenue 30, 22 and 25 feet respectively and from Jordan avenue 27, 25, 27 and 30 feet, respectively and from Dunkirk street 5 ft. 11 in. and 11 ft. 4 in., respectively; that the dwellings will be surfaced on the exterior with masonry veneer to the plate line and with asbestos shingles above; that the side yards will be not less than 5 ft. 2 in. in width and will be provided along the northerly lot lines of the dwellings fronting on Ilion avenue and not less than 15 ft. will be maintained between the buildings; that the dwelling to be erected at 185-17 Jordan avenue, indicated on plot plan filed with this appeal, will be located on the portion of the lot zoned for residence use and therefore not subject to this appeal; that front entrance steps will project into front setbacks not more than five feet and chimney breasts will project into rear yards approximately 2 feet; and

WHEREAS, the applicant contends that each dwelling be limited to one-family occupancy; that the construction as proposed, will bring the dwellings into conformity with the type of construction and architecture existing in the surrounding area; that it will be impossible for the applicant under the present conditions, to comply with the Code within the price range for which these dwellings must sell and it will be impossible to achieve the architectural features desired for this locality, unless relief is granted from the objections of the borough superintendent; that any private garages erected on the plots will be of Class 3 construction to the plate line and located not nearer than one foot to the side and rear lot lines, with roofs surfaced with approved asphalt shingles or other incombustible materials and the rear walls, if of frame construction above the plate line, will be brick filled between studs, or if such garages are of frame construction, they will be masonry veneer to the plate line and constructed above plate line as described above.

RESOLVED, that the decision of the borough superintendent on N.B. Applications 1162 to 1167-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building on each lot shall be limited to residential use and for one family only; that the dwellings shall be constructed substantially as proposed; that any garage erected in connection with each dwelling shall be a private garage for the use of such dwelling and shall comply with the requirements of the zoning resolution therefor; that as soon as lot numbers have been assigned, record of same shall be filed under the above application with the borough superintendent and a copy of such notification filed with this Board; that application shall be filed with the City Planning Commission for change of the area of the plot covered by this appeal for business use to residence use; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

573-45-A

APPLICANT—Stanley H. Klein, for Vanzan Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—51-01 to 51-71 Marathon parkway, incl., east side, from south side of Cambria avenue to north side of 52nd (Brattle) avenue (Blocks 8236, part of Lot 6, 8237, part of Lot 12 and 8238, part of Lot 1), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: John Menichino.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (573-45-A)

WHEREAS, Stanley H. Klein, for Vanzan Realty Corp., owner, filed September 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 51-01 Marathon parkway, southeast corner Cambria avenue, 51-11 to 51-19 Marathon parkway, northeast corner Van Zandt avenue, 51-29 to 51-45 Marathon parkway, east side, between Van Zandt avenue and 51st (Sanborn) avenue, 51-55 to 51-71 Marathon parkway, east side, between 51st (Sanborn) avenue and 52nd (Brattle) avenue (Block 8236, part of Lot 6; Block 8237, part of Lot 12 and Block 8238, part of Lot 1), Little Neck, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 12, 1945, on N.B. Applications 1131-1144 of 1945 inclusive, reads:

"1. Proposed erection of frame buildings inside the fire limits is contrary to Sec. 4.1.2., Building Code."

and

WHEREAS, the premises consist of four parcels as follows: 51-01 Marathon parkway, southeast corner Cambria avenue, N.B. Applic. 1131-45, 40 ft. front by 95.25 ft. deep; 51-11 to 51-19 Marathon parkway, northeast corner of Van Zandt avenue, 120 ft. front by 91.37 ft. in depth; 51-29 to 51-45 Marathon parkway, 200 ft. front by 84.91 ft. in depth on Van Zandt avenue and 91.48 ft. in depth on 51st avenue; 51-55 to 51-71 Marathon parkway, east side, between 51st and 52nd avenues, 200 ft. front by 89.78 ft. and 98.74 ft. in depth; that it is proposed to divide these premises into four separate plots and to divide three of these plots into lots 40 ft. in width and to erect on each lot, a one and one-half story frame, one family dwelling (and garage), 22 ft. in height, 26 ft. 4 in. by 36 ft. in area; that the dwellings will be set back from Marathon parkway a distance of 20 ft. and into each setback, front entrances and steps will project; that corner dwellings will be set back from the side building lines a distance of 8 ft. 8 in.; that side yards will be provided for a width of 6 ft. along the southerly lot lines where each of the dwellings is to be erected on interior lots and for a width of 5 ft. along the interior side lot lines of the corner dwellings; and

WHEREAS, the applicant contends that Marathon parkway is in a business use district, both sides for a depth of 100 ft.; that the entire area is in an E area district and the section beyond the 100 ft. business zone, is residential; that there are old frame dwellings on the west side of Marathon parkway directly opposite the premises and more recent brick veneer dwellings are to the north; that there is an existing brick veneer 2½ story frame dwelling at 51-05 Marathon parkway, which was erected in 1933; that there are no buildings on Marathon parkway south of 52nd avenue to Horace Harding boulevard; that as the proposed dwellings will be in harmony with the character of the area and as this property is not needed for business, it is requested that the Board grant a variation of the provisions of the Building Code to permit the construction of the frame dwellings as proposed.

Resolved, that the decision of the borough superintendent on N.B. Applications 1131-1144 of 1945, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building on each lot shall be limited to residential use and for one family only; that

the dwellings shall be constructed substantially as proposed; that as soon as lot numbers have been assigned, record of same shall be filed under the above application with the borough superintendent and a copy of such notification filed with this Board; that application shall be filed with the City Planning Commission for change of the area of the plot covered by this appeal for business use to residence use; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

432-37-A

APPLICANT—Scranton and Lehigh Coal Company, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner re Transportation of fuel oil in a tank truck in New York City (previously granted on condition for a term of ten years).
APPEARANCES—
For Applicant: John P. D. Hearn and Henry Michel.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (432-37-A)

WHEREAS, this appeal from an order of the fire commissioner, relative to the transportation of fuel oil in a tank truck in New York City, was granted by the Board on October 19, 1937, on certain conditions and for a term of ten (10) years; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 19, 1937, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a term not longer than two (2) years from the date of this *amended* resolution . . . that in all other respects, the provisions of the resolution of October 19, 1937 shall be complied with."

433-37-A

APPLICANT—Scranton and Lehigh Coal Company, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner re Transportation of fuel oil in a tank truck in New York City. (Previously granted on condition for term of ten years).
APPEARANCES—
For Applicant: John P. E. Hearn and Henry Michel.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (433-37-A)

WHEREAS, this appeal from an order of the fire commissioner, relative to the transportation of fuel oil in a tank truck in New York City, was granted by the Board on October 19, 1937, on certain conditions and for a term of ten (10) years; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 19, 1937, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* for a term not longer than two (2) years from the date of this *amended* resolution . . . that in all other respects, the provisions of the resolution of October 19, 1937 shall be complied with."

434-37-A

APPLICANT—Scranton and Lehigh Coal Company, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner re Transportation of Fuel Oil in a Tank Truck in New York City (previously granted on condition for a term of ten years).
APPEARANCES—
For Applicant: John E. P. Hearn and Henry Michel.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (434-37-A)

WHEREAS, this appeal from an order of the fire commissioner, relative to the transportation of fuel oil in a tank truck in New York City, was granted by the Board on October 19, 1937, on certain conditions and for a term of ten (10) years; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 19, 1937, only in so far as it has reference to the term of the permit, so that as *amended,* this portion of the resolution shall read:

"*Granted* for a term not longer than two (2) years from the date of this *amended* resolution . . . that in all other respects, the provisions of the resolution of October 19, 1937 shall be complied with."

575-41-A

APPLICANT—Twin-Joy Play School, lessee, for Charles Sacharske, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the borough superintendent, previously granted on condition for a term of two years.
PREMISES AFFECTED—63-28 Bourton street, south side, 220 ft. east of 63rd avenue, (Block 311, Lot 12), Rego Park, Borough of Queens.
APPEARANCES—
For Applicant: Berry B. Kollin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (575-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 63-28 Bourton street, south side, 220 ft. east of 63rd avenue (Block 311, Lot 12), Rego Park, Borough of Queens, was granted by the Board on July 22, 1941, on certain conditions; and

WHEREAS, the permit was extended on September 14, 1943, and the resolution was amended on October 10, 1944; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 22, 1941, as amended October 10, 1944, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent acting on Misc. Applic. 4014-41, Objection 1, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the proposed day nursery shall be restricted to the first floor; that the second floor shall be occupied by one family whose members are in charge of the operation of the day nursery: that the 3 existing exits from the first floor shall be maintained at all times; that the building shall not be increased in height or area and the lot shall not be reduced; that the cellar ceiling throughout shall be protected with plaster board; that the door from the first floor to the cellar shall be self-closing; that this variance is granted for a term of two (2) years from the date of this *amended* resolution; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that the occupancy shall be in accordance with and subject to the requirements of a permit issued by the Department of Health for not more than twenty (20) children; that a certificate of occupancy shall be obtained. (Misc. Applic. 4014-41)."

736-41-A

APPLICANT—E. C. Noble, Inc., lessee, for Robert Froehlich, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the borough superintendent, previously granted on condition for a term of one (1) year.

PREMISES AFFECTED—74-33 Queens boulevard, north side, 24.41 ft. west of 76th street (Block 1529, Lot 6), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Irving C. Noble.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (736-41-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 74-33 Queens boulevard, north side, 24.41 ft. west of 76th street (Block 1529, Lot 6), Elmhurst, Borough of Queens, was granted by the Board on October 28, 1941, on certain conditions; and

WHEREAS, on July 20, 1943 and September 12, 1944, the Board extended the time within which the building was to be removed; and

WHEREAS, they requested a further extension of the permit for the continuance of the building; and

WHEREAS, the applicant states that no further request for variance will be made, as they are negotiating with the owner of the premises for purchase and expect to buy the property and erect a building conforming with the law.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 28, 1941, only so far as it has reference to the term of the permit, so as amended this portion of the resolution shall read:

". . . that such building shall be entirely removed within one (1) year from the date of this *amended* resolution (N.B. 4367-41)."

359-44-A

APPLICANT—M. Allen Schlendorf, for J. L. F. Realty Corporation, owner. (Ment Bros., lessee.)

SUBJECT—Application for consideration—reopening and amendment of resolution as to plans—re Appeal from a decision of the borough superintendent, previously granted on condition.

PREMISES AFFECTED—54-68 North 11th street, south side, 100 ft. east of Kent avenue (Block 2295, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (359-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 54-68 North 11th street, south side, 100 ft. east of Kent avenue (Block 2295, Lot 9), Borough of Brooklyn, was granted by the Board on June 20, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 20, 1944, by adding thereto:

"Resolved further, that in the event the owner desires to rearrange the stairway from the 2nd floor portion to the street, as indicated on revised plans marked "Received September 19, 1945", three sheets, such relocation may be permitted, provided the requirements of the resolution adopted by the Board on June 20, 1944, are complied with in all other respects."

325-45-A

APPLICANT—Henry George Greene, for Thifort Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—4413 13th avenue, east side, 80 ft. north of 45th street (1st floor); (Block 5611, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

410-45-A

APPLICANT—L. E. Driver, for New York Dock Co., owner. (Atlantic Basin Iron Works, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Conover street, east side, 345 ft. south of Reid street, Pier 45, East River (Block 611, part of Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Eweler, C. E. Hicks and L. E. Driver.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

503-45-A

APPLICANT—Max Horn, for Marvey Realty Corp., owner (Belle Smith Brassiere Co., lessee).

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—638 Flatbush avenue, west side, 200 ft. south of Chester court (1st floor); (Block 5026, Lot 191), Borough of Brooklyn.

APPEARANCES—
For Applicant: Mrs. Max Horn.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

461-45-A

APPLICANT—Joseph Linde, for Frank Cantasano, Inc., owner.

SUBJECT—Application for consideration—reopening and and restoration to calendar—re Appeal from an order and a decision of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan.

APPEARANCES—
For Applicant: Joseph Linde.

ACTION OF BOARD—Appeal reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

561-45-A

APPLICANT—A. Gordon Lorimer, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: A. Gordon Lorimer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 9, 1945 at 2 P.M. at request of applicant.

306-37-BZ

APPLICANT—Shanley, Purcell and McKegney, for Estate of Mary E. O'Keefe and Mary E. Curry, et al, owners.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block 1021, Lots 57, 58 and 59), Borough of Manhattan.

APPEARANCES—
For Applicant: Osborne A. McKegney.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (306-37-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five motor vehicles, for a term of two years, affecting premises 238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block 1021, Lots 57, 58 and 59), Borough of Manhattan, was granted by the Board October 26, 1937, on certain conditions; and

WHEREAS, the permit was extended on October 10, 1939, October 21, 1941 and October 13, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 26, 1937, only so far as it has reference to the term of the permit, so that as *amended*, this portion of the resolution shall read:

"*Granted* under section 7h, to permit on Lots 57 and 59 the parking and storage of more than five motor vehicles for a term of two (2) years from the date of this *amended* resolution, and to permit the occupied rear portion of Lot 58 to be used in conjunction therewith for the same use, *on condition* . . . and that other than as herein *amended*, the conditions of the resolution of October 10, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

(Remaining minutes of the meeting of October 2, 1945 will be printed in the Bulletin of October 16, 1945.)

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Continuation of Minutes of the Meeting of October 2, 1945, Affecting Calendar Number 320-37-BZ, 986-40-BZ, 265-28-BZ, 51-30-BZ, 248-39-BZ, 1129-39-BZ, 1205-40-BZ and 138-43-BZ.

Minutes of Regular Meeting of Tuesday Morning, October 9, 1945, Affecting Calendar Numbers 293-45-BZ, 354-45-BZ, 309-45-BZ, 535-45-BZ, 624-39-BZ, 968-40-BZ, 585-42-BZ, 399-45-A and 531-45-A.

Minutes of Regular Meeting of Tuesday Afternoon, October 9, 1945, Affecting Calendar Number 212-45-A, 327-45-A, 427-45-A, 511-45-A, 142-45-A, 391-44-A, 533-45-A, 407-44-A, 416-45-A, 37-45-A, 328-45-A, 561-45-A, 582-45-A, 130-42-SM and 737-39-BZ.

(Remaining minutes of the meeting of October 9, 1945 will be printed in the Bulletin of October 23, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 9, 1945.

Cal. No. Dept. Premises Affected.

586-45-SA—DeMarkus CO_2 Liquifying Liquid Storage and Evaporating System, Appliance.

587-45-SM—Clinton Electrically Welded Fabric, manufactured by Wickwire Spencer Steel Co., Material.

588-45-BZ—H.B.Q.—21-06 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens, N.B. 876-45.

589-45-A—H.B.B.—Flushing avenue to Myrtle avenue, between Marcy and Nostrand avenues entire block (Blocks 1719 and 1738, Lots 1), Borough of Brooklyn (Marcy Houses), N.B. 36 to 62-45, inclusive.

590-45-A—H.B.M.—80-86 King street, south side, 150 ft. west of Varick street and 71-77 Charlton street (2nd floor); (Block 580, Lot 52), Borough of Manhattan, Amend. to Alt. 1539-45.

591-45-A—F.D.—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn, Decision.

592-45-A—F.D.—135 Plymouth street, northeast corner of Adams street (1st floor); (Block 18, Lot 1), Borough of Brooklyn; 15230-LF and Decision.

593-45-BZ—H.B.Q.—104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens, N.B. 892-45.

594-45-A—H.B.M.—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan, N.B. 213-45.

595-45-A—H.B.Q.—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (1st floor); (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens, Alt. 74-45.

596-45-BZ—H.B.Bx.—1161-1175 Castle Hill avenue and 2167 Powell avenue, northwest corner (Block 3811, Lot 41), Borough of The Bronx, Alt. 541-45.

597-45-A—F.D.—34-41 78th street, 34-21 78th street, 78-10 34th avenue, 34-20 79th street and 34-40 79th street, entire block 78th to 79th streets, between 34th and 35th avenues (Block 1265, Lots 1, 11 and 30), Jackson Heights, Borough of Queens, CMVO 37651 to CMVO 37655, inclusive.

598-45-A—H.B.M.—132-138 Mulberry street, east side, 84 ft. north of Hester street (6th floor); (Block 237, Lots 1, 2, 3 and 5), Borough of Manhattan, Decision re Violation 9294-44.

599-45-A—H.B.B.—675-679 (675-677 displayed) Rockaway avenue, east side, 225 ft. south of Dumont avenue (2nd floor); (Block 3576, Lot 15), Borough of Brooklyn, Alt. 3094-45.

600-45-A—H.B.Bx.—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx, Amend. to Alt. 589-44.

Restored to Calendar.

927-22-BZ—H.B.Bx.—913-915 Westchester avenue, north side, 93.47 ft. west of Rogers place (Block 2698, Lot 79), Borough of The Bronx, Amend. to Alt. 451-45.

547-32-BZ—H.B.M.—4519-4525 Broadway, southwest corner of Bennett avenue (Block 2180, Lot 652), Borough of Manhattan, Alt. 1222-45.

558-37-BZ—H.B.M.—62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24, 25, 26 and 27), Borough of Manhattan, Zoning Violation 63-37.

407-44-A—H.B.B.—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn, Alt. 3661-43.

416-45-A—H.B.Bx.—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx, Amend. to Alt. 155-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....Aug.	28, 1945—Vol. 30, No. 35
Fire-resistive, Flameproof Materials, etc., Rules for Testing of ....Feb.	20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc. ....Dec.	28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of ....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for ....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules ....Dec.	28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules ....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection ....June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules ....June	12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...Feb.	6, 1945—Vol. 30, No. 6
Oil Burner Rules ....Sept.	11. 1945—Vol. 30, No. 37
Opening Protective Assemblies, Rules for Inspection of ....June	12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules ....Aug.	28, 1945—Vol. 30, No. 35
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules ....Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply) .Mar.	13, 1945—Vol. 30, No. 11
Procedure, Rules of ....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C..Sept.	4, 1945—Vol. 30, No. 36
Smoking in Factories, Rules for...Oct.	2, 1945—Vol. 30, No. 40
Sprinkler Rules .... June	29, 1937—Vol. 22, No. 26

CALENDAR

	Last Publication in Bulletin
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc. .....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc. .....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

OCTOBER 16, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 16, 1945 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

150-45-BZ—Application, March 15, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry P. Nordheim, applicant, on behalf of Marion A. Mallon, owner (Edmund Fucci, lessee), to permit in a business use district, the change of occupancy from an existing garage to motor vehicle repair shop; premises 3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

475-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Colonial Beacon Oil Co., applicant, on behalf of Chichester Realty Co. and Margaret Skene, owners, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens.

481-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), applicants, on behalf of Morewood Realty Corp., owner (Saks & Co., lessee), to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations; premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan.

354-45-BZ—Application, June 5, 1945, under section 7c of the zoning resolution, of Louis C. Wills, applicant, on behalf of L. R. Realty Co., Inc., owner, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory; premises 341-347 Reid avenue, and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

535-45-BZ—Application, September 7, 1945, under sections 7b, 7c, 7e and 21 of the zoning resolution, of Paul Friedman, applicant, on behalf of Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners, to permit in a partly residence and partly business use district, the alteration and conversion of garage and auto repair shop to curtain cleaning plant; premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one-story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

550-45-BZ—Application, September 14, 1945, under section 7c of the zoning resolution, of Horace Ginsbern, applicant, on behalf of 248 West 18th Street Corp., owner, to permit partly in a residence and partly in a retail district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

241-33-BZ—Application, of Gale Realty Corp. and Charles M. Spindler, applicants, on behalf of North American Oil Corp., owner, reopened June 26, 1945, under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales; premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

530-45-BZ—Application, September 5, 1945, under sections 21 and 7e of the zoning resolution, of Ervin Palmer, applicant, on behalf of Jacob Ruppert, owner (Walter Schultz, lessee), to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; premises 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 16, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 16, 1945 at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

527-45-A—324-342 4th avenue, 25-55 East 24th street, northwest corner, 38-60 East 25th street and 19-25 Madison avenue (Block 854, Lots 1-41, inclusive), Borough of Manhattan.

553-45-A—29-10 Thomson avenue and south site of Skillman avenue, from 28th to 29th streets (Block 273, Lot 1), Long Island City, Borough of Queens.

482-45-A—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

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37-45-A—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Q eens.

582-45-A—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening of Richmond terrace).

574-45-A—4705-4727 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under section 35, General City Law re beds of mapped streets—48th and 49th streets).

412-44-A—76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn.

516-45-A—481 East Tremont avenue, north side, 90.83 ft. east of Washington avenue (Block 3043, Lot 38), Borough of The Bronx.

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

567-45-A—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Blocks 2321, Lots 1-4 incl., 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 incl.), Borough of The Bronx (Morrisania Houses).

568-45-A—30 West 48th street, south side, 411 ft. 6 in. west of 5th avenue (4th floor); (Block 1263, Lot 55), Borough of Manhattan.

576-45-A—108 West 74th street, south side, 80 ft. west of Columbus avenue (cellar); (Block 1145, Lot 37), Borough of Manhattan.

599-45-A—675-679 (675-677 displayed) Rockaway avenue, east side, 225 ft. south of Dumont avenue (2nd floor); (Block 3576, Lot 15), Borough of Brooklyn.

547-45-A—500 West 180th street and 2416 Amsterdam avenue, southwest corner (2nd and 3rd floors); (Block 2152, Lot 46), Borough of Manhattan.

585-45-A—44-60 Empire boulevard and 1039-1063 Franklin avenue, southeast corner (1st floor); (Block 1313, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 23, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

378-45-BZ—Application, June 19, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Sinclair Refining Co., owner (Litterin Service Station Co., lessee), to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station; premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

413-45-BZ—Application, June 23, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of Rabbi Samuel A. Rubin, owner, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution; premises 154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

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570-45-BZ—Application, September 26, 1945, under sections 7c and 7d of the zoning resolution, of New York Telephone Co., applicant and owner, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station; premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

551-45-A—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

578-45-A—Re transportation of gasoline and kerosene in a gasoline type tank truck (not in conformity with Fire Department's specifications governing tank trucks) in New York City.

407-44-A—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn (reopened October 9, 1945).

Materials for Approval.

356-43-SM—Battleship Liquid Asbestos Coating.

652-44-SM—Crest Setting Compound (Plumbing Fixture Setting Compound).

393-45-SM—Taguline (flameproofing compound).

499-45-SM—Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank.

543-45-SM—Astoria 275 Gallon Obround Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 23, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

1004-25-BZ—Application of Henry Jovis, applicant on behalf of 2929-2933 Third Avenue Co., owner, reopened and restored to calendar October 16, 1945—Application previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the change of occupancy of the 1st story of an existing apartment building from dwelling use to stores; premises 2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx,

Appeals from Administrative Decisions.

328-45-A—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bronx.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

513-45-A—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens.

620-45-A—346 West 89th street and 170 Riverside drive, northeast corner (Block 1250, Lot 61), Borough of Manhattan.

566-45-A—855 Meeker avenue, north side, 120 ft. west of Varick street (Block 2694, Lot 21), Borough of Brooklyn.

577-45-A—134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); (Block 3154, Lots 18-22), Borough of Brooklyn.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

604-45-A—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx.

510-45-A—36-40 37th street, west side, 349.5 ft. north of 37th avenue (Block 1216, Lot 43), Long Island City, Borough of Queens.

629-45-A—219-17 to 221-19 and 219-20 to 221-16 130th avenue, north side, 1087 ft. west of 226th street, south side, 170 ft. west of 220th street and 40 ft. west of 222nd street (Block 12825, part of Lot 480, Block 12899, part of Lot 250, Block 12898, part of Lot 196 and Block 12897, part of Lot 20), Springfield, Borough of Queens.

549-45-A—26 Thomas street, south side, 55 ft. east of Trinball place (Block 151, Lot 5), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

275-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Dora Rothenberg and Rose Strauss, owners (Thomas Brodlieb, lessee), to permit in a residence and business use district, the inclusion of minor repairs to existing gasoline service station, office, laundry and lubritorium; premises 125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning

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resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

555-45-BZ—Application, September 13, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of William E. Winkle, owner, to permit in a business use district and residence use district, the extension to an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station, to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

484-45-BZ—Application, August 3, 1945, under sections 7c and 21 of the zoning resolution, of Thomas E. Huser, applicant, on behalf of International Tailoring Co. of New York, owner, to permit in a business use, B area and Class 2 height district, the extension of an existing factory building, to exceed the area and height permitted by the zoning resolution; premises 101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan.

Appliances and Material for Approval.

151-44-SA—Jennings Sewage Ejector, Types A and B.

164-44-SA—O and S Powermaster Boiler and Oil Burner, Models AA, B, AC5 and AC6.

492-45-SM—Vitroliner Type "E" Flue Pipe.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning,* November 7, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

408-45-BZ—Application, June 29, 1945, under section 7i of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of DAF Holding Corp., owner (David Anhisiger, lessee), to permit in a business use district, the change of occupancy from auto laundry and brake testing station, to motor vehicle repair shop; premises 561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn.

528-45-BZ—Application, August 31, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Simon Ginsberg Estate, Inc., owner, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctor's offices; premises 1082 Park avenue, west side, 25.85 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan.

97-45-BZ—Application, February 26, 1945, under section 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Abe L. Malamut, owner, to permit in a residence use, G area district, the existing storm enclosure in the side yard; premises 108-22 66th road, south side, 100 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

548-45-BZ—Application, September 13, 1945, under sections 7(b) and 21 of the zoning resolution, of Stanley Lieberman, applicant, on behalf of Scandinavian Good Templars Temperance Mission of N. Y. C., owner, to permit partly in a residence use district, and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one-family to funeral chapel and one-family; premises 641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn.

265-28-BZ—Application of Herman Kron, applicant, on behalf of Ottilia Realty Corp., owner (Hamilton Buick, Inc., lessee), reopened October 2, 1945, under sections 7(e) and 7(i) of the zoning resolution, to permit in a business and residence use district, the extension (of use) of garage for more than five cars to garage for more than five cars, repair shop, sales of auto parts and auto showroom; premises 3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.

NOVEMBER 13, 1945, 10 A. M

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the

CALENDAR

zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

558-37-BZ—Application of Philip S. Garozzo, applicant, for Michael Garozzo (lessee), for Druiss Co., Inc., owner, reopened October 9, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

512-45-BZ—Application, August 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Victor A. Beard, owner, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

Materials for Approval.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air).

486-45-SM—Henry Spen 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of October 2, 1945.)

320-37-BZ

APPLICANT—Sidney L. Strauss, for Bronxville Realty Corporation, owner. (Liberty Lace and Netting Works, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under section 7a of the zoning resolution, permitting in a residence use district, the extension of an existing factory building.

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Building No. 2); (Block 4864, Lot 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (320-37-BZ)

WHEREAS, this application under section 7a of the zoning resolution, permitting in a residence use district, the extension of an existing factory building, affecting premises 901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Building No. 2); (Block 4864, part of Lot 35), Borough of The Bronx, was granted by the Board October 19, 1937 on certain conditions, time extended October 4, 1938, October 10, 1939, September 10, 1940, September 23, 1941 and September 29, 1942; and

WHEREAS, this application, under section 7c and 21 of the zone resolution, permitting in a residence use district, the extension of the existing factory building, affecting premises 916-924 East 229th street, south side 75 ft. east of Bronxwood avenue (Block 4864, Lots 58, 59, 60, 61 and 62), Borough of The Bronx, was granted by the Board on May 6, 1941, under certain conditions and time to complete extended September 23, 1941, September 29, 1942, September 28, 1943 and September 26, 1944; and

WHEREAS, the applicant requested a further extension of to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions adopted on October 19, 1937, as amended through September 26, 1944, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by applicant that all permits are now in force and that a portion of the building has not yet been constructed, that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

986-40-BZ

APPLICANT—Frank Felino, lessee, for Louis H. Pink, Superintendent of Insurance, State of New York, as Liquidator of Bond and Mortgage Guarantee Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, for a term of two years the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2201-2207 Surf avenue and 2962-2970 West 22nd street, northwest corner (Block 7057, Lot 35), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Frank Felino.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (986-40-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2201-2207 Surf avenue and 2962-2970 West 22nd street, northwest corner (Block 7057, Lot 35), Borough of Brooklyn, was granted by the Board April 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 9, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 15, 1941, as amended through November 9, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of April 15, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

265-28-BZ

APPLICANT—Herman Kron, for Ottilia Realty Corp., owner. (Hamilton Buick, Inc., lessee).
SUBJECT—Application for consideration—reopening and amendment of resolution as to additional use—re Application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting partly in a residence and partly in a business use district, the erection and maintenance of a garage for the storage of more than five motor vehicles.
PREMISES AFFECTED—3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

51-30-BZ

APPLICANT—T. H. Engelhardt, for Cord Meyer Development Company, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in business use, partly in a retail use and partly in a residence use district, the extension of an existing gasoline service station and also the erection and maintenance of a building to be used as a lubritorium and motor vehicle repair shop.
PREMISES AFFECTED—112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 79 and 73), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: T. H. Engelhardt.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

248-39-BZ

APPLICANT—Lester L. Gallan, for Nicholas J. Roth (lessee), for Janssen Dairy Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of permit—expired by limitation 6/27/44—re Application (decision of the borough superintendent) previously granted on condition, for a term of five years, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.
PREMISES AFFECTED—41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.
APPEARANCES—
For Applicant: Lester L. Gallan and Nicholas J. Roth.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

1129-39-BZ

APPLICANT—Benjamin H. Whitestone, for 900 Southern Boulevard Corp., owner.
SUBJECT—Application for consideration—reopening and extension of permit and amendment of resolution to include additional area for motor vehicle repairing—re Application (decision of the borough superintendent) previously granted on condition for a term of two years, permitting under section 7i of the zoning resolution, in a business use district the conversion of occupancy of part of an existing business building (stores) to a motor vehicle repair shop.
PREMISES AFFECTED—900-908 Southern boulevard and 908-912 Barretto street, northeast corner (Block 2735, Lot 1), Borough of The Bronx.
APPEARANCES—
For Applicant: Guy B. Topper.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

1205-40-BZ

APPLICANT—Jack Z. Cohen, for Geno Arditi, owner.
SUBJECT—Application for consideration—reopening and reconsideration of new decision for change of use—re Application (decision of the borough superin-

tendent), previously granted on condition, under section 7c of the zoning resolution, permitting partly in a residence use and partly in an unrestricted use district, the erection of an additional story on an existing garage.

PREMISES AFFECTED—421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

APPEARANCES—
For Applicant: Jack Z. Cohen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

138-43-BZ

APPLICANT—Lama and Proskauer, for Amijo Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in business use and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—92-12 60th avenue and 60-03 to 60-11 92nd street, southeast corner (Block 1876, Lot 7), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

Adjourned: 4:15 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY MORNING, OCTOBER 9, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING APPLICATIONS

293-45-BZ

APPLICANT—Lama & Proskauer, for Harry Pollack, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance.

PREMISES AFFECTED—739-747 Albany avenue and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: Irving Ehrlich, J. Tafusi, G. Million, B. Dworkin, L. D'Angela, E. Boria, L. Tafusi and A. Gorelick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M. for inspection by Committee of Board and decision without further argument.

354-45-BZ

APPLICANT—Louis C. Wills, for L. R. Realty Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory.

PREMISES AFFECTED—341-347 Reid avenue and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: Joseph Bottitta.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 10 A.M. at request of applicant.

309-45-BZ

APPLICANT—Stanley Kilburn, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f and 7i of the zoning resolution, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution.

PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

APPEARANCES—
For Applicant: Berg J. Jensen.
For Opposition: Fred Rothstein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M. at request of applicant.

535-45-BZ

APPLICANT—Paul Friedman, for Helena Morrissey and William J. Flanagan (Executors under Will of Matthew J. Morrissey, deceased), owners.

SUBJECT—Application (decision of the borough superintendent) under section 7b, 7c, 7e and 21 of the zoning resolution, to permit partly in a residence and partly in a business use district, the alteration and conversion of garage and auto repair shop to a laundry for cleaning curtains.

PREMISES AFFECTED—403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

APPEARANCES—
For Applicant: Paul Friedman.
For Opposition: Michael May.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 10 A.M. for inspection by Committee of Board and decision without further argument.

MINUTES

624-39-BZ

APPLICANT—Lama and Proskauer, for John J. Smith, owner.

SUBJECT—Application reopened April 17, 1945—Application (decision of the borough superintendent) under sections 7f, 7i and 21 of the zoning resolution, to permit in a business use, D area district, the erection and maintnance of a garage and motor vehicle repair shop, the building occupying in excess of the area permitted in a D area district.

PREMISES AFFECTED—177-08 to 177-12 Union Turnpike, south side, 345 ft. east of Utopia Parkway (Block 7227, Lot 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: J. Arnold Himber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

968-40-BZ

APPLICANT—Solomon Jochinowitz, for Irving Brown Realty Corp., owner.

SUBJECT—Application reopened September 11, 1945 for consideration as to extension of permit (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use distrct, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens.

APPEARANCES—

For Application: Solomon Jochinowitz.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (968-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 168-33 Jamaica avenue, north side, 111.50 ft. west of 169th street (Block 9799, Lots 7 and 42), Jamaica, Borough of Queens, was granted by the Board on January 14, 1941, on certain conditions; and

WHEREAS, the permit was extended on February 16, 1943 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on September 11, 1945, restored to the calendar and set for hearing on October 2, 1945; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its reguar meeting October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the premises are now owned by the Brown Company, 435 Fulton street, Brooklyn, New York.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 14, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises as indicated on plot plan marked "Received December 11, 1940" to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended*, the provisions of the resolution of January 14, 1941 shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 4185-45)."

585-42-BZ

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application reopened February 6, 1945—Application (decision of the borough superintedent) under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium (previously withdrawn).

PREMISES AFFECTED—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposion: None.

For Administration: Fred. Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (585-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, to permit in a business use district, the extension in area of an existing gasoline service station and also the erection and maintenance of a building to be used as a laundry and lubritorium, affecting premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond, was withdrawn on November 16, 1943, after argument; and

WHEREAS, the applicant requested a reopening of the application and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on February 6, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 9, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hylan boulevard and Nelson avenue are in a business use, D area and Class 1 height district and Tarlee place is in a residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 11, 1945 on N. B. Applic. 555-42 reads:

"The proposed gasoline service station together with a lubritorium and car washing service with extension of area is not permitted in a business zone.
(Zone Res. Art. II—Sec. 4-a-46)"

and

WHEREAS, the applicant states that the premises consist of a plot, 113.83 ft. frontage by 105.66 ft. in depth, on which is located a one story frame office, 16 ft. by 20 ft. in area, a one story frame shed, 16 ft. by 16 ft., a grease pit, a lift and four pumps and that it is proposed to reconstruct this gasoline service station, by extending it to the northeast, an additional 9.88 ft. on Hylan boulevard, to remove the frame building and erect a new building, 43 ft. 8 in. by 26 ft. 8 in. for office and lubritorium and to relocate the pumps; and

WHEREAS, the applicant contends that the facilities which now exist at the site are inadequate to carry on the business and operate properly; that the old frame buildings have become obsolete, and the outside lubricating pits are detrimental to both the appearance of the site and the neighborhood; that the old street grades are hazardous and would require a resetting of the buildings to adjust the level to suit the requirements of the surrounding street grades which have been lowered since the original construction of this station; that it is proposed to remove the old buildings, outside lift, and pits entirely properly regrade the entire site and erect a new modern masonry and stucco service station building, as indicated on the plans filed with the application; that a new office, toilets and proper heating facilities will be provided; that all lubrication work, car washing, etc. will be done inside the building; that it is also proposed to extend the area of the service station so as to include the entire premises as shown on deed to the property, a copy of which deed has been filed with this application; that the proposed extension would include a triangular shaped area at the northerly end of the legal gasoline service station, having a frontage of 5.66 ft. on Nelson avenue and a depth of 123.04 ft.; that the proposed extension will also include an irregular shaped area at the easterly side of the legal gasoline service station, having a frontage of 9.8 ft. on Hylan boulevard, 100 ft. along the easterly lot line and 20.04 ft. along the northerly lot line; that a variance from the Borough Superintendent's ruling is requested under Section 7c of the zoning resolution, to permit the proposed building in a business district; that this redevelopment is necessary to relieve the owner of a hazardous condition and hardship in operation of his business; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the lawfully existing gasoline service station to be extended as proposed and to be re-arranged substantially as indicated on plans filed with this application marked "Received May 27, 1943," sheets a, b, c and d, and sheet No. 6 marked "Received November 1, 1943" *on condition* that all existing buildings and structures shall be entirely removed from the premises and the plot shall be re-arranged substantially as proposed, except that the accessory building shall be of Georgian design, constructed of face brick with a pitched roof surfaced with natural slate; that the entire plot, where not covered by the accessory building, pumps and planting, shall be paved with cement or asphalt; that the gasoline pumps shall be erected not nearer than ten (10) feet to the existing street building line; that the base of such pumps shall be of brick of the parkway type and conforming in design with the accessory building; that the accessory building shall be arranged as proposed with office and lubritorium; that the greasing rack shall be of the hydraulic type; that the heater room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that signs shall be restricted to the portable globes of the gasoline tanks and to a permanent sign attached to the facade of the accessory building and to one post standard within the building line at the intersection, for supporting a sign advertising only the brand of gasoline on sale and permitting such sign to be illuminated and to extend beyond the building line for a distance of not more than four (4) feet; that planting areas suitably landscaped shall be maintained as indicated on plan No. 6; that such planting areas shall be protected with a concrete curb not less than 12 in. in height and not less than 6 in. in width, on a suitable foundation; that along the westerly and easterly interior lot lines, there shall be installed a fence as proposed and as indicated on drawing No. 6, which shall be erected on a concrete base; that such fence may be of wood, provided the wood fencing is kept properly painted and is not less than four (4) feet in height above the 12 in. concrete base; that curb cuts shall be restricted to the two existing curb cuts on Hylan boulevard, not over 48 ft. in width and one curb cut on Nelson avenue, not over 25 ft. in width; that the curbing shall be restored where not herein permitted for curb cuts and a new cement sidewalk shall be constructed on both street frontages of the premises; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no additional uses shall be maintained on the premises other than the main use as a gasoline service station and accessory use of washing and greasing of motor vehicles and the sale of motor vehicle accessories; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 53-45-A; that in the event the portion of the premises along Nelson avenue permitted to be maintained as a part of the gasoline service station under Cal. 53-45-A, is taken by the City for street widening of Nelson avenue, all pumps, light poles, air meter, sign posts and any other equipment shall be removed and replaced within the reduced plot, no gasoline pumps to be nearer than 10 ft. of the proposed building line and the existing curb cut to Hylan boulevard shall be reduced in width, so that no portion of the curb cut shall be nearer than 5 ft. from the new building line of Nelson avenue as extended; that there shall be erected at the intersection, a block of concrete not less than 5 ft. along either street building line, segmental in shape, and upon the widening of Nelson avenue, a similar block of concrete shall be constructed at the new intersection; that complete working drawings shall be submitted for the approval of the Board before same are filed with the borough superintendent and such plans shall be filed within two months; that after approval of plans, all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

399-45-A

APPLICANT—Stanley Kilburn, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—Corporal Kennedy street (Stewart avenue).
APPEARANCES—
For Applicant: Berg J. Jensen.
For Opposition: Fred Rothstein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 23, 1945 at 10 A.M., at request of applicant.

531-45-A

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond (Under section 35, General City Law re bed of mapped street—Nelson avenue).
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (531-45-A)

WHEREAS, Lama and Proskauer, for Socony-Vacuum Oil Company, Inc., owner, filed August 15, 1945 an appeal from a decision of the borough superintendent, affecting premises 4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block 5158, Lot 37), Great Kills, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated July 30, 1945, on N.B. Applic. 555-42, reads:

"2. The proposed gasoline service station, together with a lubritorium and car washing service is not permitted, as it will encroach into the bed of a mapped street. (General City Law—Section 35)."

and

WHEREAS, the applicant states that the proposed building will be 1 story (15 ft.) in height, 43 ft. 8 in. by 26 ft. 8 in. in area, of class one construction, located in a business use, D area and Class 1 height district and to be used and occupied as a gasoline service station, office and lubritorium, as indicated on application filed with the Board under Cal. 585-42-BZ; and

WHEREAS, the applicant contends that the premises are improved with a gasoline service station which consists of old frame buildings; that it is intended to remove the frame buildings and reconstruct a new building 50 ft. from the present building line of Nelson avenue and 45 ft. from the building line of Hylan boulevard; that the pumps facing Nelson avenue will be located 10 ft. from the present building line which will place them in the bed of a mapped street; that sufficient space remains between the location of the proposed new building and the proposed building line, to permit relocation of the pumps 10 ft. from the proposed building line, in the event of the widening of Nelson avenue.

Resolved, that the decision of the borough superintendent on N.B. Applic. 555-42, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, to permit this portion of the premises to be continued as part of the gasoline service station, pending the proposed widening of Nelson avenue for a depth of approximately 15 ft., as shown on plans filed with this appeal marked "Received August 15, 1945," *on condition* that in the event this portion of the premises is taken by the City for the widening of Nelson avenue, no claim will be made other than for the fair value of the land so taken: that the requirements of the resolution adopted by the Board under Cal. 585-42-BZ shall be complied with.

Adjourned: 11:35 A.M.

JOSEPH J. DOYLE,
Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 9, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

212-45-A

APPLICANT—Herman Kron, for Long Acre Properties, Inc,. owner (Lewis J. Hoffman, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (212-45-A)

WHEREAS, Herman Kron, for Long Acre Properties, Inc., owner, filed on April 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 441-443 West 40th street, north side, 75 ft. west of Dyer avenue and 440-444 West 41st street (1st floor); (Block 1050, Lots 12, 13, 53, 153 and 54), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 17, 1945, on amendment to N.B. Applic. 83-45, reads:

"6. Under Article V, Section 21-A of the zoning resolution, the entrance to or exit from a garage is not permitted if it is situated on either side of any portion of a street between two intersecting streets on which portion there exists an exit or entrance to a public library or school."

and

WHEREAS, the applicant states that the building will be 1 story (17 ft.) in height; 50 ft. by 197 ft. 6 in. in area; of Class 3 construction; located in an unrestricted and retail use district and occupied—shipping, storage and garage for more than 5 cars, 10 persons; and

WHEREAS, the applicant contends that the building will run through from West 40th street to West 41st street; that it is proposed to use the 40th street side as a garage for more han 5 motor vehicles and the 41st street side as a shipping and storage space; that the premises on 40th street is located on the north side, 75 ft. west of Dyer avenue; that there is a church with parochial school on the south side of 40th street between Dyer avenue and 9th avenue, which in the applicant's opinion does not conflict with Section 21-A in the Building Zone Resolution; that the zoning resolution has no definition of the word "street" and it is conceded that Dyer avenue was acquired and improved by the Port Authority as an approach to the Lincoln Tunnel and will never be closed as long as the Lincoln Tunnel is in existence; that Dyer avenue is used as a public highway by motorists and the public and should be considered as a public street whether the city has title to it or not; it is therefore requested that the Board reverse the decision of the borough superintendent and permit the use of the proposed building as a garage; and

WHEREAS, this appeal was filed solely to determine as a matter of law, whether the decision of the borough superintendent appealed from is correct; and

WHEREAS, the Board found that Dyer avenue is a private approach to the Lincoln Tunnel and is not a street within the meaning of Section 21A of the zoning resolution and that the decision of the borough superintendent is correct; and

WHEREAS, under the provisions of section 7, subdivision g, the applicant has the remedy of applying for a zoning variance under the procedure prescribed by the rules of the Board.

Resolved, that the decision of the borough superintendent, dated July 17, 1945, on amendment to N.B. Applic. 83-45, objection 6, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

327-45-A

APPLICANT—M. Martin Elkind, for Budget Holding Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.

MINUTES

PREMISES AFFECTED—41-03 Broadway and 31-89 41st street, northeast corner (1st floor); (Block 679, Lot 7), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: M. Martin Elkind.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (327-45-A)

WHEREAS, M. Martin Elkind, for Budget Holding Corporation, owner, filed May 29, 1945, an appeal from a decision of the borough superintendent, affecting premises 41-03 Broadway and 31-89 41st street, northeast corner (1st floor); (Block 679, Lot 7), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated May 22, 1945, on amendment to Alt. Applic. 1476-44, reads:

"1. The installation of stationary iron bars on all 1st floor windows in a two story factory is contrary to Sec. 272 (3) of the Labor Law (not further considered)."

and

WHEREAS, the applicant states that the building is 2 stories (41 ft.) in height, 55 ft. by 96 ft. in area, of class 3 construction, erected in 1922, located in a business use, B area and Class 1½ height district and used and occupied since 1945 as follows: cellar—storage—no persons; 1st floor—stock room, factory and office—50 persons; 2nd floor—manufacturing clothing—100 persons; mezzanine—women's rest room—50 persons, pursuant to variance granted by the Board under Cal. 725-44-A; that there are two interior iron stairs, one 3 ft. 8 in. wide and the other 5 ft. 6 in. in width; that the rear stairway is enclosed in 4 in. terra cotta and the front stairway is enclosed in part terra cotta and part in studs, with metal lath and plaster, equipped with fireproof, self-closing doors and leading directly to the street; that a ladder and scuttle to roof is provided; and

WHEREAS, Violation 172-45 was issued January 17, 1945, for installing stationary metal on windows on the 1st story in violation of Section 272, par. 3, of the Labor Law; and

WHEREAS, the applicant states that all openable windows on the first floor are affected; that the bars in question were placed on the outside of all first-floor window frames and have been set into the brick at jambs of openings; and

WHEREAS, the applicant contends that the lessee had these bars installed in compliance with the requirements of his burglary insurance company; that valuable stocks of cloth are kept on the premises and a foolproof protection is required; that the lessee had this work done in ignorance of the regulations; that in view of the ready means of egress through the doorways, it would be a hardship on the lessee to remove the bars from the seventeen windows affected and to install other protective means; and

WHEREAS, the applicant states that the bars in question were not installed at the time of the Board's action under Cal. 725-44-A.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Labor, as cited in a decision of the borough superintendent, acting on amendment to Alt. Applic. 1476-44, objection 1, and that the appeal be and it hereby is *granted on condition* that no bars shall be placed on exterior windows other than those indicated on plans filed with this appeal, as to the first floor, marked "Received May 29, 1945" and that the exits from the first floor area, as shown on such plans, shall be maintained, including the three openings from the cutting room, where manufacturing is carried on to the hallway, from which three means of exit are available; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 725-44-A.

427-45-A

APPLICANT—Abraham Farber, for Nedma Corporation, owner (Louis Chazanov, lessee).
SUBJECT—Appeal reopened and restored to calendar on September 18, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).
PREMISES AFFECTED—125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn.
APPEARANCES—
For Applicant: Abraham Farber.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (427-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 125-127 Sutter avenue, north side, 100 ft. east of Legion (Barrett) street and 107 Legion street (2nd floor); (Block 3514, Lot 72), Borough of Brooklyn, was withdrawn on July 24, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on September 18, 1945, and restored to the calendar; and

WHEREAS, the decision of the borough superintendent, dated August 21, 1945, on Alt. Applic. 1426-45, reads:

"2. Building was erected under permit N.B. 1620—1921. For proposed conversion to factory use, provide two fireproof stairs, comply in all respects with Section 270 of the Labor Law.

"4. Second floor construction to comply with Section 7.3.2.3 as to required live load capacity of 120#."

and

WHEEREAS, the applicant states the building is two stories (25 ft.) in height, 50 ft. by 92 ft. 1 in., irregular in area at 1st floor, 50 ft. by 50 ft. in area at second floor; Class 3 construction; erected in 1921; located in a business use, C area and Class 1½ height district: used and occupied since February 1945, as follows: Cellar, ordinary and storage; 1st floor, store and public markets; 2nd floor, pool parlor, 50 persons; proposed to be used and occupied; Cellar, same; 1st floor, same; 2nd floor, manufacturing leather tobacco pouches, 16 persons; that the building is equipped with one 4 ft. wide wood stairs, enclosed in fire-retarded material, equipped with wood, self-closing doors and extending from the roof bulkhead, directly to the street; and

WHEREAS, Violation 1507-45 was issued for changing the occupancy of the 2nd floor from billiard parlor to factory, without obtaining a certificate of occupancy; and

WHEREAS, Certificate of Occupancy 72263 was issued November 2, 1933 on Alt. Applic. 1083-33 and permits the use of the first floor for store and public market and 2nd floor for pool and billiard parlor, but does not state the number of occupants permitted or the liveloads; and

WHEREAS, the applicant contends that there is a 4 ft. wide wood stair with fire-retarded enclosure leading directly to the street and another wood stair leading to the roof, where on the west, the roofs of adjoining buildings are on the same level; that the windows in the rear wall of the second floor open to the roof of the one-story extension, which leads directly to Legion street and is about 13 feet above the sidewalk; and

WHEREAS, the applicant contends specifically as to ob-

jection 2, that for all practical purposes the 2nd floor is equipped with two means of egress; that in view of the small number of persons who occupy the second floor and as the second floor is less than 2,500 sq. ft. in area, it would require a major alteration to comply fully with requirements of Section 270 of the Labor Law; that public safety and justice would be served by maintaining the present exit conditions, which seem sufficient and practical under these circumstances; that particularly, as the Building Code accepts one exit where the area of the 2nd floor is under 4,000 sq. ft. for an occupancy of 50 persons; and

WHEREAS, the applicant now contends that an amended plan was filed with the borough superintendent, showing the proposed secondary means of egress, consisting of an approved counterbalanced steel stairway on the street front wall (Sutter avenue) and the objection dated August 21, 1945, was issued; and

WHEREAS, the applicant contends as to objection 4, that the present floor liveload capacity is 100 lbs. p.s.f.; that considering that the proposed manufacturing is done on a few light sewing machines and some sorting tables, it would be a great hardship to have the floor reinforced; that the liveload will never exceed 75 lbs. p.s.f. and it is requested the Board accept the present 100 lb. liveload, so long as this type of manufacturing is maintained.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough uperintendent, acting on Alt. Applic. 1426-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 2, *on condition* that the primary means of exit shall be maintained, leading directly to Sutter avenue as proposed and as shown on revised plans marked "Received September 10, 1945"; and that in addition, a second means of exit, consisting of a labor law fire escape, with counterbalanced stair to the street, shall be constructed and maintained *on condition* that the number of persons occupying the second floor at work for factory shall at no time exceed the number permitted by the primary means of exit and never more than 16 persons; that the enclosure around the primary means of exit shall meet the test for one hour construction, with one hour fireproof, self-closing doors therein, opening in the direction of exit; that the door leading from the 2nd floor to such primary means of exit shall be not less than 3 ft. 8 in. in width; as to Objection 4, that the floor construction shall be not less than 100 lbs. per sq. ft., but at no time shall the loading exceed such capacity and that the floor load shall be posted; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable therto.

511-45-A

APPLICANT—Herman Horowitz, for 167th Street Terminal Co., Inc., owner (Inter City Transportation Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—550 West 167th street, south side, from Audubon avenue to St. Nicholas avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Horowitz, Joseph Feldman and Joseph Krueger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (511-45-A)

WHEREAS, Herman Horowitz, for 167th Street Terminal Co., Inc., owner (Inter City Transportation Co., Inc., lessee), filed August 17, 1945, an appeal from a decision of the borough superintendent, affecting premises 550 West 167th street, south side, from Audubon to St. Nicholas avenues, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 18, 1945, reads:

> "Referring to your application of May 17, 1945, for certificate of occupancy for the subject premises, please be advised that your application has been considered, also your statement attached.
>
> "We find, however, that the records of this department do not bear out the contention made in your statement, but, on the contrary seem clearly to indicate that the lot in question was not legally used as a parking lot prior to 1935.
>
> "Your application is therefore denied."

and

WHEREAS, the applicant states that the premises are located in a business use, B area and Class 1½ height district, used an occupied since 1932 as bus station, ticket office, waiting room and parking of more than five motor vehicles; and

WHEREAS, the applicant contends that application was filed with the borough superintendent, to correct the permanent certificate of occupancy to show the following lawful uses: bus station, waiting room, ticket office, parking of more than five motor vehicles; and

WHEREAS, the applicant further contends that the premises have been used as a bus station and for the laying over (parking) of more than five motor vehicles since 1932; that the ticket office and waiting room were built in 1933; that the laying over has consisted of keeping buses on the premises for several hours during the day between their morning and afternoon runs; that vehicles have never been kept on the premises overnight; they have always been and still are garaged in Maywood, New Jersey; that in 1932, there were no improvements on the premises; that it was not the practice then to apply for certificates of occupancy for vacant lots; that at that time, bus station and parking were permitted uses in a business district; that in 1933, a violation was issued against the premises for "occupyng lot for parking and storage of buses without a certificate of occupancy"; that vehicles have never been stored on the premises; that the then Commissioner of Buildings did not recognize the difference between "parking" and "storage"; that this misunderstanding by the Commissioner was the underlying cause of the erroneous certificate here sought to be corrected; that from the time the violation was issued in 1933, it was made clear to the Commissioner of Buildings that it was sought to use the premises for a bus station, ticket office, waiting room, and for the laying over or parking of buses; that such uses were then lawful and a certificate of occupancy should have been issued and no doubt would have been issued if the office of the Commissioner of Buildings had properly understood the matters involved; that in May, 1935, after another violation had been issued against the premises, the Commissioner of Buildings advised that the violation could be removed by filing and obtaining approval "for use of premises as a bus terminal, ticket office and waiting room"; that such application was filed and subsequently approved; that thereafter the words "bus terminal" were erased from the City's copy of the application and a new certificate of occupancy was issued, without the words "bus terminal"; that though bus station and parking use was continuous thereafter, a few years went by before the city again questioned the use of the premises for parking more than five cars; that in 1938, the borough superintendent issued a subpoena and advised it would be necessary to apply to the Board for permission to park more than five cars; that this advice was followed and such application was subsequently renewed on several occasions; that buses completing their morning runs, stay on the premises after discharging their passengers until they depart with the evening rush; that if parking were not permitted, the buses would have to leave the premises in the morning, go elsewhere to be parked and return in

afternoon; that this is not a case where the owner or occupant failed to apply for a certificate of occupancy or failed to apply for a certificate of occupancy at a time when the uses in question were legal, or tried to deceive municipal officials; that timely application was made, but due to misunderstanding an incorrect certificate of occupancy was issued; that subsequent action was similarly based on the incorrect advice of city officials; and

WHEREAS, the use as proposed, for parking of buses, is now permitted by a variance granted by the Board, under Calendar No. 1179-38-BZ, expiring May 29, 1947.

Resolved, that the decision of the borough superintendent, dated July 18, 1945, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

142-45-A

APPLICANT—Mayer and Whittlesey, for Rudolph Kahn, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—2766-2770 3rd avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx.

APPEARANCES—

For Applicant: M. Milton Glass.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (142-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 2766-2770 3rd avenue, northeast corner of East 146th street (2nd floor); (Block 2307, Lot 34), Borough of The Bronx, was granted by the Board on March 20, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 20, 1945, by adding thereto:

"that the space herein proposed to be occupied on the second floor for factory purposes, may be permitted in addition to the space occupied on the first floor for same, complying with all requirements therefor, as indicated on plans marked 'Received September 27, 1945'; that this amendment modifies the decision of the borough supeprintendent on Alt. Applic. 116-45, Objection 2, dated September 19, 1945."

391-44-A

APPLICANT—Earl D. Roberts, for Sixty Wall Tower, Inc., owner.

SUBJECT—Appeal reopened and restored to calendar September 18, 1945—re Appeal from an order of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—56 Wall street, north side, 194 ft. 7 in. east of William street and 59-61 Pine street (Block 40, Lot 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Earl D. Roberts.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

533-45-A

APPLICANT—Ferdinand Savignano, for Dr. Charles S. Hahn, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—951-953 East 23rd street, (951 displayed), east side, 340 ft. north of Avenue J (Block 7587, Lot 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter L. Siciliano.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

407-44-A

APPLICANT—Regal Chemical Corporation, lessee, for 115 Dobbin Street Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of The Bronx.

APPEARANCES—

For Applicant: A. Norman Clarke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

416-45-A

APPLICANT—J. M. Berlinger, for Harlem Savings Bank, owner.

SUBJECT—Application for consideration—reopening and consideration of new proposal re new decision—re Appeal from a decision of the borough superintendent (previously denied).

PREMISES AFFECTED—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx.

APPEARANCES—

For Applicant: J. M. Berlinger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

37-45-A

APPLICANT—William Shary, for Wedgewood Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintedent.

PREMISES AFFECTED—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

MINUTES

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 2 P.M. for an inspection by a committee of the Board.

328-45-A

APPLICANT—Henry Nordheim, for Aldo Pasquini, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Aldo Pasquini and Edward Ratti.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 23, 1945 at 2 P.M. for further consideration.

561-45-A

APPLICANT—A. Gordon Lorimer, for Dept. of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—34-28 21st street, west side, from 34th to 35th avenues, Long Island City, (Block 525, Lot 16), Borough of Queens.

APPEARANCES—

For Applicant: Abraham Prober and Henry Johnson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 2 P.M., for an inspection by a committee of the Board.

582-45-A

APPLICANT—J. J. McNamara, for Overton Operating Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. J. Tracey, A. F. Bell and Leonard Lobenfeld.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 16, 1945 at 2 P.M. for an inspection by a committee of the Board.

MATERIAL SUBMITTED FOR APPROVAL

130-42-SM

APPLICANT—Fred C. Fowler, for Munn and Steele Incorporated, owner.

SUBJECT—Masco Fireproof Specification Plaster, approval of.

APPEARANCES—

For Applicant: Fred C. Fowler.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

ZONING APPLICATIONS.

737-39-BZ

APPLICANT—Hein-Nolan Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block 2718, Lot 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank G. Nolan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (737-39-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block 2718, Lot 14), Borough of Brooklyn, was granted by the Board November 8, 1939, on certain conditions; and

WHEREAS, the permit was extended on March 10, 1942 and October 5, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 8, 1939, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h, to permit that portion of the premises at the corner of Bayard street and Manhattan avenue as indicated on revised plans marked 'Received November 8, 1939,' to be occupied for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this *amended* resolution . . . that other than as herein *amended*, the provisions of the resolution of November 8, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

(Remaining minutes of the meeting of October 9, 1945 will be printed in the Bulletin of October 23, 1945.)

NOTICE

ELECTRICAL CODE ON SALE

Copies of the Electrical Code of the City of New York, Pocket Edition—344 pages, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan, N. Y. 7. Price 75 cents; by mail 85 cents.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of October 16, 1945 will be printed in the Bulletin of October 30, 1945.)

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 16, 1945

Cal. No. *Dept.* *Premises Affected*

601-45-A—F.D.—1514-1530 Broadway, east side, from West 44th to West 45th streets and 155-169 West 45th street (basement and sub-basement); (Block 997, Lots 1, 6, 9, 54 and 57), Borough of Manhattan, 35387-LF and Decision.

602-45-BZ—H.B.Q.—1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens, Alt. 1495-45.

603-45-BZ—Marine and Aviation—1764-1760 Circumferential (Belt) parkway, northwest corner of Bay 37th street (Block 6942, Lot 17), Borough of Brooklyn, Decision.

604-45-A—H.B.Bx—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx, B.N. 467-45.

605-45-A—H.B.Bx—2418 Belmont avenue, east side, 95 ft. south of East 188th street (2nd floor); (Block 3075, Lot 8), Borough of The Bronx, Amendment to Alt. 531-45.

606-45-A—F.D.—1½-9 West 34th street, north side, 150 ft. west of 5th avenue and 4-22 West 35th street (Block 836, Lots 26 and 54), Borough of Manhattan, 35499-LF.

607-45-A—H.B.M.—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan, Amendment to E.S. Applic. 232-45.

608-45-A—H.B.Q.—40-16 31st avenue, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens, Alt. 964-45.

609-45-A—H.B.Q.—21-06 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens, B.N. 876-45.

610-45-BZ—H.B.M.—1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan, E.S. Applic. 227-45.

611-45-A—H.B.Q.—13-96 Beach 28th street, south side, 121.4 ft. east of Mott avenue (Block 175, Lots 18 and 19), Far Rockaway, Borough of Queens, Alt. 1571-45.

612-45-BZ—H.B.Q.—94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens, N.B. 352-45.

613-45-A—H.B.Q.—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens, Alt. 1699-45.

614-45-A—H.B.Bx—2707 Bailey avenue, west side, 336.07 ft. south of Kingsbridge road (1st floor); (Block 3238, Lot 102), Borough of The Bronx, Amendment to Alt. 167-45.

615-45-SM—Port Obround 275 gallon Fuel Oil Tank, manufactured by Port Marine Contracting Co., Material.

616-45-BZ—H.B.M.—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan, Amendment to Alt. 1529-45.

617-45-A—H.B.M.—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan, Amendment to Alt. 1529-45.

Restored to Calendar

307-45-A—H.B.B.—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn, B.N. 14277-36.

81-45-A—H.B.B.—465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (ground and 2nd floor); (Block 2008, Lot 9), Borough of Brooklyn, Alt. 1468-44.

137-45-A—F.D.—51-55 Nassau avenue and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn, 431-LC.

226-45-A—H.B.Bx—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx, Amendment to Alt. 594-44.

389-42-BZ—H.B.Q.—82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens, Misc. 2144-42.

1004-25-BZ—H.B.Bx—2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx, E.S. Applic. 31-45.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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OCTOBER 23, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 23, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications

108-45-BZ—Application, March 5, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Building Management Corp., owner, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution; premises 94-02 to 94-18 Horace Harding boulevard, north side, 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

378-45-BZ—Application, June 19, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Sinclair Refining Co., owner (Litterin Service Station Co., lessee), to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station; premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

413-45-BZ—Application, June 23, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of Rabbi Samuel A. Rubin, owner, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution; premises 154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

570-45-BZ—Application, September 26, 1945, under sections 7c and 7d of the zoning resolution, of New York Telephone Co., applicant and owner, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station; premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21),

CALENDAR

Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

551-45-A—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

578-45-A—Re transportation of gasoline and kerosene in a gasoline type tank truck (not in conformity with Fire Department's specifications governing tank trucks) in New York City.

407-44-A—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn (reopened October 9, 1945).

Materials for Approval.

356-43-SM—Battleship Liquid Asbestos Coating.

652-44-SM—Crest Setting Compound (Plumbing Fixture Setting Compound).

393-45-SM—Taguline (flameproofing compound).

499-45-SM—Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank.

543-45-SM—Astoria 275 Gallon Obround Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 23, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 23, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application.

1004-25-BZ—Application of Henry Jovis, applicant on behalf of 2929-2933 Third Avenue Co., owner, reopened and restored to calendar October 16, 1945—Application previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the change of occupancy of the 1st story of an existing apartment building from dwelling use to stores; premises 2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx,

Appeals from Administrative Decisions.

567-45-A—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Blocks 2321, Lots 1-4 incl., 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 incl.), Borough of The Bronx (Morrisania Houses).

328-45-A—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bronx.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

513-45-A—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens.

620-45-A—346 West 89th street and 170 Riverside drive, northeast corner (Block 1250, Lot 61), Borough of Manhattan.

566-45-A—855 Meeker avenue, north side, 120 ft. west of Varick street (Block 2694, Lot 21), Borough of Brooklyn.

577-45-A—134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); (Block 3154, Lots 18-22), Borough of Brooklyn.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

604-45-A—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx.

510-45-A—36-40 37th street, west side, 349.5 ft. north of 37th avenue (Block 1216, Lot 43), Long Island City, Borough of Queens.

629-45-A—219-17 to 221-19 and 219-20 to 221-16 130th avenue, north side, 1087 ft. west of 226th street, south side, 170 ft. west of 220th street and 40 ft. west of 222nd street (Block 12825, part of Lot 480, Block 12899, part of Lot 250, Block 12898, part of Lot 196 and Block 12897, part of Lot 20), Springfield, Borough of Queens.

549-45-A—26 Thomas street, south side, 55 ft. east of Trinball place (Block 151, Lot 5), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

275-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Dora Rothenberg and Rose Strauss, owners (Thomas Brodlieb, lessee), to permit in a residence and business use district, the inclusion of minor repairs to existing gasoline service station, office, laundry and lubritorium; premises 125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner

CALENDAR

(Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

555-45-BZ—Application, September 13, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of William E. Winkle, owner, to permit in a business use district and residence use district, the extension to an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station, to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

484-45-BZ—Application, August 3, 1945, under sections 7c and 21 of the zoning resolution, of Thomas E. Huser, applicant, on behalf of International Tailoring Co. of New York, owner, to permit in a business use, B area and Class 2 height district, the extension of an existing factory building, to exceed the area and height permitted by the zoning resolution; premises 101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan.

Appeal from Administrative Decision

597-45-A—34-41 78th street, 34-21 78th street, 78-10 34th avenue, 34-20 79th street and 34-40 79th street, entire block 78th to 79th streets, between 34th and 35th avenues (Block 1265, Lots 1, 11 and 30), Jackson Heights, Borough of Queens.

Appliances and Material for Approval.

151-44-SA—Jennings Sewage Ejector, Types A and B.

164-44-SA—O and S Powermaster Boiler and Oil Burner, Models AA, B, AC5 and AC6.

492-45-SM—Vitroliner Type "E" Flue Pipe.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 30, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

592-45-A—135 Plymouth street, northeast corner of Adams street (1st floor); (Block 18, Lot 1), Borough of Brooklyn.

601-45-A—1514-1530 Broadway, east side, from West 44th to West 45th streets and 155-169 West 44th street (basement and sub-basement); (Block 997, Lots 1, 6, 9, 54 and 57), Borough of Manhattan.

606-45-A—1½-9 West 34th street, north side, 150 ft. west of 5th avenue and 4-22 West 35th street (Block 836, Lot 26 and 54), Borough of Manhattan.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

504-45-A—41-47 Columbus avenue and 33-43 West 51st street, northeast corner (1st floor); (Block 1114, Lot 1), Borough of Manhattan.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

584-45-A—1070 Bruckner boulevard (formerly 1066 Whitlock avenue), south side, 134.99 ft. east of Bryant avenue (Block 2755, Lot 40), Borough of The Bronx.

589-45-A—Flushing to Myrtle avenues, between Marcy and Nostrand avenues (Blocks 1719 and 1738, Lots 1), Borough of Brooklyn (Marcy Houses).

590-45-A—80-86 King street, south side, 150 ft. west of Varick street and 71-77 Charlton street (2nd floor); (Block 580, Lot 52), Borough of Manhattan.

595-45-A—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (1st floor); (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

598-45-A—132-138 Mulberry street, east side, 84 ft. north of Hester street (6th floor); (Block 237, Lots 1, 2, 3 and 5), Borough of Manhattan.

600-45-A—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

605-45-A—2418 Belmont avenue, east side, 95 ft. south of East 188th street (2nd floor); (Block 3076, Lot 8), Borough of The Bronx.

608-45-A—40-16 31st street, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

614-45-A—2707 Bailey avenue, west side, 336.07 ft. south of Kingsbridge road (1st floor); (Block 3238, Lot 102), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning,* November 7, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

CALENDAR

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

408-45-BZ—Application, June 29, 1945, under section 7i of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of DAF Holding Corp., owner (David Anhisiger, lessee), to permit in a business use district, the change of occupancy from auto laundry and brake testing station, to motor vehicle repair shop; premises 561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn.

528-45-BZ—Application, August 31, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Simon Ginsberg Estate, Inc., owner, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctor's offices; premises 1082 Park avenue, west side, 25.85 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan.

97-45-BZ—Application, February 26, 1945, under section 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Abe L. Malamut, owner, to permit in a residence use, G area district, the existing storm enclosure in the side yard; premises 108-22 66th road, south side, 100 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

548-45-BZ—Application, September 13, 1945, under sections 7(b) and 21 of the zoning resolution, of Stanley Lieberman, applicant, on behalf of Scandinavian Good Templars Temperance Mission of N. Y. C., owner, to permit partly in a residence use district, and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one-family to funeral chapel and one-family; premises 641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn.

265-28-BZ—Application of Herman Kron, applicant, on behalf of Ottilia Realty Corp., owner (Hamilton Buick, Inc., lessee), reopened October 2, 1945, under sections 7(e) and 7(i) of the zoning resolution, to permit in a business and residence use district, the extension (of use) of garage for more than five cars to garage for more than five cars, repair shop, sales of auto parts and auto showroom; premises 3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.

Material for Approval

502-45-SM—Western's Standard Concrete Piles.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition. under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

558-37-BZ—Application of Philip S. Garozzo, applicant, for Michael Garozzo (lessee), for Druiss Co., Inc., owner, reopened October 9, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

512-45-BZ—Application, August 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Victor A. Beard, owner, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

Materials for Approval.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air).

486-45-SM—Henry Spen 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

NOVEMBER 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Zoning Application

389-42-BZ—Application of Emanuel H. Jerabek, applicant on behalf of Dominick Carl Carena, owner, reopened October 16, 1945 for consideration as to amendment of resolution—re Application previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station; premises 82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

Appliances for Approval

103-45-SA—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector.

558-45-SA—Peerless DeLuxe Lowboy Vented Gas Circulators.

General Resolution

1464-39-GR—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

613-45-A—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—32nd avenue).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of October 9, 1945.)

470-40-BZ

APPLICANT—William Cohn, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block 2141, Lots 17 to 20, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph B. Lynch, W. B. L. Cosel and J. J. Mahran.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (470-40-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension of an existing gasoline service station, and also the parking and storage of more than five motor vehicles, affecting premises 4070-4076 Broadway, southeast corner of West 172nd street (Block 2141, Lots 17 to 20 inclusive), Borough of Manhattan, was granted by the Board November 13, 1940, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 7, 1941, September 29, 1942, September 21, 1943 and October 3, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1940, as amended through October 3, 1944, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by applicant's representative that about 25% of the work required by the Board's resolution has been complied with and that permits are in force and completion of the work will speedily progress, all work shall be completed within one (1) year from the date of this *amended* resolution."

MINUTES

1075-40-BZ

APPLICANT—Renander and Miller, for Caroline B. Gale and J. Sheldon Fosdick, owners. (Jamaica Parking & Realty Co., Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough supperintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parkng and storage of more than five motor vehicles.

PREMISES AFFECTED—89-11 to 89-21 166th street, east side, 45 ft. south of 89th avenue (Block 9798, Lots 18, 21 and 22), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (1075-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 89-11 to 89-21 166th street, east side, 45 ft. south of 89th avenue (Block 9798, Lots 18, 21 and 22), Jamaica, Borough of Queens, was granted by the Board on October 7, 1941, on certain conditions; and

WHEREAS, the permit was extended on February 1, 1944 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 7, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended,* the provisions of the resolution of October 7, 1941, shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 354-40)."

145-41-BZ

APPLICANT—Lama and Proskauer, for Estate of Georgiana Van Nostrand, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—88-01 169th street, southeast corner of 88th avenue (Block 9823, Lot 9), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (145-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 88-01 169th street, southeast corner of 88th avenue (Block 9823, Lot 9), Jamaica, Borough of Queens, was granted by the Board July 1, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 1, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h to permit the premises where unbuilt upon to be occupied for the parking and storage of more than five (5) motors vehicles for a term of two (2) years from the date of this *amended* resolution, *on condition* that the lot shall be leveled and properly surfaced with a suitable material; that the existing fences shall be maintained and kept in good repair; that the entrance shall be solely from 88th avenue, through the existing drop curb 20 ft. in width; that as proposed, the existing one story garage opposite such entrance may be removed; that during the term of this variance, the premises shall be occupied for no other use other than the parking and storage herein permitted and the dwelling use; that no signs shall be erected on the premises advertising the parking and storage use, except that there may be a sign near the entrance, provided such a sign does not extend beyond the building line, does not exceed 15 sq. ft. in area, is not illuminated and advertises only the parking and storage use and the rates charged; that there shall be no lights maintained for general illumination; that all permits shall be obtained and all work completed within two months from the date of this *amended* resolution and that a certificate of occupancy shall be obtained (Misc. Applic. 10436-40)."

254-45-BZ

APPLICANT—Lama and Proskauer, for Joseph Ledogar and James Pond, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under section 7i of the zoning resolution, permitting in a business use district, the erection of a building to be occupied as a showroom and for motor vehicle repairs, with business entrance more than 25 ft. from the intersection of the business and residential streets.

PREMISES AFFECTED—186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (254-45-BZ)

WHEREAS, this application under sections 7i and 7a of the zoning resolution, permitting in a business use district, the erection of a building to be occupied as a showroom and for motor vehicle repairs, with business entrance more than 25 ft. from the intersection of the business and residential streets, affecting premises 186-35 to 186-49 Merrick boulevard and 186-01 to 186-15 Ridgedale avenue, northwest corner (Block 12718, Lot 1), Springfield, Borough of Queens, was granted by the Board on July 17, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, relative to the installation of a gasoline storage tank.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 17, 1945, by adding thereto:

"that there may be installed within the building, one 550 gallon gasoline storage tank complying with the requirements therefor and one gasoline pump; that such equipment shall be used solely for the servicing of cars dealt in by the sales agency and no gasoline shall be sold (N.B. Applic. 143-45)."

927-22-BZ

APPLICANT—Herman Kron, for Rogers Place Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment as to change of use—from business use to factory—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in business and partly in residence use districts, the erection and maintenance of a business building.

PREMISES AFFECTED—913-915 Westchester avenue, north side, 93.47 ft. west of Rogers place (Block 2698, Lot 79), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

547-32-BZ

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application for consideration—reopening and consideration of additional use—parking and storage of more than five motor vehicles—re Application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, office, salesroom and auto laundry.

PREMISES AFFECTED—4519-4525 Broadway, southwest corner of Bennett avenue (Block 2180, Lot 652), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

558-37-BZ

APPLICANT—Philip S. Garozzo, for Michael Garozzo (lessee), for Druiss Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—expired by limitation December 1, 1944—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip S. Garozzo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

Adjourned: 5:15 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 16, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, September 11, 1945, and Tuesday afternoon, September 11, 1945, were approved as printed in Bulletin No. 38, Volume 30.

ZONING APPLICATIONS

256-45-BZ

APPLICANT—Samuel J. Resnick, for Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles.

PREMISES AFFECTED—1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel J. Resnick.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 13, 1945, at 10 A. M. at request of applicant.

310-45-BZ

APPLICANT—Josephine Linnemeyer, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium.

PREMISES AFFECTED—258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Martin Green.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application referred to the Engineer of the Board.

MINUTES

351-45-BZ

APPLICANT—Lama and Proskauer, for Precision Realty Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area.

PREMISES AFFECTED—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Harold Jacobs.

For Opposition: Irving Rifkin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 30, 1945, at 10 A. M. for applicant to file plans.

241-33-BZ

APPLICANT—Gale Realty Corp. and Charles M. Spindler, for North American Oil Corp., owner.

SUBJECT—Application reopened June 26, 1945 (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit the change in use from a former gasoline service station (now vacant) to gasoline service station, lubrication, auto washing, office and accessory sales.

PREMISES AFFECTED—875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus and E. H. Gold.

For Opposition: S. Graquinto, Mrs. Leone and Miss M. Leone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn .. 4

THE RESOLUTION (241-33-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station and automobile salesroom, affecting premises 875-881 4th avenue, northeast corner of 33rd street (Block 681, part of Lot 1), Borough of Brooklyn, was granted by the Board on December 15, 1933, on certain conditions; and

WHEREAS, the resolution was amended and plans approved on February 23, 1934; and

WHEREAS, the resolution was further amended on July 17, 1934 and April 30, 1935; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit under sections 7c and 21 of the zoning resolution, the change in use from a former gasoline service station (now vacant), to a gasoline service station, lubrication, auto washing, office and accessory sales; and

WHEREAS, this case was reopened by vote of the Board, on June 26, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 4th avenue is in a business use, B area and Class 1½ height district and 33rd street is in a business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated June 12, 1945, re N.B. App. 250-45, reads:

> "1. Proposed gasoline service station, auto washing, lubrication and office in a business use district is contrary to Art. 2, Sec. 4(a) 46 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. 2 in. frontage by 100 ft. in depth, on which it is proposed to erect a building 60 ft. front by 30 ft. deep, 1 story high, of Class 3 construction and that it is proposed to reconstruct a gasoline service station, lubrication, auto washing, office and accessory sales; and

WHEREAS, the applicant contends that in the original application, the Board granted permission to erect a gasoline service station on this site; that plans were filed and approved in the Building Department, the building erected and a certificate of occupancy issued; that the premises were used continuously as a gasoline service station until approximately two years ago, when the occupant moved out and the premises stood vacant; that neighborhood children began breaking the windows and doors, gradually demolishing the building to such an extent that an "unsafe building" violation was issued by the Department of Housing and Buildings; that the balance of the building was thereafter demolished by a demolition contractor; the gasoline tanks, however, are still buried on the site; that it is now proposed to reconstruct this site as a gasoline station and to comply substantially with all the Board's original requirements, including brick walls along interior lot lines and along the 33rd street building line; that the curbing and curb-cuts will comply with the original requirements and planting maintained as shown; that the Board originally granted this use on a plot 100 ft. 2 in. by 130 ft.; which was voluntarily reduced by the owner to 100 ft. 2 in. by 75 ft.; that it is now proposed to reconstruct the station on a plot 100 ft. 2 in. by 100 ft., entirely within the business zone; that the character of this neighborhood has not changed since the granting of the original appeal and all the conditions which influenced the Board's decision eleven years ago, still apply; that the property is not suitable for any other improvement and all safeguards for the character of the residential property along 33rd street will be taken; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7c which is inapplicable or under section 7f and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 250-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

150-45-BZ

APPLICANT—Henry Nordheim, for Marion A. Mallon, owner (Edmund Fucci, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7e, 7i and 21 of the zoning resolution, to permit in a business use district, the change of occupancy from existing garage to motor vehicle repair shop.

PREMISES AFFECTED—3327 Boston road, west side, 27.5 ft. north of East 211th street (Block 4706, Lot 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

MINUTES

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (150-45-BZ)

WHEREAS, Henry P. Nordheim, for Marion A. Mallon, owner (Edmund Fucci, lessee), filed March 15, 1945, an application under section 7e, 7i and 21 of the zoning resolution, to permit in a business use district, the conversion of existing garage to a repair shop, affecting premises 3327 Boston road, west side, 27.5 ft. north of East 211th street, (Block 4706, Lot 76), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Boston road is in a business use C area and Class 1 height district, and that East 211th, East 212th streets and Pearsall avenue are in a business and residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 15, 1945, on Alt. Applic. 51-45, reads:

"1. The proposed change to a repair shop for motor vehicles is contrary to Article 2, Section 4(a) (29) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 99.84 ft. frontage by 100 ft. in depth, on which is located a one story class 3 constructed building, 23.33 ft. by 36.33 ft., occupied as a non-storage garage and that it is proposed to be occupied as a motor vehicle repair shop; and

WHEREAS, the applicant contends that originally this building was erected as a garage, but proved a failure, since there were not sufficient residents near it to support the water bill and the taxes; that much vacant ground still remains; that there is a type of occupancy on this Boston road frontage altogether in keeping with what is proposed for this building; that the east side of Boston road (Block 4732) directly opposite the site, almost the entire frontage is occupied by plumbing material concerns dealing in second hand fixtures; that the west side of Boston road (Block 4705), 123 ft. of that frontage is occupied by a gasoline service station; that on the same block with this site (Block 4706), 100 ft of the frontage is occupied by a gasoline service station which directly adjoins this site; that on Block 4707, Lot 1, along the Boston road frontage, there is a large advertising sign and the balance of this large plot is vacant, so no one would be annoyed by the operation of motor vehicle repairing; that most of the Boston road, from Pelham Parkway to the City line is taken up with garages, gasoline service stations, parking lots, used car sales lots and motor vehicle repair shops; that Boston road is the main highway to the New England States, with heavy truck traffic daily, 24 hours a day and the regular passenger car traffic and interstate bus routes, making this an ideal location for a motor vehicle repair shop; that the dimensions of the repair shop permit only two large vehicles at a time or three smaller cars for repairing and will be only minor repairs, since space does not permit storage of auto parts or large machinery; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7e and 7i of the zoning resolution and that the applicant failed to substantiate a basis of appeal under section 21 thereof and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 51-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

354-45-BZ

APPLICANT—Louis C. Wills, for L. R. Realty Co., Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by Board) to a factory.

PREMISES AFFECTED—341-347 Reid avenue and 63-79 Marion street, northeast corner (Block 1692, Lot 1,) Borough of Brooklyn.

APPEARANCES—
For Applicant: A. Lama, D. Brown, L. Rosmay, M. Bienenfeld and P. Blumenheim.
For Opposition: J. Bottitta.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (354-45-BZ)

WHEREAS, Louis C. Wills, for L. R. Realty Company, Inc., owner, filed June 5, 1945, an application under section 7c of the zoning resolution, to permit in a business and residence use district, the conversion of occupancy of a garage (previously granted by the Board) to a factory; affecting premises 341-347 Reid avenue and 63-79 Marion street, northeast corner (Block 1692, Lot 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Reid avenue is in a business use, C area and Class 1 height district and that Marion and Chauncy streets are in a residence and business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 11, 1945, on Alt. Applic. 1321-45, reads:

"1. Present use as garage and gasoline service station in a non-conforming zone was granted by the Board of Standards and Appeals under resolution 201-27-BZ. Proposed use modification to a factory to be referred to the Board of Standards and Appeals.

3. Proposed use is contrary to Article II, Sections 3 and 4 (c) in premises located partly in a residential and partly in a business zone."

and

WHEREAS, the applicant states the building has a frontage of 200 ft. and 100 ft. in depth, of fireproof construction, two stories (30 ft.) in height, with a gasoline selling alcove on Reid avenue, the balance of the building is used for a public garage for more than five motor vehicles and that it is proposed to discontinue the present uses and substitute a factory for silvering of mirrors, processing of glass, bending glass and manufacture of picture frames out of wood, metal and glass; and

WHEREAS, the applicant contends that the premises are improved with a two story building, 100 ft. by 200 ft. with a gasoline selling alcove on Reid avenue, the balance of the building is used for a public garage for more than five motor vehicles; that this use was permitted by the Board under Cal. 201-27-BZ, for which Certificate of Occupancy 49870 was issued March 26, 1928; that it is the owner's intention to discontinue the present uses and substitute a factory for silvering of mirrors, processing of glass, bending glass and manufacture of picture frames out of wood, metal and glass; that it is proposed to remove existing gasoline tanks and pumps, facing Reid avenue and reconstruct the front with brick sash; that this space is to be used for offices; that it also proposed to

remove the existing ramp and construct new fireproof stairs and enclosure; that the plot is in a business use, C area and Class 1 height district for 100 ft. along Marion street and the balance of the block is in a residential zone; that inasmuch as the proposed use is less objectionable than a garage and gasoline service station, it is respectfully requested that the application be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the building to be occupied as proposed, *on condition* that in all respects, the building shall comply with the requirements of the Building Code and the State Labor Law and in all other respects with the zoning resolution; that the building shall not be increased in height or area; that no windows not now existing, shall be installed in the lot line walls to the east or north; that signs shall be restricted to permanent signs erected, as permitted by law in the portion of the building within the business use district; that the existing gasoline storage system and tanks shall be entirely removed; that no openings to the building shall be constructed, other than those shown located within the business use district; that the ramps shall be removed and the stairways constructed to comply with the requirements of the law, as indicated on the plans filed with this application marked "Received June 5, 1945" and as proposed; that if any elevator is installed, same shall be located where the existing ramp is now located; that all machines used in connection with manufacturing shall be located within the business use area toward Reid avenue and the interior lot line to the north and away from Marion street; that this variance is granted only so long as the premises are used for the purposes proposed; that proper recreational facilities shall be installed within the building for employees, so as to prevent lounging in the street; that the resolution supersedes the resolution adopted under Calendar Number 201-1927-BZ; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

475-45-BZ

APPLICANT—Colonial Beacon Oil Co., for Chichester Realty Co. and Margaret Skene, owners.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station.

PREMISES AFFECTED—75-03 to 75-17 Rockaway boulevard and 91-02 76th street, northwest corner (Block 8948, Lots 32 and 38), Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (475-45-BZ)

WHEREAS, Colonial Beacon Oil Company, for Chichester Realty Company and Margaret Skene, owners, filed July 31, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction and extension in area of an existing gasoline service station; affecting premises 75-03 to 75-17 Rockaway boulevard and 91-02 76th street, northwest corner (Block 8948, Lots 32 and 38), Woodhaven, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Rockaway boulevard and 91st avenue is in a business use, B area and Class 1½ height district and that 76th and 77th streets are in a business and residence use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated July 26, 1945, re N.B. Applic. 533-45, reads:

"1. Proposed reconstruction of existing gasoline service station and extension in area, is contrary to §4-46 of the building zone resolution."

and

WHEREAS, the applicant states the premises consist of a plot 113.22 ft. frontage on Rockaway boulevard, 106.18 ft. on 91st avenue, on which is located a gasoline service station and store and that it is proposed to extend this station, so as to have a frontage of 141.52 ft. on Rockaway boulevard and 132.72 ft. on 91st avenue, and reconstruct for a gasoline service station, lubritorium and auto laundry; and

WHEREAS, the applicant contends that the Building Department records show that Plan NB-20647-24 was approved June 24, 1925; that Certificate of Occupancy 21099-A was issued on this plan approval for a one-story gasoline service station and store, metes and bounds being 113 ft. 3⅛ in. on Rockaway boulevard, 112 ft. 9⅝ in. on 76th street, 96 ft. 1 in. on 91st avenue and 25 ft. 0⅛ in. as a cross dimension; that same is substantially in accordance with the metes and bounds of Lot 32; that Fire Department records indicate the present gasoline service station now located in Block 8948, Lot 32 was established under F.D. Plan 1720-25, metes and bounds being 125 ft. on Rockaway boulevard, 100 ft. on 76th street and 100 ft. on 91st avenue; that the proposed work consists of extending the present gasoline service station to include Lot 38, which abuts on the west; that this lot is now vacant and would constitute an extension in area of present legal station; that present conditions as indicated on plan filed, marked "existing conditions" shows a one story office and store, outside car greasing equipment, peastone paving and a large ground sign; that all present buildings, tanks, outside greasing equipment, etc., will be removed and a new servicenter will be erected, substantially in accordance with the plans filed with this application; that the building will be of masonry finished with porcelain enamel; that the present gasoline tanks will be permanently sealed and eight (8) new 550 gallon tanks installed; that new pumps installed will be located not less than 10 ft. from any lot line; that the entire area will be repaved with cold asphalt concrete, curb cuts rearranged and new post standard for illuminated signs installed; that in the immediate neighborhood, as indicated on the radius diagram, there are numerous gasoline service stations, garages and other non-conforming uses; that Rockaway boulevard is a main traffic artery, redesignated under the amended Master Plan of the City of New York as a principal route; that in view of the fact that this station was legally established prior to the prohibitive zone restrictions of 1925 and that competitive demands require that we provide a modern servicenter, it is requested the Board grant this application; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the lawfully existing gasoline service station to be extended and rearranged substantially as indicated on revised plans marked "Received September 26, 1945," *on condition* that complete working drawings shall be submitted to the Board for imposing conditions before such plans are filed

with the borough superintendent; that all existing buildings and gasoline storage tanks shall be removed; that new gasoline storage tanks shall not exceed eight, containing 550 gallons each; that there shall be no curb cuts to 76th street, as shown on aforementioned plans and not over two curb cuts to Rockaway boulevard and two curb cuts to 91st avenue; that pumps shall be erected not nearer than ten feet to the street building line and shall consist of one island toward each street front; that suitable planting shall be maintained toward the east at either side of the proposed centrally located accessory building; that such planting shall be protected by a concrete curb not less than 6 inches by 6 inches on a suitable foundation and shall extend from the corner of the accessory building on each side to the street line; that the premises where not occupied by accessory building, pumps and planting shall be paved with concrete or asphalt; that new sidewalks shall be constructed around the entire premises and any curbing required shall be restored; that the accessory building shall be substantially of the design indicated on plans, with roof of natural slate; that the exterior shall be of face brick; that any greasing equipment shall be of the hydraulic type; that in all other respects, the building shall comply with the requirements of the Building Code therefor; that the boiler room shall be of incombustible construction, separated from the balance of the building and enterable only from the exterior; that signs shall be restricted to flat signs attached to the facade of the accessory building and to the illuminated globes of the gasoline pumps, excluding all temporary and roof signs, but permitting the erection of post standards at the intersection of 76th street and Rockaway boulevard and also near the intersection of Rockaway boulevard and 91st avenue, for supporting a brand sign, which may be illuminated and which may project beyond the building line for a distance of not more than five feet; that additional planting area shall be installed with curb protection near the intersection of 91st avenue and Rockaway boulevard for a distance of not less than 8 feet from the property line; and that all permits required shall be obtained and all work completed within one year after working drawings hereinbefore mentioned as required are submitted and approved by the Board.

481-45-BZ

APPLICANT—Chadbourne, Wallace, Parke & Whiteside (David I. Shivitz, of Counsel), for Morewood Realty Corporation, owner (Saks & Co., lessee).

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations.

PREMISES AFFECTED—1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33d street (Block 809, Lot 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David I. Shivitz, William Eipel and H. Lovett.

For Opposition: Joseph Lorenz, M. A. Gette and F. D. Higson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (481-45-BZ)

WHEREAS, David I. Shivitz, for Morewood Realty Corporation, owner (Saks and Company, lessee), filed July 27, 1945, an application under section 21 of the zoning resolution, to permit in a restricted retail district, the erection of an addition to a building exceeding the area limitations, affecting premises 1293-1311 Broadway, 102 West 34th street, southwest corner and 105 West 33rd street (Block 809, Lot 45), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Broadway, West 34th street and West 33rd street are in a retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated June 25, 1945, re Alt. Applic. 520-45, reads:

> "1. As premises are located in a restricted retail district, and as building now occupies a greater percentage of the area of its lot than is permitted under the present provisions of Sec. 13-b, zone resolution, further increase in lot coverage by the proposed installation of elevators in the existing court cannot be accepted."

and

WHEREAS, the applicant states the premises consist of a plot, 203 ft. 2¾ in. frontage by 150 ft. in depth; irregular in area, on which is located an 8-story (122 ft. 7 in.), Class 1 constructed building, occupied as a department store and that it is proposed to re-arrange the interior of the building, so as to provide escalators from floor to floor and to relocate elevators; and

WHEREAS, the applicant contends that the premises comprise a sub-basement, sub-basement mezzanine, basement and 8-story department store, occupying the entire block frontage on the west side of Broadway, between 33rd and 34th streets; that it practically covers the entire area and has since its erection in 1901; that in 1924 the building was altered under Alt. Applic. 1531-24, at which time Certificate of Occupancy 11531 was issued; that the building is located in a retail use, B area and Class 2 height district; that the comprehensive amendments to the zoning resolution of November, 1944, limit the bulk and ground floor coverage, according to height and use districts; that it is proposed to re-arrange the interior of the building, so as to provide escalators from floor to floor, to expedite the functions of the building; that to do this, it is necessary to relocate the elevators now on the premises; that in order to accomplish this, it is proposed to erect new elevator shafts within a court, which actually is the only portion of the plot not built upon at this time; that this court, which it is now proposed to use, is of no benefit or value to the subject premises or any adjoining property; that in view of the foregoing, as well as the fact that the existing structure has no semblance of compliance with the area district requirements as amended, and since the proposed extension will not materially change the picture in that regard, nor adversely affect anybody, it is respectfully requested that a variation of the zoning resolution be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted*, under section 21 thereof, to permit the construction of elevators, as indicated, within the existing yard space, *on condition* that the elevators shall not extend for a distance of more than 8 ft. 6 in. and that not more than three elevators, as proposed, shall be so installed; that the existing chimney to the west of the proposed elevators shall be completely removed and such space left vacant for the common benefit of the applicant's building and that of the owner in rear on Lot 49; that the new northerly enclosing wall shall be faced with light colored brick; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

MINUTES

530-45-BZ

APPLICANT—Ervin Palmer, for Jacob Ruppert, owner (Walter Schultz, lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 21 and 7e of the zoning resolution, to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years.

PREMISES AFFECTED—436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30),. Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (530-45-BZ)

WHEREAS, Ervin Palmer, for Jacob Ruppert, owner (Walter Schultz, lessee), filed September 5, 1945, an application under sections 21 and 7c of the zoning resolution, to permit in a residence and unrestricted use district, an automobile repair shop for a term of two years; affecting premises: 436-440 East 93rd street, south side, 51 ft. 6 in. west of York avenue (Block 1572, Lot 30), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East 93rd street is in a residence and unrestricted use, A area and Class 2 height district; East River drive is in a residence use, A area, and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated August 21, 1945, re Alt. Applic. 933-45, reads:

> "1. Building is partly in a residence district. Proposed use of bldg. for an automobile repair shop is not permitted as per Sec. 3, Article II, zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot having a frontage of 47 ft. and a depth of 100 ft. 8½ in., on which is a building (vacant) 47 ft. in frontage by 100 ft. 8½ in. in depth, one story, 18 ft. high, of Class 1 construction and that it is proposed to use the vacant building as an automobile repair shop; and

WHEREAS, the applicant contends that it is a one story building occupying the full depth of its lot, made of brick walls, steel columns, girders, terra cotta roof arch, built about 1910 as a pump house; that while pumping is no longer a necessity, the building by no means outlived its usefulness; that due to its height, size, arrangement, and construction, the building cannot conceivably be adopted to any use which would be in conformity with the presently amended zoning law and certainly the owner should not be expected to tear it down, nor to leave it vacant while in its present condition; that at this time, it could serve as an automobile service station; that the intent of the law will not be harmed if the building is occupied as stated, during the next several years, since the character of the entire neighborhood is similar to it and will make a far better appearance than at present; that public safety will not be endangered, due to the absence of residential life in the block, both sides of which are lined with garages and factories; that a portion of the building is in an unrestricted zone; that the balance was changed to residential in 1934, when the East River drive was cut through, a 100 ft. strip of the block was made residential, probably to improve the appearance of the drive; that the improvement did not take place and except for a few spottily located properties, the blocks are unimproved and have factories, junk yards, fenced-in-land, unattended vacant lots and garages; that from present indications, large scale facing lifting will not take place at least not until transportation facilities will reach there; that substantial justice will be done if the Board modifies the zoning resolution under section 21, to permit the use of this building as an automobile repair shop for the next 5 or 10 years; but should this not be considered favorably, then under section 7e for a term of two years; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7c, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 933-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

535-45-BZ

APPLICANT—Paul Friedman, for Helena Morrissey and William J. Flanagan, owners (Executors under Will of Matthew J. Morrissey, deceased).

SUBJECT—Application (decision of the borough superintendent) under section 7b, 7c, 7e and 21 of the zoning resolution, to permit partly in a residence and partly in a business use district, the alteration and conversion of garage and auto repair shop to a laundry for curtains.

PREMISES AFFECTED—403-405 East 123d street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Friedman and Maxwell Ross.

For Opposition: H. A. Cottanaccio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (535-45-BZ)

WHEREAS, Paul Friedman, for Helen Morrissey and William J Flanagan, owners (executors u/w of Matthew J. Morrissey), filed September 7, 1945, an application under section 7b, 7c, 7e and 21 of the zoning resolution, to permit in a partly residence and partly business use district, the alteration and change of occupancy of garage and auto repair shop to a laundry for curtains, affecting premises 403-405 East 123rd street, north side, 75 ft. east of 1st avenue (Block 1811, Lot 5), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East 123rd street is in a business and residence use, A area and Class 2 height district and 1st avenue is in a business use, A area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated August 14, 1945, and revised October 2, 1945, re Alt. Applic. 1136-45, reads:

> "1. This building is partly in a residence and partly in a business district. Proposal to change use of a building from garage for more than five cars and auto repair shop to a laundry for curtains, is not permitted as per Article II, Section 3 and Section 4, subdivision 51 Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage by 100 ft. in depth, occupied by a building 50 ft. front by 100 ft. in depth, one story in height, of Class 3 construction that it is proposed to change the occupancy from garage and auto repair shop, to a laundry for curtains; and

WHEREAS, the applicant contends that the use district maps show that the easterly half of the plot is located in a residence district and the westerly half in a business district; that in 1916, the property was zoned for unrestricted use and on May 28, 1938, it was changed to the present zoning; that the premises consist of a plot 50 ft. frontage by 100 ft. in depth, on which is a one story nonfireproof building, erected in 1920, occupying the entire lot, for which Certificate of Occupancy 4214 of 1922 was issued for garage and auto repair shop; that there are two automobile doorways at the front with one wide drop curb, extending for the full width of the two doorways; that there is an existing roof sign approximately 100 sq. ft. in area; that the front of the building has numerous signs painted thereon, advertising body and fender works, automobile painting, etc.; that the premises is being used as a warehouse for baled rags, at present in violation of the law and without the permission of the landlord, and the landlord has therefore instituted proceedings to terminate the lease; that the proposed use is for a proposed occupant, who is compelled to vacate his present space because the landlord requires it for his own use; that it is proposed to remove the westerly driveway at the front of the building and replace it by steel sash window, approximately 8 ft. sq.; to replace existing westerly window by a 3 ft. by 7 ft. door, to serve as a secondary means of egress; to replace easterly driveway door with 8 ft. by 8 ft. overhanging door with a 3 ft. by 7 ft. wicket door hinged to it; to install brick work to conform to existing brick work where necessary and paint the facade of the building brick red, obliterating existing signs, and painting one neat sign over the vehicular entrance; to remove the existing roof sign; to restore the westerly part of the drop curb; to construct an 8 in. cinder block enclosure for a 9 9/10 h.p. boiler which will supply steam and hot water for the washing machine, dry room and pressing equipment; to erect a 7 ft. high frame partition with doors, enclosing the offices and vestibule; to install separate toilets for men and women and install a skylight over both toilets; to install a rest room with wood partitions for the use of female employees; to install a concrete curb 6 in. high at the northeast corner of building to accommodate a 35 lb. per hour washing machine and electric mangle and to change the use of the existing gasoline tank to a fuel oil tank; and

WHEREAS, the applicant further contends that the Board has jurisdiction under section 7b, because the proposed use is authorized in the portion of the premises zoned for business use and is prohibited only as to the 25 ft. portion of the premises zoned for residence use; that the Board has jurisdiction under Section 7c, because the premises are devoted to a non-conforming use and it is proposed to extend the proposed use into a district restricted against the proposed use, under such conditions as will safeguard the character of the neighborhood; that in the event the Board deems it has not jurisdiction under section 7b or 7c, the applicant contends the Board has jurisdiction under section 7e to grant the relief requested for a stated term of years; and

WHEREAS, the applicant further contends that this is an appropriate case for the Board to grant relief because the character of the district will be safeguarded, for the reason that the proposed use will increase the safety of pedestrians, by reducing the width of the existing drop curb, by eliminating one driveway door through which automobiles cross the sidewalk, and by substantially reducing the frequency of crossing of the sidewalk by motor vehicles; that the proposed use of a laundry for curtains involves cleaning by a wet wash process; that no dry cleaning will be done at the premises and no inflammable liquids will be used and no unpleasant odors will be emitted; that in contrast, the permitted use includes the storage and use of inflammable liquids and the painting of motor vehicles creates unpleasant odors; that the building will be made more attractive by removing the roof sign and other signs from the facade of the building and the existing broken doors will be replaced by a steel sash window on the west and an overhead door on the east; that the proposed use will not be inharmonious because the existing building is permitted to be used as a garage and auto repair shop and many non-conforming uses exist in the neighborhood; that the Triborough Bridge ramp revolves at the rear of the premises and could not be adversely affected by the proposed use; that the Board has jurisdiction to grant under section 21 of the zoning resolution, as the proposed use will not alter the essential character of the neighborhood; that the hardship is unique, because this plot is located immediately adjoining a junk shop, and it could not yield a fair return on the investment, because the tenant for the garage and auto repair shop could not pay the rent, required to pay the carrying charges; that in view of the foregoing, it is respectfully requested the application be granted, subject to such conditions and limitations as the Board may deem appropriate; and

WHEREAS, the premises and surrounding areas were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations and that the application be and it hereby is *granted* under section 7e thereof for a term of ten years, to permit the building to be occupied substantially as proposed and indicated on plans filed with this application marked "Received September 7, 1945," *on condition* that the building shall not be increased in height or area; that no windows shall be erected on the interior lot lines; that the front wall of the building shall be altered as indicated on such plans and shall be repainted or stuccoed; that no dry-cleaning operation shall be permitted on the premises and no laundry work except washing as proposed; that no steam mangles shall be installed on the premises; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

550-45-BZ

APPLICANT—Horace Ginsbern, for 248 West 18th Street Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a residence district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery.

PREMISES AFFECTED—248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan.

APPEARANCES—

For Applicant: H. Ginsbern, C. Gottfried and A. Cowen.

For Opposition: W. Cowen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (550-45-BZ)

WHEREAS, Horace Ginsbern, for 248 West 18th Street Corporation, owner, filed September 14, 1945, an application under section 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from a stable for more than five horses, to manufacturing and bakery; affecting premises 248-252 West 18th street, south side, 100 ft. east of 8th avenue (Block 767, Lot 68), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 16, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that West 18th street is in a residence and retail use, B area and Class 1½ height district and 8th avenue is in a retail use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated August 17, 1945, re Alt. Applic. 1158-45, reads:

"1. Building being in a residence district, proposal to change use from stable to factory is not permitted as per Sec. 3, Art. II Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 78 ft. frontage by 92 ft. in depth, and the frontage of the building is 75 ft. 8 in. and the depth 90 ft. 8 in., 5 stories in height; of Class 3 construction and that it is proposed to convert this vacant building from a stable use to a manufacturing and bakery use, by installing new stairways, toilets and elevators; and

WHEREAS, the applicant contends that this block has been rezoned from unrestricted use to residence use on March 31, 1937; that the building was originally built in 1903 as a livery stable and that it is proposed to convert the building from a stable use to a light manufacturing use by installing new stairways, toilets and elevator all in accordance with Labor Law requirements; that the cellar will be used for storage, the first and second floors will be occupied and used as a bakery, the other floors for light manufacturing; that there will be a driveway door at the street level and all loading and unloading will be done inside the premises; that of the 600 ft. frontage on the north side of this street, 423 ft. is devoted to business and factory use; that the height of these factory buildings are from 3 to 12 stories, and other business buildings are 19 stories in height; that the property immediately adjoining at the rear of this plot is a 9-story factory; that the granting of this application cannot be considered as an entering wedge for a new non-conforming use in a residential use district, for the following reasons: that the building to continue its use as a livery stable is far more objectionable than if the building were converted into light factory use; that a livery stable is detrimental to the health of residents; that the surrounding and adjoining buildings devoted to business and factory use, constitute 75% of both street frontages, and will continue indefinitely, thereby determining the character of this block; that the conversion of the premises in question will change the value of neighboring property and bolster real estate values on the street, and it is within contemplation that this will tend to hasten this block to conforming uses; that it requested that under the powers granted to the Board under Section 7e of the zoning resolution, and the fact that the proposed use will not be detrimental to the area, that the Board grant this application; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, it appears that the former stable use was discontinued years ago and that the building has been occupied for storage and that an unsafe order as to the front wall has been issued; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e thereof for a term of ten (10) years from the date of this action, to permit the building to be occupied substantially as proposed and as indicated on plans filed with this application marked "Received September 14, 1945," *on condition* that the building shall not be increased in height or area and shall be made to comply with the requirements of the Building Code and Labor Law and with all other laws, rules and regulations applicable thereto, including the zoning resolution; other than as varied herein as to use; that a space shall be provided on the first floor as proposed, for accommodation of not less than five motor vehicles, used in the conduct of the business on premises; that such space shall be for the purpose of loading and unloading and no loading and unloading shall be done other than inside the building and no motor vehicles, pending entrance to the building, shall be parked on the street adjacent to the premises; that all existing windows on the side lot lines and rear lines shall be fireproof, self-closing and glazed with wire glass and no new windows not now existing shall be installed in such walls; that the cellar shall be occupied for boiler room, storage and maintenance shop and not for any baking operations; and that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Adjourned: 11:55 A.M.

JOSEPH J. DOYLE,
Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 16, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

412-44-A

APPLICANT—Tobias Goldstone, for Barton, Inc., owner.

SUBJECT—Application reopened September 18, 1945 re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (412-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 76-82 DeKalb avenue and 2-10 Rockwell place, southwest corner (Block 2094, Lot 18), Borough of Brooklyn, was granted by the Board on July 11, 1944, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on September 18, 1945 and restored to the calendar; and

WHEREAS, the decision of the borough superintendent, dated July 24, 1945, re Alt. Applic. 1635-45, reads:

"1. Exits to comply with Section 270 of Labor Law.

"Also refer to the Board of Standards and Appeals resolution of 412-44-A. Denied."

and

WHEREAS, the applicant contends that amendment was filed to Alt. 1635-45, for the erection of an extension to the 3rd floor, such extension to be approximately 26 ft. 4 in. by 49 ft. 4 in. in area; that in extending the third floor, the new walls of the extension will rest directly on the present walls of the 2nd floor, thereby allowing the present yard of 13 ft. 4 in. to remain at the rear of 3rd floor level; that the proposed extension will have brick walls and the floor and roof will be of steel beams, reinforced cinder

concrete arches and a new door will be cut from the proposed extension to the present stairhall and the present westerly wall removed, thus creating an opening 20 ft. 6 in. wide between the present building and the proposed extension; that the number of employees on the third floor will not be increased.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 11, 1944, so that it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent acting on Alt. Applic. 2017-43, and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is maintained substantially as proposed herein and as shown on plans filed with this appeal marked 'Received June 30, 1944,' and also that a gooseneck double rung ladder shall be installed, leading from the third story roof to the second story roof.

"*Resolved further,* that in the event the owner desires to construct an extension at the 3rd floor level as indicated on revised plans marked 'Received October 3, 1945,' filed with this appeal, Volume 2, the decision of the borough superintendent acting on Alt. Applic. 1635-45, Objection 1, is hereby *modified,* and the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted by the Board on July 11, 1944, as to exits, shall be complied with in all respects and the number of persons occupying the 3rd floor as extended shall not exceed the number therein stated, namely 50 persons."

37-45-A

APPLICANT—William Shary, for Wedgewood Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (37-45-A)

WHEREAS, William Shary, for Wedgewood Realty Co., Inc., owner, filed January 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 2551-2561 Webster avenue, west side, 158.8 ft. north of Fordham road and 2552-2562 Decatur avenue (2nd floor); (Block 3275, Lot 103), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1945, on amendment to Alt. Applic. 583-44, reads:

"1. State in specification, the liveload and number of people on each floor. N.B. 257/15 was approved for 120 lbs. liveload on first floor and 75 lbs. in front on 2nd floor and 90 lbs. in rear. State correct height district. The number of people on first floor has not been stated. Reconsideration denied.

2. State on plans the materials of all stairs, stair enclosures, partitions, etc. Stairs and stair enclosures should be of incombustible materials. Public halls and corridors should be of fireproof materials and doors should be fireproof, self-closing and in accordance with Section 6.3.1 to 6.3.3. Rise of stairs may be not more than 8 ft. (Section 6.4.1.6). Width may not be less than 3 ft. 8 in. for stairs. Reconsideration denied.

"3. The means of egress are inadequate. Provide at least two (2) fireproof stairs of sufficient width to accommodate people stated. Show all doors, same should swing out. Show egress to roof. Reconsideration denied.

"6. Building is considered a public building and should be fireproof construction throughout. Section 4.2.1."

and

WHEREAS, the applicant states that the building is 2 stories (32 ft.) in height, 125 ft. by 95.80 ft. in area, of class 3 construction, erected in 1915, located in a business use, B area and Class 1½ height district and used and occupied: cellar —bowling alley and storage—74 persons; mezzanine—accessory to first floor stores and toilets; 1st floor—stores—5 persons in each store; 2nd floor—offices and lofts—249 persons; proposed to be used and occupied without change, except that the second floor will be used for offices and meeting rooms—249 persons; that the building is equipped with three iron stairs, enclosed in partitions of wood studs, metal lath and cement plaster, equipped with fireproof, self-closing doors and leading from the 2nd story to the street; that one stair is 5 ft. 6 in. wide and two are 3 ft. in width each; and

WHEREAS, Violation 3422-44 was issued December 6, 1944, for maintaining a place of assembly without a permit; and

WHEREAS, the applicant contends that the building fronts on two streets and was erected in 1915 and approved for 120 lbs. liveload on 1st floor, 75 lbs. in front office section on 2nd floor and 90 lbs. in rear section on 2nd floor, designed as lifts; that these lift spaces on the 2nd floor have been occupied as meeting rooms and lodge rooms, according to the owner's records dating back to 1926; that the present owner was owner when the building was erected and states that the loft spaces on the 2nd floor were occupied as meeting and lodge rooms from the beginning; that the bowling alley occupancy in the cellar was approved under N.B. 257-1915; that Public Assembly Application 138-44 was filed by the tenant of the meeting room on the 2nd floor on objection issued requiring a certificate of occupancy; that the meeting rooms are used for fraternal and religious purposes and are less than 2300 sq. ft. in area; that meeting room No. 1, in loft N is 1520 sq. ft. in area, with an occupancy of 75 persons, is enclosed in metal lath and cement plaster partitions; that primary egress is by means of a 5 ft. 6 in. wide iron stairs, enclosed in metal lath and cement plaster partitions, leading down to the arcade on the 1st floor, opening on two streets; that the arcade floor is fireproof; that the arcade ceiling is metal lath and cement plaster and the sides are of brick and wire glass store show windows; that secondary egress is by means of a 3 ft. wide iron stairs to street, enclosed in metal lath and cement plaster partitions; that meeting room No. 2, in loft M is 2272 sq. ft. in area with an occupancy of 150 persons and enclosed in metal lath and cement plaster partitions; that primary egress is by means of a 5 ft. wide exit door through the reception room to a 5 ft. 6 in. corridor leading to a 5 ft. 6 in. wide stairway; that the secondary egress is by means of a 3 ft. wide iron stairs to the street, enclosed in metal lath and cement plaster partitions; that egress to the roof is by means of an iron ladder and scuttle in the toilet room; and

WHEREAS, the applicant contends as to Objection 6, that the height of the building on Decatur avenue is less than the height limit established in Section 4.2.1 and only slightly in excess on Webster avenue; that the area of each meeting room and the number of persons in each is less than that defined in Section C26-116.0 for Place of Assembly.

Resolved, that the decision of the borough superintendent acting on amendment to Alt. Applic. 583-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the floor loads shall be maintained as proposed and as indicated on plans filed with this appeal marked "Reiceived July 23, 1945"; that such

spaces shall at no time be loaded beyond such loadings and that all spaces shall be posted in accordance with approved loads; as to Objection 2, that the existing stairs may be continued, as permitted when erected in 1915 and as existing, as indicated on plans filed with this appeal; as to Objection 3, that the number of persons permitted to occupy the various spaces on the second floor shall at no time exceed the number of persons permitted under the Code requirement, based on the exits as provided and shown; that at all times, while meeting rooms are occupied, the doors leading to such exits, shall be kept unlocked, so as to provide an immediate escape in the event of fire; that the door, at the head of stairs leading from 2nd floor to arcade, shall be equipped with hardware, so that both leaves are available for exit at all times; as to Objection 6, that the building may be continued for the use as proposed, provided it is not extended in height or area and complies in all other respects with all laws, rules and regulations applicable thereto, other than as modified by this resolution; that the windows in the shaft on the 2nd floor shall be fireproof, self-closing and glazed with wire glass; that the existing wood enclosure, in the arcade at the head of stairs leading to bowling alleys, shall be removed and enclosure complying with the requirements of the Code constructed of approved masonry, provided approved outwardly swinging fireproof doors as indicated are maintained; that in all other respects, the building and the occupancy of all storage, including the cellar, shall comply with the occupancy requirements and that a new certificate of occupancy shall be obtained.

516-45-A

APPLICANT—Michael Bernstein, for 481 East Tremont Avenue Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—481 East Tremont avenue, north side, 90.83 ft. east of Washington avenue (Block 3043, Lot 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Bernstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock. Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (516-45-A)

WHEREAS, Michael Bernstein, for 481 East Tremont Avenue Corp., owner, filed August 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 481 East Tremont avenue, north side, 90.83 ft. east of Washington avenue (Block 3043, Lot 38), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, re amendment to Alt. App. 332-45, dated August 27, 1945, reads:

"2. The means of egress are inadequate. Two lawful stairs are required from second floor. Stairs should be enclosed by fireproof partitions supported on steel and should extend to roof. Provide two exits from first floor to street remote from each other."

and

WHEREAS, the applicant states that the building is three stories (37 ft.) in height, 25 ft. 4⅛ in. by 99 ft. 6½ in. and 103 ft. 4½ in. in area at first floor, 25 ft. 4⅛ in. by 60 ft. and 63 ft. 10 in. in area at typical floor; of Class 3 construction; located in a business use, B area and Class 1½ height district; erected in 1887 and used since 1935 as follows: cellar, boiler room and refrigeration; 1st floor, vacant (previously used as store); 2nd floor, shirt factory; 3rd floor, apartment (now vacant); proposed to be used: cellar, same; 1st floor, bar and grill, 96 persons; 2nd floor, restaurant, 75 persons; 3rd floor, apartment for 1 family; that the building is equipped with one interior stairs, 3 ft 8 in. wide from the 1st to the 2nd floors and 3 ft. wide above, of steel construction, enclosed in gypsum block partitions, equipped with fireproof, self-closing doors and leading from the roof bulkhead, directly to the street; that it is proposed to install a fire escape at the front of the building, with counter-balanced stairs to the street, with fireproof self-closing windows along the course thereof on the second floor; that there is a fire escape on the rear which will be retained as an additional means of exit from the third floor; and

WHEREAS, the applicant contends that instead of an additional stair inside of the building, it is proposed to construct a balcony fire escape with counter-balanced stair, facing the street with fireproof, self-closing casement windows; that this would not only be a more convenient arrangement, but would offer far better protection from fire and smoke than an interior stair.

Resolved, that the decision of the borough superintendent, acting on amendment to Alt. Applic. 332-45, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the primary means of exit shall be mainained, as indicated on plans filed with this appeal marked "Received August 28, 1945", three sheets, except that the stair from the 2nd floor to 1st floor shall be not less than 5 ft. in width and the number of persons in the second story restaurant shall not exceed 74; that the fire escape on the street front of the building shall be constructed and maintained with a counter-balanced stair to sidewalk as proposed and shown; that such counter-balanced ladder shall be so located as to not interfere with the exit doors from the first floor, when the stair is in the down position; that this variance is granted only so long as there is a means of exit from the one story roof to the roof of adjoining premises; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

547-45-A

APPLICANT—J. M. Felson, for 201st Street Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—500 West 180th street, and 2416 Amsterdam avenue, southwest corner (2nd and 3rd floors); (Block 2152, Lot 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob M. Felson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (547-45-A)

WHEREAS, J. M. Felson, for 201st Street Realty Corp., owner, filed September 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 500 West 180th street and 2416 Amsterdam avenue, southwest corner (2nd and 3rd floors); (Block 2152, Lot 46), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated August 21, 1945, re Alt. Applic. 1340-45, reads:

"2. Bldg. being erected after Oct. 1, 1913, provide two fireproof stairways as per Sec. 270, Labor Law."

and

WHEREAS, the applicant states the building is 3 stories (37 ft. 4 in.) in height, 25 ft. by 100 ft. in area; Class 3 construction; erected in 1923; located in a business use, B area and Class 1½ height district; used and occupied: cellar, boiler room; 1st floor, store and garage 3 cars, 5 persons; 2nd floor, showroom and warehouse, 5 persons; 3rd floor, same, 40 persons; proposed to be used and occupied: cellar, same; 1st floor, same; 2nd floor, office and

factory—20 persons; 3rd floor, same; manufacturing to be such as permitted in this district; that the building is equipped with one 3 ft. 8 in. wide steel and concrete stairs, enclosed in partitions of fireproof block, equipped with metal, self-closing doors and leading from the roof bulkhead to the street and one fire escape on the side street, extending to the roof by stairs and to the street by counterbalanced stairs; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, Certificate of Occupancy 6533 issued July 24, 1923, on N.B. Applic. 30-23, permits the use of the building as follows: 1st floor—store and garage for three cars; mezzanine—office; 2nd story—showrooms and warehouse—5 persons; 3rd story—showrooms and warehouse—40 persons; and

WHEREAS, the applicant states that a variation of the provisions of the Labor Law is requested, so as to permit the erection of a fire escape as a second means of egress; and

WHEREAS, the applicant contends that the area of the building is only 2500 sq. ft. and that it will be a hardship to be required to install two interior stairways; that it is proposed to install one interior stairway from the street to the roof, enclosed in fireproof materials, equipped with fireproof, self-closing doors at all openings, to comply with the Labor Law and it is requested that the fire escape be accepted as a second means of egress; that the fire escape will be in accordance with the Labor Law, with counterbalanced stairway directly to the street from the second floor level; that on the original certificate of occupancy, the second floor has an occupancy of five people and the third floor of forty people and it is requested that the occupancy be permitted to be 20 males and two females on each of the 2nd and 3rd floors.

Resolved, that the Board of Standards and Appeals does hereby make a *variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. 1340-45, that the appeal be and it hereby is *granted* as to Objection 2, *on condition* that the primary means of exit shall be maintained as proposed and as indicated on plans filed with this appeal marked "Received September 13, 1945" and in addition, a secondary means of exit shall be maintained, consisting of a fire escape to West 180th street, complying with the requirements of the Labor Law therefor, reaching from the street to the roof, with a counter-balanced stair to the street; that the number of occupants permitted for factory on the 2nd and 3rd floors at no time shall exceed that lawfully permitted for the primary means of exit for each floor; that the ceiling of the first floor shall be fire-retarded throughout; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

568-45-A

APPLICANT—George G. Miller for Martin Urban, owner (Girl Scouts of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—30 West 48th street, south side, 411 ft. 6 in. west of 5th avenue (4th floor); (Block 1263, Lot 55), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (568-45-A)

WHEREAS, George G. Miller, for Martin Urban, owner, (Girl Scouts of America, lessee), filed September 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 30 West 48th street, south side, 411 ft. 6 in. west of 5th avenue (4th floor); (Block 1263 Lot 55), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 11, 1945, on amendment to Alt. Applic. 1244-45, reads:

"1. Conversion of non-fireproof structure from dwelling to commercial building exceeding 4 stories and 50 ft. in height, is contrary to Section 4.2.1 Code."

and

WHEREAS, the applicant states that the building is 4 stories and basement (55 ft.) in height, 20 ft. 6 in. by 70 ft. in area at 1st floor, 20 ft. 6 in. by 60 ft. 3 in. in area at typical floor, of Class 3 construction, erected about 1890, located in a retail use, B area and Class 1¼ height district and used as a one family dwelling; proposed to be used and occupied for offices—6 persons on the basement story and four persons on each story above; that the building is equipped with one 3 ft. wide wood stairs from the roof bulkhead, directly to the street, enclosed in wire lath and portland cement plaster partitions, equipped with kalamein one hour self-closing doors; and

WHEREAS, the applicant contends that the building contains only 1500 sq. ft. in total area on each floor, divided into small private offices and will be used to keep the records of the activity of the Girl Scouts of America, which organization subsists primarily on donations from its benefactors; that if at any time, the building is used for commercial purposes, the top story will be sealed off; that the stairhall partitions are covered both sides with metal lath and ¾ in. portland cement mortar from the basement entrance to the roof bulkhead and the soffits of the stairs and cellar ceiling are covered with the same material; that the iron stairs on the top story leads to the roof and the adjoining building to the east is the same height; that stairs are of ample width for the occupancy.

Resolved, that the decision of the borough superintendent, acting on amendment to Alt. Applic. 1244-45, Objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

574-45-A

APPLICANT—David J. Beck, for Bohack Realty Corp., owner (H. C. Bohack Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-05 to 47-27 Metropolitan avenue, north side, 248 ft. 8 in. west of L.I.R.R. right of way (Bushwick Division); (Block 2611, Lot 71), Maspeth, Borough of Queens (under Section 35, General City Law re beds of mapped streets—48th and 49th streets).

APPEARANCES—

For Applicant: David J. Beck.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (574-45-A)

WHEREAS, David J. Beck, for Bohack Realty Corp., owner, (H. C. Bohack Co., Inc., lessee), filed September 28, 1945, an application pursuant to Section 35 of the General City Law, affecting premises, 47-05 to 47-27 Metropolitan avenue, north side, 248 ft. 8 in. west of Bushwick Division, L.I.R.R. right of way (Block 2611, lot 71), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 18, 1945, on Alt. Applic. 1547-45, reads:

"1. Proposed extension partly in the bed of 48th street and partly in the bed of 49th street is not permitted by Section 35 of the General City Law."

and

WHEREAS, the applicant states that the proposed building will be one story and basement (30 ft.) in height, 319 ft. irregular by 125 ft. in area, of Class 1 construction, located in an unrestricted use, A area and Class 1½ height district, proposed to be used and occupied: basement—packing, shipping and storage of food products and cosmetics—60 persons; 1st floor—manufacturing paper products and storage of groceries —138 persons; that the existing building to which the proposed extension will be added, is used and occupied for the same purposes in the basement and on the first floor for the manufacturing of paper products, with an occupancy of 90 persons; that the building will be equipped throughout with a two source sprinkler system; and

WHEREAS, the applicant contends that it is proposed to erect a one story and basement fireproof extension to the existing fireproof factory and storage building, erected under N.B. 7004-30; that the proposed extension will be located in the bed of 48th street and will encroach slightly on the bed of 49th street, as shown on the City Map; that by reason of the location of the Long Island Railroad right-of-way (Bushwich Division), 48th and 49th streets can never be used as through streets, without construction of expensive grade elimination facilities; that by reason of the arrangement of the buildings on these premises and the premises on the easterly side of the railroad right-of-way, these streets can not be used, due to physical encroachments; that by reason of the arrangements of buildings on the premises in question, the opening of 48th and 49th streets is not necessary, adequate access having been provided for fire department apparatus and for trucking, by the construction of driveways throughout the plant; that the Topographical Bureau of the office of the Borough President is making a study of this general area, with a view of revising the City Map to conform to existing conditions; that it is therefore requested that the Board grant permission to erect the proposed extension under the powers vested in the Board by Section 35 of the General City Law.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1547-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under Section 35 of the General City Law, to permit the extension partially within the bed of 48th street and partially within the bed of 49th street as proposed, and as indicated on plans filed with this appeal marked "Received September 28, 1945", *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that in the event 48th street and 49th street are not removed from the City Map and the land in the bed of mapped streets proposed to be covered by the building is acquired by the City of New York for street purposes, no claim shall be made for the portion of the building within the bed of such streets, except for the fair cost of new enclosing walls on street lines and for the fair value of the land so taken.

576-45-A

APPLICANT—William R. Shirley, for Anna Murphy, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—108 West 74th street, south side, 80 ft. west of Columbus avenue (cellar); (Block 1145, Lot 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Franklin Klosse.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (576-45-A)

WHEREAS, William R. Shirley, for Anna Murphy, owner, filed September 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 108 West 74th street, south side, 80 ft. west of Columbus avenue (cellar); (Block 1145, Lot 37), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 28, 1945, on amendment to Misc. P & D. Applic. 132-45, reads:

"1. Provide extra heavy cast iron house drain."

and

WHEREAS, the applicant states the building is 5 stories (54 ft.) in height; 20 ft. by 74 ft. 6 in. in area at 1st floor; 20 ft. by 54 ft. in area at typical floor; of Class 3 construction; located in a residence use, B area and Class 1-½ height district; erected 1886; now vacant, and proposed to be used and occupied as follows: cellar, boiler room and storage; 1st to 5th stories, 2 apartments per floor; that the entire building is to be used as a Class A multiple dwelling; that the building is equipped with one interior 3 ft. wide stairs of fireproof construction, enclosed in fire retarded partitions, equipped with wood doors which are self-closing and leading from roof the bulkhead, directly to the street and two fire escapes, leading to the roof by stair, with egress from the lowest termination, through an adjoining yard; and

WHEREAS, the applicant contends that the fittings to comply with the Code are unobtainable and it is requested that the Board permit the retention of the present house drain and fittings of standard cast iron pipe, in good condition, in lieu of the extra heavy cast iron, which is not obtainable.

Resolved, that the decision of the borough superintendent, acting on Misc. P & D Applic. 132-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing 6 in. standard weight cast iron main house drain, as shown on plans filed with this appeal marked "Received September 28, 1945", shall be in sound condition and that in all other respects, the plumbing and drainage shall comply with all laws, rules and regulations applicable thereto; that this modification as to continuance of the house drain, as proposed, shall continue only as long as the building is not increased in height or area and is maintained for the use as proposed..

582-45-A

APPLICANT—J. J. McNamara, for Overton Operating Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. McNamara, Joseph M. Geoghan, Martin J. Tracy, Leonard Loberfeld and Max Grossman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (582-45-A)

WHEREAS, J. J. McNamara, for Overton Operating Corp., owner, filed September 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 1201-1211 Quentin road (Avenue Q) and 1679-1683 East 12th street, northeast corner (Block 6775, Lot 43), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 3423-44, dated September 21, 1945, reads:

"1. Proposed factory use in theatre building, is contrary to Section C26-717.0 of the Building Code.

"2. Provide two fireproof stairs from second floor, complying with Section 270 of the Labor Law in all respects.

"3. Floor construction for factory use, to comply with Section C26-3405.0 of the Building Code, as to liveload capacity of 120 lbs."

and

WHEREAS, the applicant states that the building is two stories (28 ft.) in height, 83 ft. 5½ in. by 50 ft. in area at first floor, 100 by 50 ft. in area at second floor; Class 3 construction; located in a business use, C area and Class 1¼ height district; erected prior to 1927; used and occupied: 1st floor, stores, 20 persons; 2nd floor, office and restaurant, 55 persons; proposed to be used and occupied: 1st floor, same; 2nd floor, office and sales distribution and compounding of pharmaceuticals, manufacturing drapes, curtains and clothing, 20 persons; that the building is equipped with one 5 ft. wide wood stairs, enclosed on the 1st floor with terra cotta blocks, plastered both sides and on second floor, enclosed with studs with wire lath and plastered both sides, equipped with wood doors on the 1st floor and kalamein door on the 2nd floor, both self-closing; that there is also one existing fire escape at the rear and one proposed on the East 12th street front; and

WHEREAS, the applicant contends that the auditorium of the theatre is separate and distinct from the commercial building and there is an alleyway between the two buildings; that the lobby was constructed through one of the stores on the main floor of the commercial building and is cut off from the commercial building by 12 in. masonry wall and 12 in. concrete ceiling; that the proposed use of the 2nd floor of the commercial portion of the building will not use any combustible materials; that it is proposed to meet Objection 2 of the borough superintendent's decision, by installing an exterior counter-balanced stairway on the East 12th street side of this building and a ladder from the main hall to the roof; that the proposed stairway will be located at a point remote from the present interior stairway and a ladder to the roof, located near the main stairway; that in addition to the counter-balanced stairway and the roof ladder to the existing means of egress, there will be a fire stairway at the rear and the main stairway in the commercial building at the center, thus providing three means of egress to the street and one to the roof; that the original of the certificate of occupancy describes the liveload capacity of the 2nd floor as 120 lbs.; that however, such floor load will not be necessary for the proposed pharmaceutical business, as no machinery of any kind will be used, it is therefore requested the Board grant the variation, to permit the occupancy of the 2nd floor as herein proposed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3423-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the portion of the building, where factory work is proposed, shall be separated from the theatre portion at all points, with fire walls and floors of equivalent value as proposed; as to Objection 2, that in addition to the existing means of exit, as indicated on plans filed with this appeal marked "Received September 28, 1945," there shall be constructed and maintained on the East 12th street side as indicated, a fire escape complying with the requirements of the Labor Law therefor, and *on condition* that the space now occupied for the manufacture of light clothing, namely the most easterly space, shall be discontinued for the factory use; that the two adjoining spaces next west shall at all times be under one tenancy and the two means of exit to corridor therefrom, maintained as shown; as to Objection 3, that the floor load of the 2nd floor shall be maintained at 120 lbs. per superficial foot, as stated in the superseded Certificate of Occupancy 43691; that the latest certificate of occupancy now in effect, shall be superseded by a new certificate of occupancy, so as to set forth the permitted uses of the building and the approved live loads required thereon; that such loads shall be posted; that in the event the space shown directly west of the primary means of exit is rented in conjunction with the balance of the space to the west, an additional door towards Quentin road shall be constructed and maintained, so as to provide two means of exit from such space; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

585-45-A

APPLICANT—Jacob W. Sherman, for Aaron Agency, Inc., owner (Kings County Buick, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—44-60 Empire boulevard and 1039-1063 Franklin avenue, southeast corner (1st floor); (Block 1313, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob W. Sherman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (585-45-A)

WHEREAS, Jacob W. Sherman, for Aaron Agency, Inc., owner (Kings County Buick, Inc., lessee), filed September 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 44-60 Empire boulevard and 1039-1063 Franklin avenue, southeast corner (1st floor); (Block 1313, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 27, 1945, re Alt. Applic. 2653-45, reads:

"6. The proposed covering of the ceiling of the office and showroom with Celotex, of this building which is used as a garage, showroom and office, is in violation of the Board of Standards and Appeals rules governing combustible ceiling materials uses. Denied."

and

WHEREAS, the applicant states that the building is one story (15 ft.) in height, 195 ft. 5 in. by 152 ft. 4 in. in area, upon a plot 195 ft. 5 in. by 152 ft. 4 in. in area; Class 3 construction; located in a business use, B area and Class 1¼ height district; erected in 1923 and used and occupied since as follows: Cellar, boiler room; 1st floor, garage, for more than five cars, showroom, offices, 30 persons and that no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that the building has been occupied since erection as a showroom, office and garage in conjunction with the adjacent buildings, by Kings County Buick, Incorporated, for sales and distribution station for automobiles; that the building is constructed of brick with concrete floors throughout and wood roof beams; that the showroom is separated from the garage by 8 in. cinder concrete wall and all other partitions between showroom and office space and garage are one hour construction, with metal lath and cement plaster; that the garage portion is provided with an approved standpipe system; that all overhead doors in the garage portion are kept open regardless of weather conditions, during business hours and when showrooms and offices are in use; that Alt. 2653-45 was filed to replace the present deteriorated store fronts and to replace the wood office partitions with new fireproof partitions, install new wood sash in office, replace wood entrance doors; install new fireproof, self-closing doors between the garage and office and install new asphalt tile floor and Accusti-Celotex cane fiber tile ceilings in showrooms and offices; that in order to overcome a break in showroom ceiling, 2 in. by 4 in. blocking was applied to the present ceiling, which was originally fire retarded with metal lath and plaster; the Celotex cane fiber tile was installed over practically 90% of the showroom area, when the work was stopped; that the Celotex was installed in good faith in the belief that it would be permitted in a showroom where cars were on display not having any gas, oil, or batteries; that in view of the fact that those parts

of the structure, where Celotex has been used, do not require a combustible permit and are separated from the portion where a combustible permit is required by fireproof and fire retarded partitions, equipped with fireproof doors, it is requested that the Board modify the decision of the borough superintendent and permit the use of the cane fiber board ceiling.

Resolved, that the decision of the borough superintendent on Alt. Applic. 2653-45, Objection 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the space between the proposed Celotex ceiling and the fire-retarded ceiling, as indicated on plans filed with this appeal marked "Received September 28, 1945," shall be completely packed between the enclosing walls, for the full height of the space furred down from the fire-retarded ceiling with approved rock wool, to a density of not less than 5 lbs. per cu. ft.; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

599-45-A

APPLICANT—Mac L. Reiser, for Murray and Al Rosof, owners (Jack Miller, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—675-679 (675-677 displayed) Rockaway avenue, east side, 225 ft. south of Dumont avenue (2nd floor); (Block 3576, Lot 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mac L. Reiser.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (599-45-A)

WHEREAS, Mac L. Reiser, for Murray and Al Rosof, owners (Jack Miller, lessee), filed October 8, 1945, an appeal from a decision of the borough superintendent, affecting premises 675-679 (675-677 displayed) Rockaway avenue, east side, 225 ft. south of Dumont avenue (2nd floor); (Block 3576, Lot 15), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 5, 1945, on Alt. Applic. 3094-45, reads:

"1. As building was erected after Oct. 1, 1913, exits should comply with Section 270 of Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories (24 ft. 6 in.) in height, 50 ft. by 100 ft. in area, of Class 3 construction, erected in 1915, located in a business use, C area and Class 1 height district and used and occupied since 1931 as follows: cellar—boiler room; 1st floor—retail sales of rugs and carpets—5 persons; 2nd floor rear—storage of rugs and carpets; proposed to be used and occupied: cellar—same; 1st floor—same; 2nd floor rear—storage of rugs and carpets; 2nd floor front—manufacturing of ladies' coats and suits—20 persons; that the building is equipped with one interior stair, 37 in. wide, of iron construction, enclosed in brick, equipped with fireproof, self-closing doors and leading directly to the street and equipped with a ladder and scuttle to the roof, and one fire escape on the side towards the rear, leading to the side court with egress to the street; that windows on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that in addition to the brick enclosed iron stairway leading from the 2nd floor to the street, there is an open iron stairway 42 in. wide, leading to an 8 ft. court and thence to the street through the front stairhall; that access to this stairway on the 2nd floor from the front portion will be had by a door in the existing partition, which will remain unlocked at all times during working hours; that the occupancy for factory will not be more than 20 persons and the area of the factory will be about 2400 sq. ft.; and

WHEREAS, Certificate of Occupancy 66200, issued December 12, 1931, permits the use of the first floor for light manufacturing and the 2nd floor for billiard room and gymnasium.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3094-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the primary means of exit shall be maintained, as indicated on plans filed with this appeal marked "Received October 8, 1945", and the secondary means of exit shall be maintained, consisting of the present iron stair leading to the 8 ft. side court, except that such stair shall be relocated and the platform extended, so as to provide a means of exit from the rear stock room and also from the rear portion of the second floor factory; that the number of persons engaged in work for factory on the 2nd floor shall not exceed the number lawfully permitted for the primary means of exit; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that the building shall not be increased in height or area.

656-44-A

APPLICANT—Morris Whinston, for A. R. R. Realty Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution— re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (656-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 24-26 East 21st street, south side, 148 ft. 6 in. east of Broadway (Block 849, Lot 58), Borough of Manhattan, was withdrawn on January 23, 1945; and

WHEREAS, this case was restored to the calendar on March 6, 1945 and on April 17, 1945, this appeal was granted on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 17, 1945, only in so far as it has reference to the proposal of the applicant as to the enclosure of the elevator shaft and elevator doors, by adding thereto:

"that in view of the proposal of the applicant as to the enclosure of the elevator shaft and elevator doors from the second floor to the roof and also in the cellar, such shaft and doors may be covered with transite not less than ½ in. in thickness, the existing grilles to be removed and a substantial steel framework substituted, to support such transite or the existing grilles may be permitted to remain and wire lath attached thereto, on the inside and outside and finished with ¾ in. vermiculite cement plaster on both sides."

MINUTES

226-45-A

APPLICANT—Stohldrier and Zetsche, for My-R Construction Corp., owner. (872 Gerard Avenue Corporation, lessee).

SUBJECT—Application for consideration—reopening and reconsideration of revised proposal on new decision—re Appeal from a decision of the borough superintendent (previously denied).

PREMISES AFFECTED—872 Gerard avenue and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph A. Kinsley and Robert G. Zetsche.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (226-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 872 Gerard avenue, and 81-95 East 161st street, northeast corner (2nd floor); (Block 2476, Lot 56), Borough of The Bronx, was denied by the Board on June 19, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar, for consideration of a revised proposal, based on a decision of the borough superintendent, acting on Alt. Applic. 594-44, dated October 4, 1945, which reads:

"1. The extension of business in a frame structure is not permitted. Section C26-254.0."

Resolved, that the decision of the borough superintendent on Alt. Applic. 594-44, Objection 1, dated October 4, 1945 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the occupancy of the second floor may be for business, provided it is restricted to doctors' offices and other professional occupancy, prohibiting all other business use and factory use; that the third floor shall be continued as proposed, as residence occupancy; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and all of the objections raised by the borough superintendent under date of October 4, 1945 under Alt. Applic. 594-44 shall be complied with.

81-45-A

APPLICANT—Kolb and Miller, for A. Schrader's Sons, Division of Scoville Manufacturing Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—465-471 Adelphi street, east side, 258 ft. north of Atlantic avenue (basement and 1st floor); (Block 2008, Lot 9), Borough of Brooklyn.

APPEARANCES—

For Applicant Ernest Ross.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

137-45-A

APPLICANT—Philip Freshman, for Milkin Realty Corp., owner, (Tung Sol Electric Corp., lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision re order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Freshman.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

307-45-A

APPLICANT—Maxwell Schantz, for Kings County Trust Company, trustee for Estate of George A. Powers (Hudson Bay Fur Company, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Schantz and Henry Cash.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

482-45-A

APPLICANT—Anastasios Catsanos, for Lithaloys Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—42-40 10th street, west side, 90 ft. north of 43rd avenue (Block 461, Lot 47), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Anastasios Catsanos.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

527-45-A

APPLICANT—Metropolitan Life Insurance Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—324-342 4th avenue, 25-55 East 24th street, northwest corner, 38-60 East 25th street and 19-25 Madison avenue (Block 854, Lots 1-41 inclusive), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: John H. Derby.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn, after discussion.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

553-45-A

APPLICANT—Loose-Wiles Biscuit Co., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—29-10 Thomson avenue and south side of Skillman avenue, from 28th to 29th streets (Block 273, Lot 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: W. A. Sullivan and A. W. De Birny.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn, without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

472-45-A

APPLICANT—Daniel Santoro, for Marsul Realty, Inc., and Bethlehem Steel Co., owners (Island Bar and Grill, lessee).
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44 and part of Lot 47), Mariners Harbor, Borough of Richmond (Under Section 35, General City Law, re bed of proposed widening of Richmond terrace).
APPEARANCES—
For Applicant: Daniel Santoro.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal placed on the reserve calendar, pending an inspection by a committee of the Board.

554-45-A

APPLICANT—Irving M. Fenichel, for Vanity Cleaners, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47 inclusive), Astoria, Borough of Queens.
APPEARANCES—
For Applicant: Lillian Marcus.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945 at 2 P.M., at request of applicant's reppresentative.

561-45-A

APPLICANT—A. Gordon Lorimer, for Dept. of Public Works, City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—34-28 21st street, west side, from 34th to 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Abraham Prober.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 30, 1945 at 2 P.M. for further consideration.

567-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Blocks 2321, Lots 1-4 inclusive, 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 inclusive), Borough of The Bronx (Morrisania Houses).
APPEARANCES—
For Applicant: Louis Joseph and Matthew W. Del Gaudio.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to October 23, 1945 at 2 P.M. for applicant to file supplemental statement.

ZONING APPLICATIONS

274-38-BZ

APPLICANT—David Zipkin, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use distrct, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block 2224, Lots 45-48 and 53), Borough of Manhattan.
APPEARANCES—
For Applicant: Jerome Zipkin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (274-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block 2224, Lots 45-48 and 53), Borough of Manhattan, was granted by the Board on February 7, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 28, 1941 and October 19, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 7, 1939, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . that other than as herein *amended,* the provisions of the resolution of February 7, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

(Remaining minutes of the meeting of October 16, 1945 will be printed in the Bulletin of October 30, 1945.)

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.

Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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(Remaining minutes of the meeting of October 23, 1945 will be printed in the Bulletin of November 6, 1945.)

Oil Burner Rules.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 23, 1945.

Cal. No. *Dept.* *Premises Affected*

618-45-BZ—H.B.M.—448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan, Amendment to Alt. 979-45.

619-45-BZ—H.B.R.—977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond, Alt. 197-45.

620-45-A—H.B.M.—346 West 89th street, and 170 Riverside drive, northeast corner (Block 1250, Lot 61), Borough of Manhattan, Alt. 1743-45.

621-45-BZ—H.B.B.—1556-1570 (1556-1558 displayed) 63rd street, south side, 125 ft. west of 16th avenue (Block 5537, Lot 29), Borough of Brooklyn, Alt. 2599-45.

622-45-A—F.D.—44-36 Vernon boulevard, northwest corner of 44th drive (1st floor); (Block 489, part of Lot 1), Long Island City, Borough of Queens, Decision re Order.

623-45-A—F.D.—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn, 503-LC.

624-45-A—H.B.Q.—75-80 184th street, northwest corner of Union Turnpike (1st floor); (Block 7200, Lot 44), Flushing, Borough of Queens, Alt. 1502-45.

625-45-A—H.B.R.—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond, N.B. 198-45.

626-45-A—F.D.—120 Freeman street, south side, 321 ft. 1½ in. east of Franklin street (4th floor); (Block 2512, Lot 22), Borough of Brooklyn, 97858-LC and Decision.

627-45-A—F.D.—3179 Atlantic avenue, north side, 175 ft. west of Logan street (1st floor); (Block 4137A, Lot 51), Borough of Brooklyn, 212-LC.

628-45-A—F.D.—1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan, 35433-LF and Decision.

629-45-A—H.B.Q.—219-17 to 221-19 and 219-20 to 221-16 130th avenue, north side, 1087 ft. west of 226th street, south side of 130th avenue, 170 ft. west of 220th street and 40 ft. west of 222nd street (Block 12825, part of Lot 480, Block 12899, part of Lot 250, Block 12898, part of Lot 196 and Block 12897, part of Lot 20), Springfield, Borough of Queens, N.B. 1430-45 to N.B. 1458-45, inclusive.

630-45-A—H.B.M.—302-340 East 83rd street, 1579-1593 1st avenue, southwest corner, 301-351 East 82nd street and 1584-1598 2nd avenue (basement); (Block 1545, Lots 1 to 52 inclusive), P.S. 86, Borough of Manhattan, Amendment to N.B. 139-45.

631-45-A—F.D.—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan, 42728-LC.

632-45-A—H.B.B.—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn, Alt. 2875-45 and Alt. 2876-45.

633-45-BZ—H.B.B.—1474-1476 60th street, south side, 60 ft. west of 15th avenue (Block 5720, Lot 38), Borough of Brooklyn, Alt. 1116-45.

634-45-A—F.D.—1021-1031 Madison avenue and 44-52 East 79th street, southeast corner (cellar); (Block 1393, Lot 52), Borough of Manhattan, 34712-LF and Decision

---

635-45-BZ—H.B.Bx.—395 Brook avenue, 477-489 East 143rd street, northwest corner and 482-498 East 144th street (Block 2288, Lot 57), Borough of The Bronx, Alt. 529-45.

636-45-A—H.B.B.—440-446 Kent avenue, west side, 244 ft. 1½ in. south of South 8th street (1st to 4th floors, inclusive), (Block 2134, Lot 1 and Block 2143, Lot 1), Borough of Brooklyn, Alt. 3784-44.

637-45-A—H.B.B.—1586-1588 Pitkin avenue, south side. 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn, B.N. 1259-45.

638-45-A—H.B.B.—244-258 Water street, south side, 125 ft. east of Bridge street (Block 42, part of Lot 11), Borough of Brooklyn, Alt. 2251-45.

639-45-A—H.B.Bx.—3210 3rd avenue, east side, 175.6 ft. north of East 161st street (Block 2620, Lot 9), Borough of The Bronx, Amendment to Alt. 477-45.

640-45-BZ—H.B.Q.—60-77 Myrtle avenue, north side, 208 ft. west of Fresh Pond road (Block 3538, Lot 55), Ridgewood, Borough of Queens, Misc. 1492-45.

641-45-SM—U.S.G. Triple Sealed Gyplap, manufactured by United States Gypsum Co., Material.

Restored to Calendar.

507-45-A—H.B.Q.—43-10 48th avenue, south side, from 43rd to 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens, Misc. 2695-45.

375-40-BZ—H.B.Q.—144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, southwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens, N.B. 1468-40.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CALENDAR

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28. No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28. 1943—Vol. 28, No. 52A
Fire Drill Rules	Aug. 28, 1945—Vol. 30, No. 35
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28. No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Oct. 30, 1945—Vol. 30, No. 44
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	Aug. 28, 1945—Vol. 30, No. 35
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Sept. 4, 1945—Vol. 30, No. 36
Smoking in Factories, Rules for	Oct. 2, 1945—Vol. 30, No. 40
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

OCTOBER 30, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October* 30, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

351-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Precision Realty Corp., owner, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area; premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

470-45-BZ—Application, July 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of 137-20 Cross Bay Boulevard, Inc., owner, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices; premises 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

476-45-BZ—Application, July 31, 1945, under sections 7c and 21 of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Sunny Tower Holding Corp., owner, to permit in a retail use D area district, the extension of an existing store without providing rear yard required by zoning resolution. The premises adjoining a residence district; premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

275-45-BZ—Application, May 8, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Dora Rothenberg and Rose Strauss, owners (Thomas Brodlieb, lessee), to permit in a residence and business use district, the inclusion of minor repairs to existing gasoline service station, office, laundry and lubritorium; premises 125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

555-45-BZ—Application, September 13, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of William E. Winkle, owner, to permit in a business use district and residence use district, the extension to an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station, to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

484-45-BZ—Application, August 3, 1945, under sections 7c and 21 of the zoning resolution, of Thomas E. Huser, applicant, on behalf of International Tailoring Co. of New York, owner, to permit in a business use, B area and Class 2 height district, the extension of an existing factory building, to exceed the area and height permitted by the zoning resolution; premises 101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan.

CALENDAR

Appeal from Administrative Decision

597-45-A—34-41 78th street, 34-21 78th street, 78-10 34th avenue, 34-20 79th street and 34-40 79th street, entire block 78th to 79th streets, between 34th and 35th avenues (Block 1265, Lots 1, 11 and 30), Jackson Heights, Borough of Queens.

Appliances and Material for Approval.

151-44-SA—Jennings Sewage Ejector, Types A and B.

164-44-SA—O and S Powermaster Boiler and Oil Burner, Models AA, B, AC5 and AC6.

492-45-SM—Vitroliner Type "E" Flue Pipe.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 30, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October* 30, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

513-45-A—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens.

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

592-45-A—135 Plymouth street, northeast corner of Adams street (1st floor); (Block 18, Lot 1), Borough of Brooklyn.

601-45-A—1514-1530 Broadway, east side, from West 44th to West 45th streets and 155-169 West 44th street (basement and sub-basement); (Block 997, Lots 1, 6, 9, 54 and 57), Borough of Manhattan.

606-45-A—1½-9 West 34th street, north side, 150 ft. west of 5th avenue and 4-22 West 35th street (Block 836, Lot 26 and 54), Borough of Manhattan.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

604-45-A—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx.

504-45-A—41-47 Columbus avenue and 33-43 West 51st street, northeast corner (1st floor); (Block 1114, Lot 1), Borough of Manhattan.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

584-45-A—1070 Bruckner boulevard (formerly 1066 Whitlock avenue), south side, 134.99 ft. east of Bryant avenue (Block 2755, Lot 40), Borough of The Bronx.

589-45-A—Flushing to Myrtle avenues, between Marcy and Nostrand avenues (Blocks 1719 and 1738, Lots 1), Borough of Brooklyn (Marcy Houses).

590-45-A—80-86 King street, south side, 150 ft. west of Varick street and 71-77 Charlton street (2nd floor); (Block 580, Lot 52), Borough of Manhattan.

595-45-A—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (1st floor); (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

598-45-A—132-138 Mulberry street, east side, 84 ft. north of Hester street (6th floor); (Block 237, Lots 1, 2, 3 and 5), Borough of Manhattan.

600-45-A—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

605-45-A—2418 Belmont avenue, east side, 95 ft. south of East 188th street (2nd floor); (Block 3076, Lot 8), Borough of The Bronx.

608-45-A—40-16 31st street, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

614-45-A—2707 Bailey avenue, west side, 336.07 ft. south of Kingsbridge road (1st floor); (Block 3238, Lot 102), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning,* November 7, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

408-45-BZ—Application, June 29, 1945, under section 7i of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of DAF Holding Corp., owner (David Anhisiger, lessee), to permit in a business use district, the change of occupancy from auto laundry and brake testing station, to motor vehicle repair shop; premises 561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn.

528-45-BZ—Application, August 31, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Simon Ginsberg Estate, Inc., owner, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctor's offices; premises 1082 Park avenue, west side, 25.85 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan.

CALENDAR

97-45-BZ—Application, February 26, 1945, under section 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Abe L. Malamut, owner, to permit in a residence use, G area district, the existing storm enclosure in the side yard; premises 108-22 66th road, south side, 100 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

548-45-BZ—Application, September 13, 1945, under sections 7(b) and 21 of the zoning resolution, of Stanley Lieberman, applicant, on behalf of Scandinavian Good Templars Temperance Mission of N. Y. C., owner, to permit partly in a residence use district, and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one-family to funeral chapel and one-family; premises 641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn.

265-28-BZ—Application of Herman Kron, applicant, on behalf of Ottilia Realty Corp., owner (Hamilton Buick, Inc., lessee), reopened October 2, 1945, under sections 7(e) and 7(i) of the zoning resolution, to permit in a business and residence use district, the extension (of use) of garage for more than five cars to garage for more than five cars, repair shop, sales of auto parts and auto showroom; premises 3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

622-45-A—4-36 Vernon boulevard, northwest corner of 44th drive (1st floor); (Block 489, part of Lot 1), Long Island City, Borough of Queens.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn.

650-45-A—78-01 57th avenue, north side, 745 ft. east of 74th street (Block 2805, Lot 31), Flushing, Borough of Queens.

Material for Approval

502-45-SM—Western's Standard Concrete Piles.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 7,* 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

634-45-A—1021-1031 Madison avenue and 44-52 East 79th street, southeast corner (cellar); (Block 1393, Lot 52), Borough of Manhattan.

525-45-A—15-17 East 37th street and 232 Madison avenue, northwest corner (10th, 11th and 13th floors); (Block 867, Lots 13-15), Borough of Manhattan.

611-45-A—13-96 Beach 28th street, south side, 121.4 ft. east of Mott avenue (Block 175, Lots 18 and 19), Far Rockaway, Borough of Queens.

624-45-A—75-80 184th street, northwest corner of Union turnpike (1st floor); (Block 7200, Lot 44), Flushing, Borough of Queens.

630-45-A—302-340 East 83rd street, 1579-1593 1st avenue, southwest corner, 301-351 East 82nd street and 1584-1598 2nd avenue (basement); (Block 1545, Lots 1-52, inclusive), Borough of Manhattan.

636-45-A—440-446 Kent avenue, southwest corner of South 8th street (1st to 4th floors, inclusive); (Block 2134, Lot 1 and Block 2143, Lot 1), Borough of Brooklyn.

645-45-A—757-761 Utica avenue, east side, 155 ft. south of Lenox road (1st floor); (Block 4656, Lots 46, 47 and 48), Borough of Brooklyn.

653-45-A—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.

669-45-A—221-28 Braddock avenue, south side, from 221st street to 221st place, 89-02 to 89-18 and 89-17 to 89-33 221st street and 89-02 to 89-06 221st place (Block 10666, part of Lot 53 and Block 10667, part of Lot 27), Queens Village, Borough of Queens.

670-45-A—89-31 to 89-35 221st place, east side, 171 ft. and 211 ft. south of Braddock avenue (Block 10668, part of Lot 16), Queens Village, Borough of Queens.

637-45-A—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.

649-45-A—136-17 38th avenue, north side, 155 ft. east of Main street (attic); (Block 4978, Lot 75), Flushing, Borough of Queens.

652-45-A—585-603 Johnson avenue, north side, 100 ft. 4 in. east of Gardner avenue (2nd and 3rd floors); (Block 2989, Lots 42 and 46), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a resi-

CALENDAR

dence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

558-37-BZ—Application of Philip S. Garozzo, applicant, for Michael Garozzo (lessee), for Druiss Co., Inc., owner, reopened October 9, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

512-45-BZ—Application, August 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Victor A. Beard, owner, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

Materials for Approval.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air).

486-45-SM—Henry Spen 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

389-42-BZ—Application of Emanuel H. Jerabek, applicant on behalf of Dominick Carl Carena, owner, reopened October 16, 1945 for consideration as to amendment of resolution—re Application previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station; premises 82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

Appeals from Administrative Decisions.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

607-45-A—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan.

656-45-A—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

375-40-BZ—Application of Walter A. Beaudel, applicant and owner, reopened October 23, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, northwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

CALENDAR

Appliances for Approval

103-45-SA—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector.

558-45-SA—Peerless DeLuxe Lowboy Vented Gas Circulators.

General Resolution

1464-39-GR—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

613-45-A—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—32nd avenue).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 27*, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications.

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

344-45-BZ—Application, June 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Antonio Sicuro, owner, to permit in a retail and business use district, the extension of an existing building; premises 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

616-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Vode Realty Corp., owner, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling to showrooms which does not comply with B area requirements of zoning resolution; premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of October 16, 1945.)

586-39-BZ

APPPLICANT—Lama and Proskauer, for Mary L. Moll and Charles London, owners.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under sections 7g and 21 of the zoning resolution, permitting in a business use district, the alteration and extension of a garage for more than five motor vehicles, and also the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block 184, Lots 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (586-39-BZ)

WHEREAS, this application, under sections 7g and 21 of the zoning resolution, permitting in a business use district, the alteration and extension of a garage for more than five motor vehicles and, also, the inclusion of a gasoline service station, affecting premises 430-440 Altantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block 184, Lots 14, 17 and 18), Borough of Brooklyn, was granted by the Board March 12, 1940, on certain conditions; and

WHEREAS, the resolution was amended and plans approved on October 22, 1940; and

WHEREAS, time to obtain permits and complete the work was extended on October 7, 1941, November 4, 1942, October 19, 1943 and October 24, 1944 and the applicant requested a further extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 12, 1940, as amended on October 22, 1940, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and no work done, all work shall be completed within one (1) year from the date of this *amended* resolution and other than as herein amended, the conditions of the resolutions of March 12, 1940 and October 22, 1940, shall be complied with."

MINUTES

845-39-BZ

APPLICANT—Lama and Proskauer, for Harris Goody Realty Co., Inc., owner. (Philip Mansdorf, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five motor vehicles upon an existing gasoline service station, which was previously granted by the Board.

PREMISES AFFECTED—253-263 Empire boluevard and 369-379 Rogers avenue, northeast corner (Block 1308, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (845-39-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the erection of an accessory building on an existing gasoline service station, affecting premises 253-263 Empire boluevard and 369-379 Rogers avenue, northeast corner (Block 1308, Lot 1), Borough of Brooklyn, was granted by the Board on January 30, 1940, on certain conditions; and

WHEREAS, on March 2, 1943, the resolution was amended under section 7h of the zoning resolution, permitting the parking and storage of more than five motor vehicles, for a term of two years, upon an existing gasoline service station previously granted by the Board; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 2, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises now occupied by a gasoline service station and three car garage accessory thereto, to be also occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended,* the provisions of the resolution of March 2, 1943 shall be complied with and that a certificate of occupancy shall be obtained."

1091-39-BZ

APPLICANT—T. W. Lamb Associates, Inc., for Sixth Avenue and 44th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—1120-1136 Sixth avenue, east side, entire block from West of 43d street to West 44th street (Block 1259, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Elsie Wickman.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1091-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block 1259, Lot 1), Borough of Manhattan, was granted by the Board on November 28, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 28, 1941 and October 26, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 28, 1939, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended,* the provisions of the resolution of November 28, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

972-41-BZ

APPLICANT—Morris Okoshken, for Edward Sherman Supply Co., owner.

SUBJECT—Application for consideration—reopening and extension of permit—expired by limitation June 23, 1944—re Applcation (decision of borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting the extension from a business use district into a residence use district, of a business use, and also, the use of a portion of a rear yard located partly in a residence use district as ingress and egress to part of the said proposed business use.

PREMISES AFFECTED—116-01 to 116-13 Merrick boulevard (road), southeast corner of 116th avenue (Block 3108, Lot 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Morris Okoshken.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (972-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting from a business use district into a residence use district, of a business use and also, the use of a portion of a rear yard located partly in a residence use district as ingress and egress to part of the said proposed business use, for a term of two (2) years, affecting premises 116-01 to 116-13 Merrick boulevard (road), southeast corner of 116th avenue (Block 3108, Lot 1), St. Albans, Borough of Queens, was granted by the Board on June 23, 1942, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 23, 1942, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7c thereof for a term of two (2) years from the date of this *amended* resolution, to permit the extension of the business use into the more restricted area as indicated on plans filed with this application marked 'Received April 9, 1942,' *on*

condition . . . that other than as herein *amended,* the provisions of the resolution of June 23, 1942 shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. Nos. 9548-41 and 9549-41)."

462-44-BZ

APPLICANT—Walter Lang & Son., Inc., for Walter Lang and Son, Inc. and Macoy Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits and complete work—re Application (decision of the Commissioner of Marine and Aviation) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station.

PREMISES AFFECTED—3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry E. Lang.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (462-44-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a stated term of years, the erection of a boat basin, marine service building, gasoline and oil selling station, affecting premises 3022-3038 Emmons avenue, south side, 843.23 ft. east of East 27th street (Block 7515, Lots 42 and 49), Borough of Brooklyn, was granted by the Board on October 17, 1944, on certain conditions; and

WHEREAS, time was extended on January 23, 1945, within which to submit to the Board, plans for approval, in compliance with the resolution of October 17, 1944; and

WHEREAS, on July 27, 1945, the Board approved the plans, as being in substantial compliance with the requirements of the resolution adopted on October 17, 1944; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 17, 1944, as amended by resolution of July 27, 1945, as to approval of plans, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the provisions of the resolutions of October 17, 1944 and July 27, 1945, shall be complied with."

1004-25-BZ

APPLICANT—Arthur Jovis, for 2929-2933 Third Avenue Company, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) previously granted on condition permitting in a residence district, the change of occupancy of the 1st story of an existing apartment building from dwelling use to stores.

PREMISES AFFECTED—2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Jovis.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on October 23, 1945 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

389-42-BZ

APPLICANT—Emanuel H. Jerabek, for Dominick Carl Carena, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district the alteration and extension of a gasoline service station.

PREMISES AFFECTED—82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83d street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 13, 1945 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

Adjourned: 4:30 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY MORNING, OCTOBER 23, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, September 18, 1945, and Tuesday morning and Tuesday afternoon, September 25, 1945, were approved as printed in Bulletin Nos. 39 and 40, Volume 30.

ZONING APPLICATIONS

67-45-BZ

APPLICANT—Alphonse Rapp, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy.

PREMISES AFFECTED—322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Martin Green.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Referred to the Engineer of the Board.

MINUTES

293-45-BZ

APPLICANT—Lama and Proskauer, for Harry Pollack, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance.

PREMISES AFFECTED—739-747 Albany avenue and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Bessie Dworkin and Yetta Frechter.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945, at 10 A. M. Applicant to file revised plans.

398-45-BZ

APPLICANT—Stanley Kilburn, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7f and 7i of the zoning resolution, to permit in a business use district, the alteration and extension of on existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution.

PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: P. Harold Paltrow and Stanley S. Kilburn.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 7, 1945, at 10 A. M., at request of applicant.

411-45-BZ

APPLICANT—Emil Koeppel, for General Outdoor Advertising Co., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use and residence use district, the extension of an existing garage for more than five cars, for storage and paint shop.

PREMISES AFFECTED—538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Koeppel.

For Opposition: Frank E. Davis, Charles E. Davis and Frederick Trotman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Referred to the Engineer of the Board.

470-45-BZ

APPLICANT—Lama & Proskauer, for 137-20 Cross Bay Boulevard Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a residence use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices.

PREMISES AFFECTED—137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner, and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Jennie Green.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 30, 1945, at 10 A. M. for further consideration.

476-45-BZ

APPLICANT—Jacob J. Gloster, for Sunny Tower Holding Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a retail use, D area district, the extension of an existing store without provining rear yard required by zoning resolution. (The premises adjoin a residence district).

PREMISES AFFECTED—93-11 63d drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Jacob J. Gloster, P. Mahlab and J. Puigalin.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to October 30, 1945, at 10 A. M. for further consideration.

108-45-BZ

APPLICANT—Lama and Proskauer, for Building Management Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use C area district, the erection of a garage for more than five motor vehicles and occupying the entire lot area instead of the percentage required by the zoning resolution.

PREMISES AFFECTED—94-02 to 94-18 Horace Harding boulevard, north side. 92 ft. east of 93rd street and 61-13 to 61-27 93rd street (Block 2076, Lot 55), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: L. F. Sherman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

413-45-BZ

APPLICANT—Emil Koeppel, for Rabbi Samuel A. Rubin, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and retail use district, a proposed building to be used as a synagogue to occupy more than 55% of the lot, to have a rear yard not in conformance with Section 14(a) of the zoning resolution, and to be provided with a chimney located in the rear yard in excess of the area permitted by section 17(c) of the zoning resolution.

PREMISES AFFECTED—154 Henry street, south side, 83 ft. east of Rutgers street (Block 271, Lot 57), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: Emil Koeppel and Rabbi Samuel Rubin.
For Opposition: Dr. Morris Kaplan and Estelle Lipkin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn without prejudice.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

378-45-BZ

APPLICANT—Lama & Proskauer, for Sinclair Refining Co., owner, (Litterin Service Station Co., lessee).
SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residential and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station.
PREMISES AFFECTED—116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama and John Loughnam.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION (378-45-BZ)

WHEREAS, Lama and Proskauer for Sinclair Refining Company, owner (Litterin Service Station Co., lessee), filed June 19, 1945, an application under section 7c of the zoning resolution, to permit in a residence and business use district, the proposed extension to permit lubritorium, auto laundry in the present gasoline service station, affecting premises 116-60 Sutphin boulevard, west side, 64.44 ft. north of Foch boulevard (Block 12008, Lots 30 and 36), South Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Sutphin boulevard is in a business use, D area and Class 1 height district; 148th street and 116th drive are in a residence and business use, D area and Class 1 height district; and

WHEREAS, the decison of the borough superintendent, dated June 12, 1945, on Alt. Applic. 667-45, reads:

"1. Proposed extension to gasoline service station located partly in a business and partly in a residence district, is contrary to Sections 3 and 4—46."

and

WHEREAS, the applicant states that the premises consists of a plot, 120.97 ft. frontage by 141.10 ft. in depth, irregular, on which is located a one story masonry building, 23 ft. front by 13.6 ft. deep, 13 ft. in height, to which an addition is to be added, 30 ft. deep and 25 ft. wide, constructed of concrete block (class 3 construction); that it is proposed to remove the present metal building and construct at the rear of the present office, a masonry extension to house a lubritorium and laundry room; and

WHEREAS, the applicant contends that the present one story masonry building is used as a store, office, to which there is attached a one story metal building, which is used for storage and there are four open steel grease pits and a one story tool shed 8 ft. 2 in. by 27 ft.; that it is proposed to remove the present metal building and construct at the rear of the present office, a masonry extension 25 ft. by 30 ft. to house a lubritorium and laundry room; that the present gasoline service station was erected prior to 1925, at which time a service station was permissible in a business use district; it is requested that this application be granted, in view of the fact that this is an existing gasoline station and the proposed extension is an improvement to the premises; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zonng resolution; and

WHEREAS, the applicant states that the present tenant has a lease which expires in two years and at the end of that time, the owner proposes to file plans for complete alteration and re-arrangement of the plot as a modern gasoline service station for consideration by this Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, for a term of two (2) years from the date of this resolution, to permit the proposed extension for a lubritorium as indicated on plans filed with this application, marked "Received June 19, 1945", *on condition* that at the end of the term herein granted, the building shall be removed; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

570-45-BZ

APPLICANT—New York Telephone Co., owner.
SUBJECT—Application (decision of the borough superintendent) under sections 7c and 7d of the zoning resolution, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station.
PREMISES AFFECTED—3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond.
APPEARANCES—
For Applicant: Ralph W. Brown, Harry Kaiser and Irving W. Young.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (570-45-BZ)

WHEREAS, New York Telephone Company, owner, filed September 26, 1945, an application under section 7c and 7d of the zoning resolution, to permit in a residence use district, the extension of an existing auxiliary telephone repeater station, affecting premises 3813 Victory boulevard, north side, 120 ft. west of Baron boulevard (Block 2785, Lot 7), Travis, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Victory boulevard is in a residence and retail use, E area and Class 1 height district and Baron boulevard is in a residence use, E area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated August 28, 1945, on Alt. Applic. 172-45 reads:

"1. This proposed non-fireproof extension to a telephone auxiliary cable house it not permitted in this use

district, as such use is contrary to a use permitted in a residential use district. Zoning Resolution, Art. II, Sec. 3" and

WHEREAS, the applicant states that the premises consist of a plot 60 ft. frontage by 100 ft. in depth (irregular), on which is located a building one story 19.33 ft. in height, of Class 3 construction and that it is proposed to extend the present building to the rear of present building, a distance of 12 ft. 11½ in. (a one story lateral extension to existing one story building); and

WHEREAS, the applicant contends that at the time the owner acquired title to this plot of land in 1938 on which the existing building is constructed, it was zoned in an A area, unrestricted use district; that in 1942, the area was zoned for residence use; that said parcel was acquired and the building constructed in furtherance of a general plan for the orderly development of adequate long distance telephone facilities throughout the eastern seaboard, including the enlarging of said building from time to time, to take care of growing service demands; that the plot of land is irregular and trapezoidal in shape with a frontage of 60 ft. on Victory boulevard, a parallel rear one of 81.45 ft. and a depth of 100 ft.; that the existing building is regularly shaped with pitched slate roof, 26 ft. 11 in. square and 19 ft. 4 in. in height, with easterly side yard of 12 ft. and westerly side yards of 25.38 ft. and 34.01 ft. on the front and rear of the building elevations respectively, and with front and rear yards of 20 ft. and 53 ft. 1 in. respectively; that a 4 ft. wire link fence extends across the property 16 ft. to the rear of the existing building; that the proposed one story extension, without basement, will extend the building an additional 12 ft. 11½ in. toward this fence and into the rear yard of 53 ft. 1 in.; that the wire link fence extends also along the side property lines of the premises and across the front yard at the old line of Victory boulevard; that the fenced area contains lawn, concrete walk and shrubbery attractively maintained; that the combined building will have pitched slate roof 19 ft. 4 in. in height, rectangular in shape, fronting 26 ft. 11 in. on Victory boulevard and a depth of 39 ft. 10½ in. and a rear yard of 40 ft. 1-½ in.; that the existing front and side yards will be retained; that the portion of the new building will further extend into the residence district 26 ft. 5 in. by 12 ft. 11½ in.; that the extension will conform architecturally with the existing building, non-fireproof Class 3 building, with wood framed roof, concrete footings, reinforced concrete floors, without basement and solid brick walls faced with red Colonial brick and limestone trim, centered metal front door and limestone door frame, set back 20 ft. from the proposed line of Victory boulevard, with a concrete walk leading to the front door steps and a 4 ft. cyclone wire link fence enclosing the premises; that the building will house electrical voice-amplifying equipment for approximately 100 existing Type K cable carrier telephone systems; that telephone traffic has increased rapidly for a number of years and has been cared for in the New York-Washington section principally by the installation of Type K carrier systems on cables, which necessitates repeater office equipment at certain definite intervals, determined by transmission requirements; that there is not sufficient space in the present building for the additional equipment; that the proposed extension is the minimum which can be provided to permit a satisfactory operating layout of the equipment; that any appreciable change in the location of the delicately adjusted transmission equipment housed in this building, would unbalance telephone operation over these long lines and would adversely affect the quality of service transmission; that the structure will be wholly unattended by operators or other employees, except for infrequent visits of short duration for inspection and maintenance; that in April of 1945, the WPB authorized the additional equipment involved in this project and the construction of additions to four of the repeater stations and the project was approved by the Federal Communications Commission; that orders have been placed for the K carrier equipment to conform to Western Electric Company's production schedules, so that the equipment may be made available for service by February 1946; that strict application of the use district provisions would be contrary to the general purposes and intent of the building zone resolution, resulting adversely to efficient and proper telephone operation and service to the public; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivisions c and d, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under sections 7c and 7d thereof, to permit the extension as proposed into the residential district, as indicated on plans filed with this application marked "Received September 26, 1945". *on condition* that the premises shall be maintained as proposed, with the grounds properly landscaped and surrounded on all sides by a woven metal fence as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

399-45-A

APPLICANT—Stanley Kilburn, owner.

SUBJECT—Appeal from a decision of the borough superintendent. (Under section 35, General City Law re bed of mapped street—Corporal Kennedy street (Stewart avenue).

PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: P. Harold Paltrow and Stanley S. Kilburn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 7, 1945, at 10 A. M. at request of applicant.

407-44-A

APPLICANT—Regal Chemical Corporation, lessee, for 115 Dobbin Street Corporation, owner.

SUBJECT—Application reopened October 9, 1945 re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. Norman Clark.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (407-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 115-117 Dobbin street, west side, 100 ft. south of Meserole avenue (1st and 2nd floors); (Block 2616, Lot 12), Borough of Brooklyn, was granted by the Board on July 5, 1944, on certain conditions: and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent; and

WHEREAS, this appeal was reopened by vote of the Board on October 9, 1945, based on a decision of the borough superintendent, dated March 13, 1945, on Alt. Applic. 3661-43, which reads:

"1. Freon tanks to be stored as specified in resolution of Board of Standards and Appeals. Denied."

and

WHEREAS, the applicant now contends that it has complied with all other conditions of the Board's resolution adopted July 5, 1944, to the satisfaction of the fire commissioner, except "that no open flames of any kind shall be in any part of the second floor; and that such cylinders shall be stored in a fireproof room, located toward the front of the first story"; that there are no open flames on any part of the 2nd floor, with the exception of small bunsen burners operated occasionally under direct supervision of research and control chemists, within a small laboratory of fire retarding construction, equipped with sufficient fire extinguishers and that the burners in operation are on a fireproof surface and most of the time, located within a hood, mechanically ventilated to the roof of the building; that the laboratory on the second floor is adequately ventilated; and contends as to the fireproof storage room on the first floor, as required by the resolution, it is requested the Board accept the proposed condition as shown on plans filed with this appeal.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 5, 1944, so that as amended it shall read:

"*Resolved,* that order 97178-LC of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is *granted,* as to item 1, *on condition* that not more than ten 1-ton cylinders of Freon shall be stored on the premises; that such cylinders shall be stored in a fireproof room, located at the front of the first story, substantially as indicated on revised plans filed with this appeal marked 'Received May 26, 1945'; that piping from such tanks to the second floor work benches shall be constructed and maintained to the satisfaction of the fire commissioner; that no open flames of any kind shall be in any part of the second story, except in a laboratory room shut off from the balance of the second floor, where a bunsen burner may be permitted for laboratory purposes; that the boiler room on the first floor shall be separated by a fireproof partition with a fireproof, self-closing door, as indicated; that proper signs satisfactory to the fire commissioner shall be posted as to the presence of Freon on the premises; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. Nos. 28-44-A and 81-44-A.

Resolved, further, that the decision of the borough superintendent as to Alt. Applic. 3661-43, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the fireproof room as proposed and shown on plans marked 'Received May 26, 1945' shall comply with all requirements of the Building Code therefor; that such fireproof room shall be ventilated by means of fixed louvers at top and bottom, opening directly to the street, to the satisfaction of the fire commissioner; and that in all other respects, the requirements of this resolution shall be complied with."

551-45-A

APPLICANT—I. D. Watch Case Co., lessee, for Eastport Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. M. Zinam.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (551-45-A)

WHEREAS, I. D. Watch Case Company, lessee, for Eastport Realty Corporation, owner, filed September 12, 1945, an appeal from an order of the fire commissioner, affecting premises 137-11 90th avenue, northeast corner of Van Wyck boulevard (main floor); (Block 9971, Lot 38), Jamaica, Borough of Queens; and

WHEREAS, Order 304-LC, issued by the fire commissioner, dated August 13, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use acids, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

2. Discontinue the storage and use of hydrogen gas, since this use creates an undue hazard and is not in the interest of public safety. C19-11.0, Administrative Code."

and

WHEREAS, the applicant states that the building is 1 story (22 ft. 3½ in.) in height, 188 ft. 9 in. by 214 ft. in area at street level, 92 ft. by 45 ft. in area at typical floor level, of Class 1 construction, erected in 1945, located in an unrestricted use, C area district and used and occupied: basement—cafeteria—two persons, boiler room—1 person, store room, locker rooms and gold molding department—1 person; 1st floor—manufacturing watch cases—155 persons, offices—10 persons; 2nd floor—offices—4 persons, manufacturing watch cases—3 persons, and conference room; that the building was equipped with one stairway to the basement, leading to the street and rear area, two stairways to the office area and three exits directly to the exterior; that the basement stairway is 5 ft. 4 in. wide, office stairways are 3 ft. 8 in. wide, all of steel and cement treads, enclosed in 6 in. concrete block, equipped with 1-½ hour hollow metal self-closing doors; and

WHEREAS, Certificate of Occupancy Q32548, issued under Alt. 528-45, permits the use and occupancy of the building as follows: basement—locker rooms—264 persons; restaurant—132 persons, not to be used when lockers are used, and boiler room—1 person; 1st floor—factory and office—300 persons; 2nd floor—office—30 persons; and

WHEREAS, the applicant contends that the building was recently erected and is equipped with every type of new equipment available for safety of employees; that the use of hydrogen gas does not create an undue hazard and no possible hazard is attached to its use; that the hydrogen gas is used in a container which has a door on each side; that the only possible place the gas could escape is through one of these doors when open; that directly in front and below each of these doors is a pilot gas light and the operator of the container will never open either of these doors unless the pilot light is lit; that so long as either of the pilot lights is lit, none of the hydrogen gas can escape, even when the doors are open; that the company has used this method for the past 30 years and at no time has there been any accident; that if the use of hydrogen gas is required to be discontinued, the plant will have to shut down, as the gas must be used for the soldering, stamping and heat-treating of the products made.

Resolved, that the order of the fire commissioner on Order 304-LC, item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the number of cylinders of hydrogen gas stored on the premises shall not exceed two, each with a capacity of not over 200 cu. ft. of gas; that such cylinders shall be stored in a separate compartment, erected outside the existing building at a point as indicated on revised plans filed with this appeal marked "Received October 18, 1945"; that such building shall not exceed the dimensions indicated and shall be constructed of incombustible material; that the entire roof shall consist of a skylight with fixed louvre ventilators; that such skylight shall rest unattached on top of the walls; that ventilation shall also be provided near the floor as proposed; that the floor of such storage space shall be of the sparkproof type and any wiring within the building shall be of a type as approved

for explosive atmospheres; that such cylinders shall be firmly maintained in place by straps of non-ferrous metal, in an upright position, with a manifold of a type satisfactory to the fire commissioner; that piping from such manifold into the building for use as proposed, shall be maintained to the satisfaction of the fire commissioner and shall be painted as he shall require; that such piping shall be single length tubing, or where joined, shall be properly welded or brazed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

578-45-A

APPLICANT—Ladis H. Csanyi, for President of the Borough of Manhattan, City of New York, owner.

SUBJECT—Re transportation of gasoline and kerosene in a gasoline type tank truck (not in conformity with Fire Department's specifications governing tank trucks) in New York City.

APPEARANCES—
For Applicant: Ladis H. Csanyi.
For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (578-45-A)

WHEREAS, Ladis H. Csanyi, for the President of the Borough of Manhattan, City of New York, owner, filed on October 1, 1945, an appeal from decisions of the fire commissioner affecting the transportation of gasoline and kerosene in a gasoline type tank truck within the City of New York; and

WHEREAS, the decision of the fire commissioner dated May 23, 1945, reads:

"Our inspector reports having seen Truck #22 operated by your Department. It is used for the transportation of petroleum products and is not in conformity with our requirements, and further that no permit has been obtained for the transportation of this material. It is therefore suggested that a representative from your Department call at this office, where we will be pleased to explain our requirements."

and

WHEREAS, the decision of the fire commissioner dated September 20, 1945, reads:

"In reply to your request of September 19th, we herewith quote our communication of July 23rd, 1945, regarding the use of a truck to transport both gasoline and kerosene:

'In reply to your letter regarding the use of a gasoline type tank truck to transport both gasoline and kerosene at the same time, please be advised that such transportation is contrary to Section 26-1 of the Fire Department tank truck regulations.'"

and

WHEREAS, the applicant states the tank truck in question will have a capacity of 1920 gallons, divided into six compartments, none of which shall exceed 320 gallons; that the tank truck will meet all the requirements of the Fire Department relating to tank trucks for transportation of gasoline, benzine, benzole, etc.; that the truck will be used in the transportation of both gasoline and kerosene, the five front compartments for kerosene and the last compartment for gasoline; that gasoline or kerosene will be dispensed as required, through separate approved pumps, meters and hoses; that kerosene will be pumped through an approved meter and thence through the prescribed hose; that gasoline will be pumped through a separate manifold to a separate discharge line; that gasoline or kerosene will have separate discharge manifolds, each equipped with a hose at least 12 ft. in length, mounted on a reel with manual control; that portions of the vehicle utilized for kerosene tank and all discharge mechanisms, valves, etc., including hose tip, will be painted dark green and the portions used for gasoline, including tank, valves and all discharge mechanisms shall be painted red; that the cab, bonnet or hood, and wheels will be painted grey-green; and

WHEREAS, the applicant contends that in the process of repairing and maintaining streets and sewers in the Borough of Manhattan, it utilizes numerous types of gasoline driven machinery and kerosene heating or lighting equipment; that since the majority of the repair crews utilize both gasoline and kerosene equipment, it is necessary that both gasoline and kerosene be furnished to them daily, to permit the carrying out of their work; that tests have been carried out in order to determine the manner in which the gasoline and kerosene may be handled to avoid loss of time; that by virtue of the character of the work and the locations throughout the borough, it has been found that the transportation of kerosene and gasoline in one vehicle yielded the highest efficiency; that a tank truck was constructed for this use, but cannot be revised to meet the requirements of the fire department; that it is proposed to purchase a gasoline tank truck of 1940 gallon capacity, meeting the fire department requirements for gasoline and to provide this truck with one section of 340 gallons capacity, with a separate manifold for gasoline and the regular manifold to serve the remaining five compartments for kerosene; it is therefore requested that the Board grant special permission to utilize the gasoline tank truck to transport both gasoline and kerosene, in order that the Department may carry on its functions economically, safely and efficiently; and

WHEREAS, the applicant states that the tank truck will comply in all respects with the requirements of the fire commissioner for a gasoline truck, except that it is desired to carry both gasoline and kerosene in the same truck, five tanks to carry kerosene and one, gasoline.

Resolved, that the decision of the fire commissioner, dated September 20, 1945, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the tank truck shall comply with the requirements therefor and shall be maintained substantially as proposed; that in addition to painting the kerosene tanks green, all valves, piping, etc. in connection therewith shall be painted green, and the gasoline tank with its valves, pipings and fittings shall be painted red; that there shall be a sign attached to the outlets stating the contents of each tank and also on the gasoline dispensing nozzle there shall be a tag firmly attached thereto, stating that it is for gasoline; that when dispensing, the tank truck shall be removed as far as possible from the equipment to be filled and that such filling of gasoline and kerosene shall be done only when the apparatus being serviced is shut down.

MATERIALS SUBMITTED FOR APPROVAL.

356-43-SM

APPLICANT—Panther Oil and Grease Manufacturing Co., owner.

SUBJECT—Battleship Liquid Asbestos Coating, approval of.

APPEARANCES—
For Applicant: Robert E. Cushman and H. A. Mingler.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE—
Affirmative—Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (356-43-SM)

WHEREAS, the Panther Oil and Grease Manufacturing Co., owner, filed on July 12, 1943, an application with the Board of Standards and Appeals for approval of the material known as Battleship Liquid Asbestos Coating; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

MINUTES

REPORT OF COMMITTEE ON TESTS

September 19, 1945.

Re: Cal. 356-43-SM

Subject: Battleship Liquid Asbestos Coating, Approval of.

The Panther Oil and Grease Manufacturing Company, filed an application with the Board of Standards and Appeals for approval of Battleship Liquid Asbestos Roof Coating (reroofing and resurfacing material), under the provisions of C26-178.0.b, C26-605.0 and C26-680.0 Administrative Building Code.

DESCRIPTION

The material is intended for use as a coating or finish on roofs of old or new buildings. The coating is composed of Gilsonite, which has a melting point of 280 degrees F, other oils, asbestos and other materials to form a smooth homogenous mixture.

Test was conducted by the Robert W. Hunt Company, as to this material, report #K2550 with the following results:

Condition of Material in container . . . Smooth, homogeneous mixture—no livering.

Consistency . . . Brush coat produces a film of appreciable thickness with easy application.

% Volatile Matter 20.50
% Non-Volatile Matter 79.50

Behavior of Coating at 140 deg. F for 5 hours:

On Smooth surfaced asphalt prepared roofing . . . No blistering, sagging nor appreciable absorption.

On metal panel . . . No blistering nor sagging.

Behavior of Coating at 32 deg. F for 1 hour:

On metal test panel when quickly bent over a 1 inch mandrel . . . No cracking or separation of metal and coating.

% Mineral Filler 6.38
% Residue from Ignition of Mineral Filler.... 89.30

The above tests indicate that this material meets the requirements of Federal Specification SS-R-451 for Brushing Consistency asphalt for roof sealing. In addition, the test shows as follows:

Behavior of coating on tin panel when heated to 700 deg. F and immediately plunged into ice water . . . No harmful effects could be observed. Immediately upon withdrawal from ice water film withstood bending and straightening without cracking.

A brand test was conducted on a roof panel 3′ x 4′ square of ⅞ in. t. and g. planking on 2″ x 4″ rafters by the New York Testing Laboratories, Inc., in the presence of the Committee on Tests of the Board, in accordance with the requirements of Administrative Building Code, Group 16, with the following results:

Time elapsed until flame was out—23 min.
Time elapsed until glow was out—28 min. 50 sec.
Surface area scorched by spread of flame—15″ x 11″
Surface area burned—8″ x 8″
Plies consumed—All (apparently 3 plies)
Area of wood deck stained—10″ x 10″
Area of wood deck charred—5″ x 5″
Depth of Charring—9/16″
At six minutes the deck coating was burning.

RECOMMENDATION

As a result of these tests, the Committee recommends approval under C26-680. and Group 16, Administrative Building Code as a roof covering applied over old or new roofing, provided that when used within the fire limits over new roofing two plies consisting of one 30 lb. and one 14 lb. felt mopped at the rate of 2 gallons of Battleship liquid asbestos coating per square shall be applied for each layer and when used over old roof shall have equivalent under laying.

It is also recommended that each container of Battleship Liquid Asbestos Coating shall be clearly marked or labeled, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 356-43-SM."

(Sgd.) Bernard A. Savage,
Commissioner.
Charles M. Blum,
Commissioner.
Leslie V. Huber,
Chief Engineer.
Committee on Tests.

and

Whereas, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Battleship Liquid Asbestos Coating, *on condition* that the material be manufactured, used and lebelled in accordance with the above report.

652-44-SM

APPLICANT—Crest Manufacturing Co., Inc., owner.
SUBJECT—Crest Setting Compound (Plumbing Fixture Setting Compound), approval of.
APPEARANCES—
For Applicant: B. Goerler.
ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (652-44-SM)

Whereas, Crest Manufacturing Co., Inc., owner, filed on November 17, 1944, an application with the Board of Standards and Appeals for approval of the material known as Crest Setting Compound (Plumbing Fixture Setting Compound); and

Whereas, this material was referred to the Committee on Tests of the Board for test and report; and

Whereas, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

September 29, 1945.

RE: Cal. 652-44-SM

Subject: Crest Setting Compound (Plumbing Fixture Setting Compound) approval of.

The Crest Manufacturing Company of Long Island City, New York, filed an application with the Board of Standards and Appeals for the approval of their Crest Setting Compound under the requirements of C26-178.0b for use as a material that is impervious to moisture in floor outlet connection leading to the fixture placed thereon, as provided in C26-1250.0 of the Administrative Building Code.

DESCRIPTION

Crest Setting Compound is composed of asbestos, pertrolatum, clay, whiting and a germicide. None of the material in the compound is of vegetable or animal matter. The applicant contends that the binder is not subject to deterioration by oxidation, exposure to water or to elevated temperatures, and that it will not dry out, and will adhere to even wet surfaces. It is further claimed that it will prevent the ordinary passage of gases and fumes and that since it has no asphalt or highly colored resinous matter, it is non-staining on marble tile or other similar surfacing materials with which the compound is used. These claims have been checked and certified to, in a report of the laboratory of Foster D. Snell, dated December 9, 1944. Crest Setting Compound is applied around the horn of the bowl after which it is placed in position and rocked, which allows the spreading of the compound, thus sealing the fixture to the floor outlet connection.

TESTS

A sample of this compound was submitted to the laboratories of Foster D. Snell, Inc., of Brooklyn, N. Y. for test to meet the requirements of Fed. Spec. HH-C-536 "Compound; Plumbing Fixture Setting" June 5, 1936 with requirements and results as follows:

E-1. Characteristics.—The composition shall be gas and fume proof, watertight, and nonstaining when applied on tile or concrete surfaces, and shall not rot, harden or dry. Meets requirements.

E-2. Condition in container.—The compound shall be a smooth homogeneous mixture and shall not lump or liver. Meets requirements.

E-3. Workabilty.—The compound shall spread readily when applied to vitreous or metal surfaces and shall be capable of being rolled into a ring. Meets requirements.

E-4. Behavior at 32 deg. F.—Test pieces ½ inch in diameter and 3 inches long, when bent quickly over a mandrel 1 inch in diameter, immediately after exposure to a temperature of 32 deg. F. for 1 hour, shall not show signs of cracking or breaking. Meets requirements.

E-5. Behavior at 180 deg. F.—Test pieces exposed for 60 minutes in a well-ventilated room, then in an oven at 180 deg. F. for 5 minutes, and then back in the room for 60 minutes shall remain plastic, smooth, and homogeneous. Meets requirements.

E-6. Behavior in water.—A piece of 14-mesh wire cloth bent to form a basin not less than 6 inches deep, coated with the compound to a thickness not exceeding 1/16 inch and filled with water, shall show no leakage within 72 hours. Meets requirements.

The report also states that sample conforms to all the requirements of the Federal Specification, including the presence of a germicide to prevent the compound from supporting bacterial life.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends the approval under the Board's authority as provided in C26-191.0a, of Crest Setting Compound for use in setting bowls, urinals, service sinks and similar fixtures, as provided in C26-1250.0 Administrative Building Code, provided that the material be made and used as described herein and that each container bear wording reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. 652-44-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner

CHARLES M. BLUM,
Commissioner

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Crest Setting Compound (Plumbing Fixture Setting Compound), *on condition* that the material be manufactured, used and labelled in accordance with the above report.

393-45-SM

APPLICANT—Tagul Laboratories, Inc., owner.

SUBJECT—Taguline (flameproofing compound), approval of.

APPEARANCES—
For Applicant: John O. Weiss and Dr. Castro Roosel.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION—(393-45-SM)

WHEREAS, Tagul Laboratories, Inc., owner, filed on June 22, 1945, an application with the Board of Standards and Appeals for approval of the material known as Taguline (flameproofing compound); and

WHEREAS, this material was referred to the Committee on Tests of the Board for tests and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

September 28, 1945.

RE: Cal. 393-45-SM

Subject: Taguline (flameproofing compound), Approval of.

The Tagul Laboratories, Inc., owner, filed an application with the Board of Standards and Appeals for approval of the material known as Taguline (flameproofing compound), under the provisions of Sec. C26-191.0 and C26-721.0.b of the Administrative Building Code and the rules of the Board of Standards for Tests of Fire-Resistive Flameproof Materials such as Textiles, Paper and similar Materials and Adhesives, used for decorative purposes and treated acoustical draperies, carpets and similar materials for use in places of public assembly and special occupancy structures.

DESCRIPTION

Taguline is a compound of inorganic and organic salts to which gelatine is added. The material is dissolved at room temperature in the proportion of one pound to a gallon of water. It is applied by: 1. Immersion of the fabrics to be treated; 2. By spraying until the fabrics are thoroughly saturated. Fabrics submitted for test purposes were treated and tested at the Better Fabrics Testing Bureau, Inc., New York, in the presence of the representatives of the Committee on Tests. These tests were conducted in accordance with the Rules of the Board, the samples being immersed for a period of 10 to 35 minutes and dried at room temperature for 48 hours. Other samples were hand sprayed and dried. The following are the results:

Material	Description	Flashing	Duration of Flame	Duration of Glare
Linen—3 samples	treated	none	none	none
Corrugated cardboard (3 samples)	"	"	"	"
Brown wrapping paper	"	"	"	"
Viscose type rayon Marquisette	"	"	"	"
Cotton-wool-upholtery fabric Jacquard pattern	"	"	"	"
Viscose Rayon-cotton Brocade	"	"	"	"
*All cotton velveteen	"	"	"	.13.18 .3 sec.
*Painted scenery on canvas	"	"	"	3, 4 & 9 sec.
All cotton Mattress Ticking	"	"	"	none

* Sprayed

The chemical analyses of the flameproofing compound show inorganic borates and chlorides

Total solids
Moisture
pH value range 7.5 to 8.2

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends the approval of Taguline (flameproofing compound) for use on fabrics listed herein, as susceptible of being satisfactorily flameproofed by the proper application of the flameproofing compound. Tests for each specific installation of originally treated combustible material or any retest thereof shall be made by the Fire Commissioner or in a laboratory approved by him, in accordance with the Rules of the Board heretofore referred to.

The Committee further recommends that each container in which this material is marketed shall be labeled or marked "Approved by the Board of Standards and Appeals for use in New York City under Cal. 393-45-SM."

The label shall also include specifications to be followed in the application of Taguline (flameproofing) compound as to the various types of fabrics, so as to insure their being flameproofed in accordance with the requirements of the Rules for Tests of Fire-resistive Flameproof Materials, such as Textiles, Paper, Similar Materials and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in Places of Public Assembly and Special Occupancy Structures adopted by the Board under Cal. 294-40-SR.

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Taguline (flameproofing compound) *on condition* that the material be manufactured, used and labelled in accordance with the above report.

499-45-SM

APPLICANT—Plymouth Welding Co., owner.

SUBJECT—Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank, approval of.

APPEARANCES—
For Applicant: J. Callahan.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (499-45-SM)

WHEREAS, Plymouth Welding Co., owner, filed on August 13, 1945, an application with the Board of Standards and Appeals for approval of the material known as Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

September 28, 1945.

RE: Cal. 499-45-SM.

Subject: Plymouth Welding Co.'s 275 Gallon Obround Fuel Oil Storage Tank, approval of.

The Plymouth Welding Co. of Conshohocken, Pennsylvania, owner, filed an application with the Board of Standards and Appeals for approval of their material known as the Plymouth Welding Co. 275 Gallon Obround Fuel Oil Storage Tank, under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

These tanks are constructed of #10 U.S. gauge mild sheet steel both heads and shell. They are obround in shape and measure 44" by 26" by 62" inside diameter. The heads are dished (convex) and are formed with rim approximately 1-¼ inches wide and fillet welded. The shells are formed of one piece with a lap of one inch and fillet welded. There are four 2-inch welded pipe connections at top of plate and a ¾-inch opening iron pipe size in one head for draining tank. There are four lugs welded to the body plate with 1-¼ in. tap connections for anchoring tank to floor or other supports. Total weight of tank without lugs 418 lbs.

TEST

A sample tank was subjected to a pressure test at the applicant's plant at Conshohocken, in the presence of the Committee on Tests of the Board and the representatives of the manufacturer, and it successfully met the requirements of Rule 10.3.1 of the Oil Burner Rules. Details of construction, workmanship and protection of steel were found to comply with the Rules of the Board.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests of the Board recommends that the Plymouth Welding Co. 275 Gallon Obround Fuel Oil Tank be approved for use in fuel oil installations in New York City, when constructed in accordance with the details of this report and drawings filed with this application, but nothing herein shall be deemed to waive any requirement of the Oil Burner Rules of the Board.

It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanent affixed plate required by rule 5.3.2 of the Oil Burner Rules, in addition to the wording thereon, shall have the following wording, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 499-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Plymouth Welding Company's 275 Gallon Obround Fuel Oil Storage Tank *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

543-45-SM

APPLICANT—Astoria Tank Co., owner.

SUBJECT—Astoria 275 Gallon Obround Fuel Oil Tank, approval of.

APPEARANCES—
For Applicant: Fred Shapiro.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

MINUTES

THE RESOLUTION (543-45-SM)

WHEREAS, Astoria Tank Co., owner, filed on September 11, 1945, an application with the Board of Standards and Appeals for approval of the material known as Astoria 275 Gallon Obround Fuel Oil Tank; and

WHEREAS, this material was referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

September 28, 1945.

RE: Cal. 543-45-SM.

Subject: Astoria 275 Gallon Obround Fuel Oil Tank, approval of.

The Astoria Tank Co. of Long Island City, owner, filed September 11, 1945, an application with the Board of Standards and Appeals for approval of the material known as the Astoria 275 Gallon Obround Fuel Oil Tank, under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

These tanks are made with long diameter, vertical, and are constructed of #10 U.S. gauge commercial grade, hot rolled sheet steel. They are obround in shape and measure 42" by 26" by 63", long axis verticle. The heads are dished (convex) and are formed with rim approximately 1-¼ in. wide and welded. The shells are formed of one piece with a lap of 1 inch at seam and welded. There are four 2-inch pipe connections welded on top and a ¾-inch steel spud is provided in the bottom of one head to be used as a drain. The tanks are provided with standard pressed steel pipe support lugs. The seams, spuds and lugs are welded. Total weight without lugs 375 lbs.

TEST

A sample tank was subjected to a pressure test at the applicant's plant in the presence of the Committee on Tests of the Board and representatives of the manufacturer and it successfully met the requirements of rule 10.3.1 of the Oil Burner Rules. Details of construction, workmanship and protection of steel were found to comply with the rules of the Board.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends that the Astoria 275 Gallon Obround Fuel Oil Tank be approved for use in fuel oil installations in New York City, when constructed in accordance with the details of this report and drawings filed with this application, but nothing herein shall be deemed to waive any requirements of the Oil Burner Rules of the Board. It is further recommended that all welding conform to the Fusion Welding and Gass Cutting Rules of the Board, and that the permanent affixed plate required by rule 5.3.2 of the Oil Burner Rules, in addition to the wording thereon, shall have the following wording, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 543-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner

CHARLES M. BLUM,
Commissioner

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Astoria 275 Gallon Obround Fuel Oil Tank, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:50 A. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 23, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

328-45-A

APPLICANT—Henry Nordheim, for Aldo Pasquini, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4051, Lots 31 and 32), Borough of The Bonx.

APPEARANCES—

For Applicant: Henry Nordheim, Edward Latti and Aldo Pasquini.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (328-45-A)

WHEREAS, Henry Nordheim, for Aldo Pasquini, owner, filed May 29, 1945, an appeal from a decision of the borough superintendent, affecting premises, 1711 Adams street, west side, 86.75 ft. north of Van Nest avenue (Block 4015, Lots 31 and 32), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated May 1, 1945, on Alt. Applic. 510-44, reads:

"Your application for a certificate of occupancy for use of the above premises as a private club, is DENIED, as the subject alteration application was approved in error, said application having been revoked."

and

WHEREAS, a prior decision of the borough superintendent dated April 4, 1945 reads:

"You are hereby notified that Alteration Application No. 510/44 and Permit No. 12/1945, issued for the above premises, are hereby revoked, as the approvals were issued in error, as the records of this Department show that this building was erected under Temporary Building Application No. 61/1933, the approval of which expired July 1st, 1935. This approval was extended November 29, 1935 for one year, expiring November 29, 1936.

"Since this date, the building has been occupied contrary to subdivision 4 of Section 478 of the old code and Section 8-7-2-7.4 or Section C26-542.0-c of the Administrative Code.

"You are directed to discontinue the present occupancy, and demolish the building, forthwith."

and

WHEREAS, the applicant states that the building is 1 story (16 ft.) in height, 16 ft. 7 in. front width by 76 ft. in depth, by 23 ft. 9 in. at the rear; of Class 4 construction, erected prior to 1907, located in an unrestricted and business use, B area and Class 1¼ and 1½ height district and used and occupied as a private club for 25 persons; and

WHEREAS, the applicant contends that the action of the borough superintendent is in error, for the reason that the index card record shows that this building existed before 1907, as Alteration Plan No. 547-07 was filed relating thereto; that in filing Alt. 510-44, there was an objection raised as to the occupancy and affidavits were offered and accepted by the borough superintendent, showing that the building was occupied as a club as far back as 1930; that in the letter of the borough superintendent dated April 4, 1945, demolition of the building is directed; that the question is whether this building which existed prior to 1907, should be destroyed just because the Department plan records are so depleted that there remains nothing but the index card to prove its existence; that this is a glaring instance of the Department policy to declare a building an outlaw, if there is no plan in their files; that at one time this building housed the woodworking shop of the Mackenzie Lumber Company; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board finds that the statement in the decision of the borough superintendent dated April 4, 1945 is correct as to the record.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 510-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term two (2) years from the date of this action, *on condition* that the building shall comply with the requirements as approved under N.B. Applic. 61-1933, and the alterations as approved prior to revocation of the application under Alt. Applic. 510-44 and Permit No. 12 of 1945; that this variance shall continue only so long as the building is not increased in height or area, and *on condition* that no further structural alteration shall be made and for the term as above stated, and occupied as a private club as proposed, by the club now in possession; that the door shall be maintained in the rear fence opposite the second means of exit and permission to cross adjoining premises under other ownership shall be obtained and filed with the borough superintendent.

507-45-A

APPLICANT—A. F. Morganier, for City and Suburban Homes Co., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously dismissed for lack of prosecution September 25, 1945).

PREMISES AFFECTED—43-10 48th avenue, south side, between 43rd and 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: A. F. Morganier.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (507-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 43-10 48th avenue, south side, between 43rd and 44th streets (Block 177, Lot 1), Long Island City, Borough of Queens, was dismissed for lack of prosecution on September 25, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, the decision of the borough superintendent, dated July 27, 1945, on Misc. Applic. 2695-45, reads:

"3. No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney, complying with Art. 11 of the Admin. Code, etc., Rule 12.1, Oil Burner Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 5, 6 and 7 stories (73 ft.) in height, 190 ft. by 150 ft. in area, of Class 3 construction, erected in 1930, located in a residence and business use, B area and Class 1 height district and used and occupied since 1931 as a multiple dwelling; and

WHEREAS, the applicant contends that the premises have been heated by coal burning boilers, connected by means of a common breaching to a single 4 in. firebrick lined chimney; that the two boilers which it is now proposed to convert to oil burning boilers, are set side by side in the boiler room located on the same floor level, with a very short common smoke breaching, running from the back of each boiler to the common chimney, which is located a short distance from the rear of the two boilers; that boiler manufacturers recommend a smaller chimney area for oil fired boilers than for coal fired boilers; it is therefore felt that the chimney will give safer and more satisfactory operation for oil fired boilers than was obtained with coal fired boilers.

Resolved, that the decision of the borough superintendent acting on Misc. Applic. 2695-45, objection 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation shall be maintained substantially as proposed and shown on plans filed with this appeal, marked "Received August 22, 1945" and in all other respects, shall comply with all laws, rules and regulations applicable thereto, including the Oil Burner Rules of the Board; that this variance shall continue only so long as conditions are maintained substantially as proposed and to the satisfaction of the fire commissioner.

510-45-A

APPLICANT—George D. Scott, for Radio Engineering Laboratories, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—36-40 37th street, west side, 349.5 ft. north of 37th avenue (Block 1216, Lot 43), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: George D. Scott.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (510-45-A)

WHEREAS, George D. Scott, for Radio Engineering Laboratories, owner, filed July 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 36-40 37th street, west side, 349.5 ft. north of 37th avenue (Block 1216, Lot 43), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 26, 1945, on Misc. Applic. 1534-45, reads:

"1. Sprinkler requirements under Art. 4.2.1 shall consist of a system having two approved automatic sources as required by Art. 15.36.

"2. Sprinkler spacings where indicated do not comply with Art. 15.18."

and

WHEREAS, the applicant states that the building is 3 stories (42 ft. 4 in.) in height, 100 ft. by 100 ft. in area at the 1st floor and 100 ft. by 90 ft. in area at the 2nd and

3rd floors, of class 3 construction, erected in 1924, located in an unrestricted use, B area and Class 1½ height district and used and occupied: cellar—boiler room; 1st, 2nd, 3rd floors—radio manufacturing—100 persons on the 1st floor, 100 persons on the 2nd floor and 50 persons on the 3rd floor; that no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that under Cal. 448-43-A, the Board permitted the extension of the building in height, on condition that the third story would not exceed 5,000 sq. ft. in area; that the owners found it necessary, in order to obtain the required space to perform war contracts, to enlarge the third story beyond the limits granted by the Board; that the third story as enlarged is 95 ft. by 100 ft. in area; it is proposed to install a sprinkler system throughout the building having a 6 in. source of supply connected to a 12 in. city main on 37th street, having a two way feed with approximately 50 lbs. pressure; that the building as erected, could not structurally support a roof tank; that all partitions, walls, floors and roof are of concrete and steel, tile and cement plaster and no combustible material has entered into the construction of the building; it is requested that the Board accept the one source sprinkler system and permit the omission of sprinklers under stairs and soffits on the second floor landing; that the sprinklers will be provided within the stair enclosures, at the roof and at the first floor ceiling; that stair enclosures are of tile, cement plastered; that the stairs are of steel with concrete treads and landings; it is also requested that the sprinkler spacings and distance from ceilings throughout the premises be accepted, as shown on plans filed with this appeal; that each sprinkler is so located that the coverage is approximately 80 sq. ft. per head; that the installation of the sprinkler system as proposed has been approved by the New York Fire Insurance Exchange; and

WHEREAS, under Cal. 448-43-A, the Board permitted the extension in height not to exceed 41 ft. and the area of the third story not to exceed 5000 square feet, without requiring a sprinkler system, which is now being installed inasmuch as the third story exceeds the 5000 square feet area by approxmately 3600 square feet inside exterior walls measured, as permitted in C26.254.0; and

WHEREAS, it appears that the building while classified as Class III, is more fireproof than required Class III construction, as all materials in the building are incombustible; that the building is less in height than the permitted limits and exceeds the permitted area for a Class III building by approximately 20%; and

WHEREAS, the following resolution was offered for adoption by the Board:

"The motion is to grant, modifying the decision of the borough superintendent, acting on Misc. Applic. 1534-45, objection 1, on condition that there shall be installed a street supply line not less than 6 inches in diameter, fed two ways; as to objection 2, that the sprinkler spacing throughout shall be rearranged so as not to exceed 80 sq. ft. per sprinkler head; that the requirements of the Building Code shall be complied with as to the sprinklering on the stairways and stairway soffits; that the building shall not be further increased in height or area; that such additional portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that in all other respects the building and occupancy shall comply with all rules, laws and regulations applicable thereto."

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 1534-45, objections 1 and 2 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

566-45-A

APPLICANT—Irving Adelsohn, for Edward and Henry Rosenblum and Lillie Jasper, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—855 Meeker avenue, north side, 120 ft. west of Varick street (Block 2694, Lot 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Adelsohn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (566-45-A)

WHEREAS, Irving Adelsohn, for Edward and Henry Rosenblum and Lillie Jasper, owners, filed September 22, 1945, an appeal from a decision of the borough superintendent, affecting premises 855 Meeker avenue, north side, 120 ft. west of Varick street (Block 2694, Lot 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 23, 1945, on Alt. Applic. 2476-45, reads:

"1. Changing occupancy from residence to business use in a frame building, is contrary to Sections 2.1.3.5 and 4.2.1 of Bldg. Code.

2. Floors to be adequate for 120 lbs. per sq. ft. Liveload.

3. Exits to comply with Labor Law regulations."

and

WHEREAS, the applicant states that the building is 2 stories (25 ft.) in height, 25 ft. by 50 ft. in area on a plot 30 ft. by 140 ft. in area, of Class 4 construction, erected prior to 1914, located in an unrestricted use, C area and Class 1-½ height district and to be used and occupied as a biological research laboratory, five persons on the 1st floor and four persons on the second floor; that the building is equipped with one 2 ft. 11 in. wide wood stairs, enclosed in partitions of wood studs, lath and plaster and leading directly to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that it is proposed to change the building from an old law tenement occupied by a store and three families, to a biological research laboratory; that there is an exit door in the front wall on the 1st floor to the street and there are two other doors on the first floor, opening to the hallway, which has access to the street and yard; that the easterly wall is adjacent to an unpierced portion of a brick wall and the other walls and the cellar are accessible to Fire Department apparatus; that the front wall is surfaced on the exterior with asphalt shingles; that the proposed occupancy is less hazardous than the prior occupancy as an old law tenement; that adequate fire extinguishers will be installed, as directed by the Board or by the Fire Department; that the proposed use as a biological research laboratory will be used by the Centro Research Laboratory, Inc. (as a project for the U. S. Navy), managed by the Insl-X Co., Inc., with its regular business conducted in the adjacent building at 857 Meeker avenue; it is requested that the existing liveload be accepted as adequate, as the Code does not require 120 lbs. per sq. ft. liveload for laboratory occupancy; that this occupancy corresponds closely to that of offices, for which the liveload of 50 lbs. is prescribed; that the floors were designed for a liveload of 40 lbs. per sq. ft. and have been adequate for more than 30 years; that the laboratory does not use any heavy equipment; that the proposed occupancy will not bring the building under the Labor Law, as there will be no manufacturing done; it is requested that the existing means of exit and layout of doors, windows and partitions be accepted, as shown on plans filed with this appeal; that premises have been leased to August 1, 1946 and it is requested that this appeal be granted for a period of one year.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2476-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the building shall not be increased in height or area and *granted* only so long as it is occupied as a

biological research laboratory, as proposed, for not more than the number of occupants stated; as to Objection 2, that the floor loads shall be maintained as proposed and shall be so posted and that no loading beyond such liveloads shall be permitted in any portion of the floors; and *granted* as to Objection 3, provided no factory work shall be done within the building, and provided the exits as indicated on plans filed with this appeal marked "Received September 22, 1945" shall be maintained; that the stair to the cellar, toward the center of the building, shall remain open; with a one hour fireproof, self-closing closure door at the street floor; that a ladder to grade shall be installed in the side court, approximately 25 ft. back from the building and accessible from an existing window at the second story.

567-45-A

APPLICANT—New York City Housing Authority, owner.
SUBJECT—Appeal from decision of the borough superintendent.
PREMISES AFFECTED—2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Morrisania Houses); (Blocks 2321, Lots 1-4, incl., 2322, Lots 1 and 2, 2323, Lots 1 and 2 and 2324, Lots 1-7 incl.) Borough of The Bronx.
APPEARANCES—
For Applicant: Matthew W. Del Gaudio.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (567-45-A)

WHEREAS, the New York City Housing Authority, owner, filed September 21, 1945, an appeal from a decision of the borough superintendent, affecting premises: 2595 3rd avenue, blocks East 139th to East 145th streets, between Morris and 3rd avenues (Morrisania Houses); (Block 2321, Lots 1, 2, 3 and 4; Block 2322, Lots 1 and 2; Block 2323, Lots 1 and 2 and Block 2324, Lots 1, 2, 3, 4, 5, 6 and 7), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated August 1, 1945, on N.B. Applications 103 to 117-44, reads:

"7. The minimum size of column acceptable is 12" x 12". Reinforcement area for columns should be between ½ and 4% of column area (See 264B SS 357)."

and

WHEREAS, reconsideration of such decision was denied September 14, 1945; and

WHEREAS, the applicant states that the proposed buildings will be 6 and 13 stories in height and occupied as class A multiple dwellings, located in an unrestricted use, B area and Class 1½ height district; and

WHEREAS, the applicant contends that Section 8.5.26.1 provides that "principal reinforced concrete columns in buildings shall have a minimum total thickness of 12 inches"; that the ACI Building Regulations for Reinforced Concrete (ACI 318.41), adopted February 20, 1941, ratified July 21, 1941, reflects later thinking in the field of concrete and reinforced concrete than the Building Code; that Section 1101 of the ACI standards reads in part "principal columns in buildings shall have a minimum diameter of 12 inches, or in the case of rectangular columns, a minimum thickness of 10 inches, and a minimum gross area of 120 square inches"; and

WHEREAS, the applicant states that it is proposed to use principal columns having a minimum dimension of 11½ inches, square columns having therefore a gross area of 132 sq. in.; that the minimum dimension and minimum area proposed are above the minimum adopted by the American Concrete Institute; that the reinforcing of the columns is based on the actual cross-sectional area, thus providing adequate safety; that the use of 11½-inch columns will prove more economical and practicable, because of the elimination of waste in the construction of the forms and by providing more available space; and

WHEREAS, the applicant contends that in view of the fact that recommended practices for concrete and reinforced concrete as adopted by the ACI in 1941 are generally accepted in structural design, it is requested that the Board grant this appeal.

Resolved, that the decision of the borough superintendent, acting on N.B. Applications 103 to 117-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to the 1st sentence of Objection 7, *on condition* that the construction shall be substantially as proposed and shall be designed in accordance with the foregoing statement; and *withdrawn* as to the second sentence in Objection 7, to comply.

577-45-A

APPLICANT—George Keister, for Domenica Mauceri, owner (Standard Switchboard Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); Block 3154, Lots 18-22), Borough of Brooklyn.
APPEARANCES—
For Applicant: George Keister and Milton Schwartz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (577-45-A)

WHEREAS, George Keister, for Domenica Mauceri, owner (Standard Switchboard Company, lessee), filed October 1, 1945, an appeal from a decision of the borough superintendent, affecting premises: 134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); (Block 3154, Lots 18-22), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on B.N. App. 825-45, dated October 5, 1945, reads:

"2. Proposed reduction of liveload capacity to 75 lbs. per square foot, is contrary to Sec. C26-345.0 Admin. Code."

and

WHEREAS, the applicant states the building is 4 stories and cellar (57 ft. 6 in.) in height, 125 ft. by 90 ft. in area on a lot 125 ft. by 100 ft. in area, of Class 3 construction; erected in 1927; located in an unrestricted use, B area and Class 1½ height district; used and occupied: Cellar, heating plant; 1st floor, manufacture of switchboards, 50 persons; 2nd floor, manufacture of men's trousers, 75 persons; 3rd floor, manufacture of trousers, 60 persons; 4th floor, manufacture of women's apparel, 15 persons; that no change in use or occupancy is proposed; that the building is equipped with a two-source sprinkler system and a standpipe system, two 4 ft. wide iron and cement stairs, enclosed in brick, equipped with fireproof, self-closing doors and extending from the roof bulkhead, to the street and one fire-escape, leading to the roof by stairs and to the yard by stair, windows and doors on the course thereof are fireproof, self-closing; and

WHEREAS, the applicant contends that the paint spraying installation was approved by the Fire Department, with the requirement that the applicant file plans with the Borough Superintendent for construction of the paint spray room; that the lessee of the 4th floor has no control over the 3d story and cannot obtain consent to reinforce the floor under the new spray room; that the floor construction has been approved for a liveload of 120 lbs. per square foot and the dead load added by the new construction of the spray room,

is not more than 25 lbs. per square foot; that the occupancy of this spray room is never more than two persons and the weight of the materials treated not more than 200 lbs., so that a liveload of 75 lbs. per square foot would be adequate; it is therefore requested that the Board grant a variation for this room only, while used for its present purpose, and permit the liveload of 75 lbs. per square foot to be posted in the spray room.

Resolved, that the decision of the borough superintendent acting on B.N. App. 825-45, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be maintained as proposed; that all floor loads shall be posted throughout, including the 75 lb. liveload, where the spray room is proposed to be located on the 4th floor; that within such spray room, the 75 lb. floor load shall be posted; that this variance is granted only so long as the premises are occupied as proposed and upon **vacating the 4th floor,** the spray booth shall be removed; that all spray booths and paint storage shall comply with the rules of the Board therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioners shall direct.

620-45-A

APPLICANT—Harry M. Prince, for Ruby Schinasi and Bankers Trust Co., trustees u/w Leon Schinasi (Heckscher Foundation for Children, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—346 West 89th street and 170 Riverside drive, northeast corner (Block 1250, Lot 61), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry M. Prince and Mrs. Arthur Smadeck.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (620-45-A)

WHEREAS, Harry M. Prince, for Ruby Schinasi and Bankers Trust Company, as trustees, owners, (Heckscher Foundation for Children, lessee), filed October 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 346 West 89th street and 170 Riverside drive, northeast corner (Block 1250, Lot 61), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 18, 1945, on Alt. Applic. 1743-45, reads:

"1. Change of use from a residence building to a public building (4 stories and basement in height) require building to be fireproof throughout, 4.2.1 Code. Records show roof to be of non-fireproof construction.

"2. Correct Item 9 Specification Sheet to non-fireproof structure.

"3. Exits inadequate under Section 6.1.7 and involve the following:

"a. Provide two means of egress 3 ft. 8 in. in width, remote from each other, to lead directly to street. 6.1.2.2.3, 6.1.2.4, 6.4.1.1 and 6.4.1.11 Code.

"b. Doors to stair halls to be ¾ hr. F.P.S.C. 6.4.1.8.1 Code.

"c. Doors to swing in direction of egress and not obstruct passage. 6.2.2 Code.

"d. Winders are contrary to 6.4.1.4 Code.

"e. Provide handrails both sides of stair 6.4.1.12 Code."

and

WHEREAS, the applicant states that the building is 5 stories and cellar (58 ft.) in height, 65 ft. by 65 ft. in area at 1st floor, 40 ft. by 65 ft. in area at typical floor, of fireproof construction, except for roof, erected in 1916, located on a lot 145 ft. 5¾ in. by 100 ft. 8½ in. in area in a residence use, B area and Class 1½ height district and used and occupied as a one-family dwelling, proposed to be used and occupied as follows: cellar—boiler room and storage; basement—office and classroom—26 persons; 1st floor—dance and art studios—34 persons; 2nd floor—dance and art studios—19 persons; 3rd floor—studios and custodian—35 persons; 4th floor—staff and utility—7 persons; that the building is equipped with two interior fireproof stairs, leading to the street and a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that the building in question is the only structure that could be found to afford a temporary haven for the Foundation to carry on its philanthropic and eleemosynary work and it is therefore requested that the Board modify the decision of the borough superintendent, to permit for a temporary period of two years, the occupancy as proposed in this structure, which is fireproof, except for the roof, with the present stairs, stair enclosures, doors and exits; and

WHEREAS, the applicant specifically contends as to objection 1, that the building is fireproof, with the exception of the roof, which is surfaced with incombustible tile on the exterior and protected on the under side with metal lath and plaster on steel furring; that the records of the Department classify the building as fireproof and Certificate of Occupancy 12666-27, classifies the building as a fireproof residence; and

WHEREAS, the applicant contends as to objection 3, that the main stairway is 6 ft. 6 in. wide, with marble treads and risers and the service stairway is 2 ft. 8 in. wide, of steel construction; that these two stairways provide ample egress within the spirit and intent of the law; as to 3 (a), that the stairs are sufficiently remote from each other and are so located as to carry out the spirit and intent of the law, for the small proposed occupancy; that the combined widths of the two stairs are more than the regular 3 ft. 8 in. required for each stairs; that due to the pitch of the roof, it is impracticable to continue the stairs to the roof through either a bulkhead or a scuttle; that both stairs lead continuously to street levels; as to objection 3b, that the existing doors are generally 1¾ in. and 2¼ in. thick, of well seasoned hardwood; as to objection 3c, that it would be an extreme hardship in any case to be required to swing the doors in the direction of egress, as some of the doors are sliding doors and to open others into the stair enclosure, would create a greater hazard than the existing arrangement; as to objection 3d, that it would be an undue hardship to have to change the existing stairs and eliminate the winders; as to objection 3e, that hand rails on the secondary stair would further reduce its width; that the existing stairs provide adequate means of egress for the number of occupants; that from the Riverside drive terrace, to the finished third floor where any children will be taught, is 34 ft. 6 in. and to the center of the roof slope, 54 ft. 8 in. from the terrace; that there will be no children or others in the school at night, except the custodian; that the building at all times during occupancy will be under the supervision of competent personnel, thoroughly familiar with the means of egress and trained in the orderly evacuation of the building in the event of emergency.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1743-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 1, *on condition* that the building shall not be increased in height or area and shall be used as proposed and as herein required; as to Objection 2, that the fireproof construction of the building, except for the roof, shall be continued; as to Objection 3, a, b, c, d and e, that the existing means of exit shall be maintained, and in addition, the doors shall be maintained at all openings other than shown as sliding doors, and such doors may be of the existing heavy wood construction and shall be made self-closing; that additional hand rails shall be installed on the primary means of exit; that a secondary means of exit from the 4th floor shall be provided, in the form of ladders

leading from the roof, which is accessible through the rear windows to lower roof and thence to grade; that a sign at the front of the building on 89th street, adjacent to the front entrance may be installed reading "Heckscher Foundation for Children," or similar wording, provided such sign does not exceed an area of 1 sq. ft.; that such portable fire extinguishers shall be maintained throughout the building as the fire commissioner shall direct; that the door leading to the cellar shall be made self-closing; that a non-coin telephone shall be installed on the premises, centrally available at all times while the building is being occupied; that the telephone number of fire headquarters shall be posted immediately above same; that this variance shall continue only so long as the premises are occupied as proposed and to the satisfaction of the borough superintendent and for a term of two (2) years from the date of this resolution.

629-45-A

APPLICANT—Louis A. Brown, for Certified Queens Homes, Inc., owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—219-17 to 221-19 and 219-20 to 221-16 130th avenue, north side, 1087 ft. west of 226th street, south side, 170 ft. west of 220th street and 40 ft. west of 222nd street (Block 12825, part of Lot 480, Block 12899, part of Lot 250, Block 12898, part of Lot 196 and Block 12897, part of Lot 20), Springfield, Borough of Queens.
APPEARANCES—
For Applicant: Louis A. Brown
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (629-45-A)

WHEREAS, Louis A. Brown, for Certified Queens Homes, Inc., owner, filed October 19, 1945 an appeal from decisions of the borough superintendent, affecting premises 219-17 to 221-19 130th avenue, north side, 1087 ft. west of 226th street, and 219-20 to 221-16 130th avenue, south side, between a point 170 ft. west of 220th street and a point 40 ft. west of 222nd street (Block 12825, part of Lot 480; Block 12899, part of Lot 250; Block 12898, part of Lot 196; Block 12897, part of Lot 20), Springfield, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, dated October 18, 1945, on N.B. Applications 1430 to 1458-45, inclusive, reads:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2.—Building Code."

and

WHEREAS, the applicant states that the premises are proposed to be divided into lots 40 ft. and 50 ft. in width by 100 ft. in depth, located in a business use, D area and Class 1 height district and that it is proposed to erect on each lot, a one story frame one family dwelling, surfaced on the exterior to the plate line with masonry veneer and above with asbestos shingles and roofs to be surfaced with asphalt shingles; that the dwellings will be set back from 130th avenue not less than 21 ft., into which set back, front entrances and steps may project; that side yards will be provided, so that dwelling will be not less than 10 ft. apart as indicated on plot plan filed with this appeal marked "Received October 19, 1945"; that corner dwellings will be set back from the side streets not less than 10 ft., as indicated on such plot plan; and

WHEREAS, the applicant contends that it is proposed to erect one family dwellings in question in addition to the dwellings previously permitted by the Board on the premises adjoining to the east, under Cal. No. 356-45-A; that these are low cost homes and it will be impossible to comply with the requirements of the Code for construction within the fire limits; that the dwellings are being built to alleviate the housing shortage for veterans and other hardship cases.

Resolved, that the decisions of the borough superintendent, acting on N.B. Applications 1430 to 1458-45, objection 1, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be erected and maintained substantially as proposed, restricted at all times to a one-family residence in each building; that any garages erected shall comply with the requirements of the Zoning Resolution as to location and may be constructed similar to construction herein permitted for the dwellings; that such garages shall be only for accessory use to each dwelling.

549-45-A

APPLICANT—The Merchants Club, lessee, for Society of New York Hospitals, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—26 Thomas street, south side, 55 ft. east of Trinball place (Block 151, Lot 5), Borough of Manhattan.
APPEARANCES—
For Applicant: Magruder Dent and Dorothy Jordan.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

575-45-A

APPLICANT—John J. Gilmartin, for Fagel Realty Corp., owner.
SUBJECT—Appeal from an order and decision of the fire commissioner.
PREMISES AFFECTED—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.
APPEARANCES—
For Applicant: John J. Gilmartin.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to November 13, 1945 at 2 P.M. for an inspection by a committee of the Board.

513-45-A

APPLICANT—The Stein-Davies Co., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: J. P. Minotty.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to October 30, 1945 at 2 P.M. for inspection by Division of Fire Prevention.

579-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in, north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama and Joseph Miller.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Laid over to November 13, 1945 at 2 P.M. for an inspection by a committee of the Board and for decision wtihout further agreement.

580-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 13, 1945 at 2 P.M. for an inspection by a committee of the Board and for decision without further agreement.

604-45-A

APPLICANT—Samuel Rosenblum, for Rose Packer, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 30, 1945 at 2 P.M. at request of applicant.

ZONING APPLICATIONS

1004-25-BZ

APPLICANT—Arthur Jovis, for 2929-2933 Third Avenue Company, Inc., owner.

SUBJECT—Application reopened October 16, 1945—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the change of occupancy of the 1st story of an existing apartment building, from dwelling use to stores.

PREMISES AFFECTED—2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Jovis.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1004-25-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a residence use district, the change of occupancy of the 1st story of an existing apartment building, from dwelling use to stores, affecting premises 2399 Grand Concourse, west side, 232 ft. 3 in. north of East 184th street (Block 3165, Lot 53), Borough of The Bronx, was granted by the Board on January 26, 1926, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, this case was reopened by vote of the Board on October 16, 1945, restored to the calendar and set for hearing on October 23, 1945 at 2 P. M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 23, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, acting on E. S. Applic. 31-45, dated September 20, 1945, reads:

"1. The erection of the proposed sign located in a residence use district is contrary to Sec. 3 of the zoning resolution."

and

WHEREAS, the applicant states that this is an application to permit continuance of an existing 3 ft. 6 in. high by 15 ft. 6 in. long parallel non-flashing illuminated business sign, advertising the business conducted on the premises; and

WHEREAS, the applicant contends that the sign has been in existence over five years and was illegally erected; that at the time of its erection, the lessee retained a sign contractor with instruction to obtain all necessary permits, the sign was erected and it was not until a violation was served that the lessee knew that a permit had not been obtained; that the sign is necessary to the conduct of the business; that there is no prohibition in the resolution of the Board against erection of a sign; that similar signs exist on practically all of the buildings in the block; and

WHEREAS, the applicant has filed plans marked "Received October 2, 1945," indicating that the proposed sign will be recessed behind the building line.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 26, 1926, by adding thereto:

"*Resolved,* further that a permanent sign may be erected over each store directly above each show window and under the belt course at the second story floor level, *on condition* that such sign shall be only an identification sign above such store, giving the name of the occupant of the store and merchandise sold, providing such sign complies with the requirements of the zoning resolution in all other respects, and also with the requirements of the Administrative Code; that no additional sign shall be erected on the premises other than the signs painted on the door or windows and on the drop portion of the temporary awning; that this addition to the resolution adopted January 26, 1926, is in modification of the borough superintendent's decision as to E. S. Applic. 31-45, Objection No. 1."

(Remaining minutes of the meeting of October 23, 1945 will be printed in the Bulletin of November 6, 1945.)

NOTICE

ELECTRICAL CODE ON SALE

Copies of the Electrical Code of the City of New York, Pocket Edition—344 pages, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan, N. Y. 7. Price 75 cents; by mail 85 cents.

RULES

OIL BURNER RULES

(217-21-SR)

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, December 4, 1936, and July 1, 1941.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; November 3, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932 and November 4, 1932.

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS: Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS: Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS: Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162″) A.W.G. wire, or pipe not less than one-half inch (½″) in diameter.

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2′) below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eights (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code and Rule 3.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administrative Building Code.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of six (6) gallons or less.

2.30 STORAGE TANK: Any tank for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection or hand valve. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection or hand valve.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

3.1 Oil permitted under these rules shall be any hydrocarbon oils free from acid, grit and fibrous or other foreign matter. The fuel oils shall be classified as provided in Commercial Standard CS12-38 U. S. Department of Commerce, and shall have a flash-point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D-93-36) and marketed under the following commercial grades:

Range Oil
No. 1 Fuel Oil
No. 2 " "
No. 3 " "
No. 4 " "
No. 5 " "
No. 6 " "

3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Standards For Approval of Oil Burners by the Board.

4.1 Approved burners, including oil-burning heaters, shall be an assembly of approved parts suitable for use with each other for the service intended, as approved, such burners shall be provided with suitable safeguards to prevent abnormal discharge of oil.

4.1.1 When assembled each burner shall be tested for defects and proper functioning throughout its operating range. Parts shall be so designed as to maintain alignments and to permit interchangeability.

4.1.2 The CO^2 in the flue gas shall be maintained at not less than 8% without smoking and throughout the operating range of the capacity of the burner when tested.

4.1.3 Flexible tubing used as an integral part of burner shall be not longer than 72 inches and of an approved type.

4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. the thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

5.1.2 All tanks shall be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less·

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, ⅜ in. heads.

Tanks over 120 in in. diameter to be of ⅜ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they shall be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than 5/16 of an inch.

5.2.2 Corners may be made up by bending the plates or by use of angles.

5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less, except buried tanks, shall have a minimum thickness of shell and head plates of manufacturers Standard 10 gauge (.134″). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacture, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

5.3.3 All openings shall be through the top of the storage tank except that storage tanks of 275-gallons may be provided with a three-quarter inch (¾″) opening for gravity discharge and a one-inch (1″) opening in the bottom for cleaning and protection against corrosion.

5.3.4 All buried storage tanks shall have a thorough coating on the outside of two coats of red lead protected by hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

5.3.5 Manholes; Tanks for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. need not have manholes; where used for such oils the manhole covers shall be bolted and made gastight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

5.4.1 Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals} \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No.

14 of the New York State Industrial Commission).

5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formulas for shell plates.

5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings, Above Ground.

6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′) of clear unobstructed space measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall have an individual capacity of not more than two hundred and seventy-five (275) gallons capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.

Each storage tank may be placed in a protective enclosure having solid masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. A fireproof access door shall be installed in the enclosure above the point where the enclosure has a capacity equal to the tank; and for each additional 10 feet or fraction thereof by which the longest inside dimension of the enclosure exceeds 35 feet an additional fireproof access door shall be similarly installed at one or more intervals of not less than 10 feet. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

6.1.3.1 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Inside of Buildings, Below Ground.

6.2.1 Storage tanks having a capacity of 275 gallons or more may be buried inside a building with the top of the tank not less than two feet below floor level. In lieu of two feet of earth over the tank, the tank may be covered by concrete flooring equivalent to the basement floor but not less than the equivalent of 4 inches of reinforced Portland cement concrete with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh. Tanks shall be placed in firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch mesh. When necessary to prevent floating, tanks shall be securely anchored. Storage tanks buried below the floor, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material.

6.2.2 Storage tanks buried below the floor shall not be less than ¼″ in thickness.

6.2.3 No tank shall be buried so as to be nearer than three feet to any foundation wall or foundation footing.

6.3 Outside of Buildings, Below Ground.

6.3.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the natural grade of the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

6.3.2 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

6.3.3 All buried storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.3.4 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.4 Outside of Buildings, Above Ground.

6.4.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000	gallons
If distant 30 feet.....	24,000	"
If distant 40 feet.....	36,000	"
If distant 50 feet.....	48,000	"
If distant 60 feet.....	60,000	"
If distant 75 feet.....	96,000	"
If distant 85 feet, or more	100,000	"

6.4.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth; free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

6.4.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.5 Tanks Located Along Line of Subways.

6.5.1 Along the line of subways no tank shall be placed within twenty feet (20′) of any wall, separating a building from the subway, and, where practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Rule 7. Piping.

7.1 Installation of Piping and Tubing.

7.1.1 Piping and tubing shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminium alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing unless protected against mechanical injury shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜") inside diameter up to shut-off valve at burner. Soldered connections are prohibited.

7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

7.2.2 Oil preheaters shall be of approved type and provided with a relief valve to prevent excessive oil pressure. Oil preheaters shall not be installed in the steam or water space of the boiler.

7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

7.3.2.1 The area of the header and common vent shall be equal to the sum of the areas of the vent pipe.

7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2′) from any building opening and not less than two feet (2′) nor more than twelve feet (12′) above the fill pipe terminal, except as may be otherwise approved by the Board. When such openings are fixed and constructed of incombustible materials they shall not be deemed openings within the intent of this rule. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such tell tale lines shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 **Fill Pipes.**

7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least two feet (2′) of any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of common header pipe is no smaller than the largest branch fill pipe. When different grades of oil are piped to separate tanks from a common fill line, each branch fill pipe shall be provided with a shut-off valve.

7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letter reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than 1/8 inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 **Heating Coils in Storage Tanks.**

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure ten (10) pounds per square inch maximum steam coils or electric heaters approved for oil storage tanks.

7.6 **Scavenging Line.**

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50′) above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2″) iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or Combustion "
Pressure "
Gravity "

8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the inter-

ruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plant, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

10.1.1 No oil installation of more than six (6) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

10.1.2 Applications for permit shall be made by the installer who holds a certificate or license issued by the Fire Commissioner on forms furnished by the Fire Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.

10.1.3 No permit shall be issued by the Fire Commissioner until the installation has been inspected by his representative and the installer has furnished an affidavit that the CO_2 content of the flue gas by actual test of the completed installation is not less than 8 per cent without smoking.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 The installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to the Fire Commissioner by the Borough Superintendent of Buildings before any work is started. All such plans shall show compliance with all structural requirements and shall show all salient features of the installation. Plans shall also be approved by the Board of Transportation for all tanks located in or outside of buildings along the line of subways under the limitation in Rule 6.5.1.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

10.3.1 Storage tanks of approved type and not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes in installations in multiple dwellings, places of public assembly and amusement, except that no tests shall be required for installations in occupancies not specifically mentioned herein.

10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Commissioner. The contractor shall furnish all necessary equipment for conducting tests. Such test may be made with oil in freezing weather for tanks located outside of building.

10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.3.5 All piping conveying oil from a transfer pump to a burner subjected to a pressure in excess of 50 lbs. per sq. inch shall be tested for a pressure of 1½ times the working pressure.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit shall be paid in accordance with the schedule given in the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

12.1 No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney, complying with Article 11 of the Administrative Building Code except that in high pressure mercantile and industrial plants several units may be connected to a boiler room stack.

12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time, and on all installations in one and two family dwellings an approved automatic draft control of the same size as the cross-sectional area of the pipe or breaching shall be installed in the breaching or flue pipes.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection

NOTE: In order that the intent of Local Law No. 145 be carried out, Section C26-693.0, sub. d, par. 1, 2, 3, is superseded by the following:

14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

14.2 The clear distance between any non-insulated heat-producing parts of boilers, furances or other heating apparatus and combustible material shall not be less than twenty-four inches (24″). Where such parts are insulated by two inches (2″) of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12″), or, in lieu of such insulation the combustible material shall be covered with fire retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

14.3 No movable combustible material shall be stored or maintained within five feet (5′) of heating apparatus, except where same is protected by fire retarding material.

14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of ½″ asbestos or equivalent extending at least twelve inches (12″) beyond the projected area of such device where required within the specific approval of each burner. Approved safety cans only shall be used for the storage and filling of oil containers. The fuel oil used for these burners shall be range oil or No. 1 or No. 2 fuel oil. The manufacturer or installer of these burners shall within 48 hours after each installation notify the Fire Department in writing of the name of the person to whom this burner is sold and the address of the premises where installed.

14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

15.2 Every heating system in which the oil is preheated or systems not fully automatic when operating, shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Commissioner and who shall be in the building at all times while the burners are in operation, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman issued after May 1, 1941 under the provisions of C-26-213.0 of the Administrative Building Code, or a person with such license issued prior to May 1, 1941 carrying an endorsement reading "Oil Burners" shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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TELEPHONE—WOrth 2-5600.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 30, 1945.

Cal. No. Dept. Premises Affected

642-45-SM—The Walthaw 275 Gallon Fuel Oil Tank, manufactured by The Walthaw Corp., Material.

643-45-A—H.B.Q.—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Edgemere, Borough of Queens, (Under section 35, General City Law re bed of mapped street—Beach 49th street), Alt. 1490-43.

644-45-BZ—H.B.Bx.—801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx, Amendment to Alt. 521-45.

645-45-A—H.B.B.—757-761 Utica avenue, east side, 155 ft. south of Lenox road (Block 4656, Lots 46, 47 and 48), Borough of Brooklyn, N.B. 594-45.

646-45-A—F.D.—550 Broadway, east side, 99 ft. 9½ in. south of Prince street (5th floor); (Block 497, Lot 11), Borough of Manhattan, 40231-LC. and Decision.

647-45-SM—Metcro Metal Cross-Bridging, manufactured by E. C. Maulenbergh, Material.

648-45-SM—Knapp Brothers Plastering Accessories, manufactured by Knapp Brothers Manufacturing Co., Material.

649-45-A—H.B.Q.—136-17 38th avenue, north side, 155 ft. east of Main street (attic); (Block 4978, Lot 75), Flushing, Borough of Queens, Alt. 1707-45.

650-45-A—F.D.—78-01 57th avenue, north side, 745 ft. east of 74th street (Block 2805, Lot 31), Elmhurst, Borough of Queens, 748-LC.

651-45-BZ—H.B.B.—724-726 64th street, south side, 180 ft. east of 7th avenue (Block 5821, Lot 16), Borough of Brooklyn, Alt. 3197-45.

652-45-A—H.B.B.—585-603 Johnson avenue, north side, 100 ft. 4 in. east of Gardner avenue (2nd and 3rd floors); (Block 2989, Lots 42 and 46), Borough of Brooklyn, Amendment to N.B. 356-44.

653-45-A—H.B.M.—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan, N.B. 250-45.

654-45-SA—Amco Diesel Oil Dispensing Unit, No. 2300, Appliance,

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655-45-A—H.B.B.—43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 29), Borough of Brooklyn, Amendment to Alt. 2442-45.

656-45-A—H.B.B.—21-37 Waverly avenue, east side, 177 ft. 2 in. south of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (4th floor, Buildings 10, 11, 12, 13 and 17); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn, Alt. 2255-45.

657-45-A—H.B.M.—1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 108-166 West 35th street and 441-459 7th avenue (Block 810, Lot 1), Borough of Manhattan, Alt. 1724-45.

Restored to Calendar.

779-38-SA—M and S Computing Gasoline Pump, Model 80, Appliance.

212-35-BZ—H.B.B.—6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn, Applic. 4488-36.

205-42-BZ—H.B.Bx.—1754 Jerome avenue and 1-7 East 175th street northeast corner (Block 2850, Lot 1), Borough of The Bronx, E.S. Applic. 46-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

CALENDAR

NOVEMBER 7, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning,* November 7, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

408-45-BZ—Application, June 29, 1945, under section 7i of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of DAF Holding Corp., owner (David Anhisiger, lessee), to permit in a business use district, the change of occupancy from auto laundry and brake testing station, to motor vehicle repair shop; premises 561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn.

528-45-BZ—Application, August 31, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Simon Ginsberg Estate, Inc., owner, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctor's offices; premises 1082 Park avenue, west side, 25.85 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan.

97-45-BZ—Application, February 26, 1945, under section 21 of the zoning resolution, of Alden B. MacNeil, applicant, on behalf of Abe L. Malamut, owner, to permit in a residence use, G area district, the existing storm enclosure in the side yard; premises 108-22 66th road, south side, 100 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

548-45-BZ—Application, September 13, 1945, under sections 7(b) and 21 of the zoning resolution, of Stanley Lieberman, applicant, on behalf of Scandinavian Good Templars Temperance Mission of N. Y. C., owner, to permit partly in a residence use district, and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one-family to funeral chapel and one-family; premises 641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn.

265-28-BZ—Application of Herman Kron, applicant, on behalf of Ottilia Realty Corp., owner (Hamilton Buick, Inc., lessee), reopened October 2, 1945, under sections 7(e) and 7(i) of the zoning resolution, to permit in a business and residence use district, the extension (of use) of garage for more than five cars to garage for more than five cars, repair shop, sales of auto parts and auto showroom; premises 3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.

398-45-BZ—Application, June 20, 1945, under sections 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

Appeals from Administrative Decisions.

399-45-A—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue), and 209th street (Wright avenue), (Block 6279, Lot 21), Bayside, Borough of Queens (under section 35, General City Law re bed of mapped street—Corporal Kennedy street [Stewart avenue]).

622-45-A—4-36 Vernon boulevard, northwest corner of 44th drive (1st floor); (Block 489, part of Lot 1), Long Island City, Borough of Queens.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn.

650-45-A—78-01 57th avenue, north side, 745 ft. east of 74th street (Block 2805, Lot 31), Flushing, Borough of Queens.

Material for Approval

502-45-SM—Western's Standard Concrete Piles.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 7, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 7,* 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

634-45-A—1021-1031 Madison avenue and 44-52 East 79th street, southeast corner (cellar); (Block 1393, Lot 52), Borough of Manhattan.

525-45-A—15-17 East 37th street and 232 Madison avenue, northwest corner (10th, 11th and 13th floors); (Block 867, Lots 13-15), Borough of Manhattan.

611-45-A—13-96 Beach 28th street, south side, 121.4 ft. east of Mott avenue (Block 175, Lots 18 and 19), Far Rockaway, Borough of Queens.

624-45-A—75-80 184th street, northwest corner of Union turnpike (1st floor); (Block 7200, Lot 44), Flushing, Borough of Queens.

630-45-A—302-340 East 83rd street, 1579-1593 1st avenue, southwest corner, 301-351 East 82nd street and 1584-1598 2nd avenue (basement); (Block 1545, Lots 1-52, inclusive), Borough of Manhattan.

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636-45-A—440-446 Kent avenue, southwest corner of South 8th street (1st to 4th floors, inclusive); (Block 2134, Lot 1 and Block 2143, Lot 1), Borough of Brooklyn.

645-45-A—757-761 Utica avenue, east side, 155 ft. south of Lenox road (1st floor); (Block 4656, Lots 46, 47 and 48), Borough of Brooklyn.

653-45-A—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.

669-45-A—221-28 Braddock avenue, south side, from 221st street to 221st place, 89-02 to 89-18 and 89-17 to 89-33 221st street and 89-02 to 89-06 221st place (Block 10666, part of Lot 53 and Block 10667, part of Lot 27), Queens Village, Borough of Queens.

670-45-A—89-31 to 89-35 221st place, east side, 171 ft. and 211 ft. south of Braddock avenue (Block 10668, part of Lot 16), Queens Village, Borough of Queens.

637-45-A—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.

649-45-A—136-17 38th avenue, north side, 155 ft. east of Main street (attic); (Block 4978, Lot 75), Flushing, Borough of Queens.

652-45-A—585-603 Johnson avenue, north side, 100 ft. 4 in. east of Gardner avenue (2nd and 3rd floors); (Block 2989, Lots 42 and 46), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

558-37-BZ—Application of Philip S. Garozzo, applicant, for Michael Garozzo (lessee), for Druiss Co., Inc., owner, reopened October 9, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

512-45-BZ—Application, August 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Victor A. Beard, owner, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

Materials for Approval.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air).

486-45-SM—Henry Spen 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

389-42-BZ—Application of Emanuel H. Jerabek, applicant on behalf of Dominick Carl Carena, owner, reopened October 16, 1945 for consideration as to amendment of resolution—re Application previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station; premises 82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

Appeals from Administrative Decisions.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

607-45-A—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan.

CALENDAR

656-45-A—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

375-40-BZ—Application of Walter A. Beaudel, applicant and owner, reopened October 23, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, northwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

212-35-BZ—Application of Jack Z. Cohen, applicant, on behalf of Estate of Edwin J. Long (Loleta A. Long, temporary administratrix), owner, reopened October 30, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles for a temporary period; premises 6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

691-45-A—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Appliances for Approval

103-45-SA—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector.

558-45-SA—Peerless DeLuxe Lowboy Vented Gas Circulators.

General Resolution

1464-39-GR—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

600-45-A—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

608-45-A—40-16 31st street, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

613-45-A—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—32nd avenue).

632-45-A—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn.

657-45-A—1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 441-459 7th avenue and 108-156 West 35th street (Block 810, Lot 1), Borough of Manhattan.

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

680-45-A—279 Hebertson avenue, west side, 119.17 ft. north of Albion avenue (Block 1031, Lot 24), West Brighton, Borough of Richmond.

696-45-A—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 45½), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 27*, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

CALENDAR

225-45-BZ—Application, April 13, 1945; under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

344-45-BZ—Application, June 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Antonio Sicuro, owner, to permit in a retail and business use district, the extension of an existing building; premises 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

616-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Vode Realty Corp., owner, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling to showrooms which does not comply with B area requirements of zoning resolution; premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

General Resolution.

1464-39-GR.—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR. addition of the inspection agency, Alfred T. Holl of Canton, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 27, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

617-45-A—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 4, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

708-45-BZ—Application, November 15, 1945, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Sears, Roebuck & Co., owners, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; premises 2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Appeal from Administrative Decision.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Material for Approval.

536-45-SM—Silbraz Joints, Walseal, Flaggseal, Craneseal and Faircoseal.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of October 23, 1945.)

134-26-BZ

APPLICANT—Henry Nordheim, for Rachel Kantrowitz, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition under section 7e of the zoning resolution, permitting in a residence use district, the conversion of occupancy of part of an existing building from residence to business use.

PREMISES AFFECTED—871 East 175th street, north side, 57.1 ft. east of Mohegan avenue (Block 2958, Lot 65), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock. Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (134-26-BZ)

WHEREAS, this application under section 7e of the zoning resolution, permitting in a residence use district, the conversion of occupancy of part of an existing building from residence to business use, affecting premises 871 East 175th street, north side, 57.1 ft. east of Mohegan avenue (Block 2958, Lot 65) Borough of The Bronx, was granted by the Board on October 21, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 19, 1943, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 21, 1941, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

". . . *granted* under section 7e for a term of two years from the date of this *amended* resolution, to permit the continuation of the existing store in its present condition and ownership, *on condition* . . . and that other than as *amended* herein, the resolution adopted by the Board October 21, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

562-32-BZ

APPLICANT—Stanley H. Klein, for Silgreen Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a term of ten years, the maintenance of a gasoline service station.

PREMISES AFFECTED—208-16 Linden boulevard, southwest corner of Springfield boulevard (Block 3358, Lot 50), St. Albans, Borough of Queens.

APPEARANCES—
For Applicant: Stanley H. Klein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (562-32-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, affecting premises 208-16 Linden boulevard, southwest corner of Springfield boulevard (Block 3358, Lot 50), St. Albans, Borough of Queens, was granted by the Board March 21, 1933, on certain conditions, for a temporary term of five (5) years; the resolution amended November 19, 1940 also extending the permit for ten (10) years; time to obtain permits and complete work extended November 18, 1941, resolution amended April 14, 1942 and time extended on October 14, 1942, October 13, 1943 and October 17, 1944; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work; and

WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 21, 1933, as amended through October 17, 1944, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within *six* (6) *months* from the date of this *amended* resolution (Alt. Applic. 35-41)."

461-37-BZ

APPLICANT—J. Jacques Stone, for Hudson Parking Corporation, for New York Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block 868, Lots 22, 23, 24 and parts of Lots 20, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—
For Applicant: J. Jacques Stone.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (461-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block 868, Lots 22, 23, 24 and parts of Lots 20, 54, 55 and 56), Borough of Manhattan, was granted by the Board July 12, 1938, on certain conditions; and

WHEREAS, the resolution was amended on October 25, 1938, September 19, 1939, November 8, 1939 and permit extended on October 15, 1941 and October 19, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 12, 1938, as amended through October 19, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h of the zoning resolution, for a term of two years from the date of this *amended*

resolution, to permit the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as *amended* herein, the conditions of the resolution adopted by the Board July 12, 1938, as amended October 25, 1938, shall be complied with and that a certificate of occupancy shall be obtained."

904-38-BZ

APPLICANT—Harry Annabel, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two years, the parking and storage of more than five motor vehicles.

PREMISIES AFFECTED—89-11 168th place, east side, 100 ft. south of 89th avenue (Block 9801, Lots 46 and 47), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Harry Annabel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (904-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 89-11 168th place, east side, 100 ft. south of 89th avenue (Block 9801, Lots 46 and 47), Jamaica, Borough of Queens, was granted by the Board September 19, 1939, on certain conditions; and

WHEREAS, the permit was extended on September 23, 1941 and October 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 19, 1939, as amended through October 13, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h of the zoning resolution, for a term of two years from the date of this *amended* resolution, to permit the unbuilt upon portion of the plot to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . that other than as *amended* herein, the resolution adopted by the Board September 19, 1939 shall be complied with in all respects and that a certificate of occupancy shall be obtained (N.B. 7835-38)."

1129-40-BZ

APPLICANT—Henry Nordheim, for The New York Central Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2750 Webster avenue, east side, 1051 ft. south of Bedford Park boulevard (Block 3273, part of Lot 101), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (1129-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2750 Webster avenue, east side, 1051 ft. south of Bedford Park boulevard (Block 3273, part of Lot 101), Borough of The Bronx, was granted by the Board on October 21, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 19, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 21, 1941, as amended by resolution adopted October 19, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h of the zoning resolution, for a term of two years from the date of this *amended* resolution to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as *amended* herein, the conditions of the resolution adopted by the Board October 21, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

234-41-BZ

APPLICANT—Gulf Oil Corporation (lessee), for The Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain permits and complete work—Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline service station; part of premises is on same street between the same intersecting streets as a school and library.

PREMISES AFFECTED—2011-2013 Broadway, west side, from West 68th to West 69th streets (entire block); 151-155 West 68th street and 166-178 West 69th street (Block 1140, parts of Lots 4, 5, 7, 10, 14, 55 and 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (234-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline service station, affecting premises 2011-2013 Broadway, west side, from West 68th street to West 69th street (entire block); 151-155 West 68th street and 166-178 West 69th street (Block 1140, parts of Lots 4, 5, 7, 10, 14, 55 and 58), Borough of Manhattan, was granted by the Board on January 13, 1942 on certain conditions; and

WHEREAS, plans were approved on May 4, 1943, time extended on January 5, 1943, resolution amended on September 28, 1943 and time further extended on October 24, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 13, 1942, as amended by approval of plans on May 4, 1943, only so far

as it has reference to obtain permits and completion of work, so that as amended, this portion of the resolution shall read:

"that in view of statement by applicant that all plans have been approved by the Department of Housing and Buildings, but no permit has as yet been obtained and no work done, that all permits shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of January 13, 1942 and May 4, 1943, shall be complied with."

81-43-BZ

APPLICANT—Raymond Irrera, for Bernhard Burger, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the extension in area of an existing factory building.

PREMISES AFFECTED—111-59 158th street, east side, 26.29 ft. south of 112th road (Block 12176, Lot 12), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera and Bernhard Burger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (81-43-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the extension in area of an existing factory building, affecting premises 111-59 158th street, east side, 26.29 ft. south of 112th road (Block 12176, Lot 12), Jamaica, Borough of Queens, was granted by the Board on July 27, 1943, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the applicant states that all permits have been obtained and the work has been substantially completed and it is now desired to modify the height of the building and to construct a mezzanine.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 27, 1943, by adding thereto:

"that the building may be constructed with a clear head room of twenty (20) feet, as proposed and as shown on revised plans marked 'Received October 22, 1945' and also a small mezzanine, as indicated thereon, may be constructed, provided the floor carrying capacity of same is not less than 120 lbs. per square foot, with a stair not less than 3 feet wide leading thereto; and such mezzanine shall be used only for storage of materials used in connection with the operation of the factory; that additional windows may be installed shown on such plans, marked 'Received October 22, 1945,' except along the lot line to the south; that if any openings are constructed on the lot line to the south, same shall be filled with glass block approved for exterior wall construction; that in all other respects, the resolution adopted July 27, 1943 shall be complied with (Alt. Applic. 2803-39)."

375-40-BZ

APPLICANT—Lauritz Lauritzen, for Walter A. Beaudel, owner. (Beaudel Brothers, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, southwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on November 20, 1945 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

Adjourned: 4:45 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 10, 1945, as they appeared in Bulletin No. 29, Vol. 30, are hereby corrected to read as follows:

159-45-BZ

APPLICANT—Lama and Proskauer, for George C. Tilyou and George C. McCullough, owners.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years.

PREMISES AFFECTED—1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lama and Mr. McCullough.

For Opposition: J. Spargo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (159-45-BZ)

WHEREAS, Lama and Proskauer for George C. Tilyou and George C. McCullough, owners, filed March 19, 1945, an application under section 7h of the zoning resolution, to permit in a business use district, the parking and storage of more than five motor vehicles for a term of years, affecting premises 1501-1515 Surf avenue and 2932-2950 West 15th street, northwest corner (Block 7063, part of Lot 21), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 10, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Surf avenue, West 15th street and West 16th street are in a business use, C area and class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated March 16, 1945, on B.N. Applic. 48-45, reads:

"1. Parking and storage of more than five cars within a business use district is contrary to Art. 2, Section 4a-15 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 138 ft. 11 in. frontage by 157 ft. 4⅝ in. in depth, irregular, on which is located a carousel and a one family, 2 story frame dwelling, approximately 47 ft. 8½ in. by 32 ft 9 in. and that it is proposed to park and store more than five motor vehicles on the vacant portion of the plot; and

WHEREAS, the applicant contends that during the summer season, Coney Island triples in population and there are no facilities to accommodate additional cars brought to the area; that the granting of this application will in no way affect the adjoining property owners; that for years people have been parking on this plot without authorization of the owners; that in view of the fact that there is a decided need for parking accommodation in this area, it is requested that this applicaion be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of five (5) years from the date of this resolution, to permit the rear of the premises as proposed to be occupied for the parking and storage of more than five motor vehicles, *on condition* that such spaces, as indicated on plans filed with this application marked "Received March 19, 1945," shall be leveled and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting and to provide for surface drainage; that such parking shall be for cars of the pleasure vehicle type only and only those capable of operation shall be parked or stored; that adjacent to the fence on the interior lot lines there shall be maintained bumpers of adequate size, firmly anchored to the ground, and not nearer than three feet to the lot line, to prevent injury to adjoining fences and buildings on the lot line; that entrance to the premises may be by the existing curb cut to Surf avenue and by a new curb cut not over 15 feet in width to *West* 15th *street,* as shown; that signs advertising the parking and storage use shall be restricted to one sign not over 15 square feet in area, which shall not extend beyond the building line, advertising only the parking and storage use and the rates charged; that all other signs advertising parking and storage shall be removed; that the existing fence, between the driveway to Surf avenue and the portion of the premises occupied for the carousel, shall be maintained in substantial condition and no openings therein shall be made or permitted to the driveway; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

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* Correction—"Surf avenue" changed to *"West* 15th *street"* in line 63 of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 2, 1945, as they appeared in Bulletin No. 41, Vol. 30, are hereby corrected to read as follows:

390-19-BZ

APPLICANT—Lama and Proskauer, for Edward Brodlieb, owner.

SUBJECT—Application reopened May 29, 1945—application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles and store, previously granted by the Board, to garage, showroom, servicing and repairs to motor vehicles.

PREMISES AFFECTED—6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Edward Brodlieb.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION **(390-19-BZ)**

WHEREAS, this application, permitting in a business use district, the erection of a garage for more than five motor vehicles, affecting premises 6902-6912 4th avenue and 378-386 Bay Ridge avenue, southwest corner (Block 5872, Lot 42), Borough of Brooklyn, was granted by the Board on June 26, 1919, on certain conditions; and

WHEREAS, the resolution was amended on October 30, 1934 and on January 7, 1936; and

WHEREAS, the applicant requested a further amendment of the resolution, under section 7i of the zoning resolution, to permit the change of occupancy of a garage for more than five motor **vehicles and store,** previously granted by the Board, to garage, showroom, servicing and repairs to motor vehicles; and

WHEREAS, this case was reopened by vote of the Board on May 29, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 2, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bay Ridge avenue is in a business use, C area and Class 1¼ height district; 4th avenue is in a business and residential use, C area and Class 1¼ height district, 68th street and Ovington avenue are in a residential use C area, Class 1¼ height district; and

WHEREAS, the decisions of the borough superintendent, dated April 27, 1945 re Alt. Applic. 1104-45, reads:

"1. Resubmit additional non-conforming uses, to the Board of Standards and Appeals. See Cal. 390-19—BZ Bul. 45, Vol. 19 (Business zone)

2. Area for manufacturing excessive—contrary to Art. II, Sec. 4, par. "B" of zone resolution."

and

WHEREAS, the applicant contends that the premises in question has a frontage of 78 ft. 4¾ in. on Bay Ridge avenue, 99 ft. 11⅞ in. on 4th avenue, 97 ft. 8 in. on the westerly lot line; 101 ft. 11¼ in. on the southerly lot line; that the premises are improved with a two story public garage, and store, for more than 5 motor vehicles, covering the entire plot; that this building was constructed under Permit 11083-1934, for which Certificate of Occupancy 74994 was issued on January 2, 1935; that this garage was granted by the Board of Standards and Appeals under Cal. 390-1919; that it is the intention of the owner to add to the present use, an automobile showroom, parts department and general servicing of automobiles; that as the premises in question is presently zoned for business, the building is existing and the additional uses are in a business zone, it is requested that the application be granted.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 26, 1919, as amended through January 7, 1936, so that as amended, the resolution as a whole, shall read:

"*Resolved,* that the decision of the superintendent of buildings, acting on N. B. Applic. 5452-19, dated May 26, 1919, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that the westerly and southerly walls of the structure shall be unpierced throughout their entire height; that there shall be no skylight or other opening in the roof within 20 ft. of the adjoining property on the west and south; that the sills of the windows on the Bay Ridge avenue front shall be placed at least 6 ft. above the level of the sidewalk; that the walls of the structure facing on Fourth avenue and Bay Ridge avenue shall be of pressed brick or similar materials; that there shall be but one doorway in the Bay Ridge avenue frontage, which may be used as a fire exit only and to be located within 3 ft. of the westerly line of the lot; and

Resolved further, that the decision of the borough superintendent, acting on Alt. Applic. 1104-45, Objection 1, be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that in the event the owner desires to occupy the first story of the building as a sales room for the Chrysler agency, in lieu of the present permitted garage use on such floor, that such use of the first floor may be permitted and the alterations to the first floor may be substantially in accordance with the revised plans marked 'Received September 27, 1945,' provided that in all other respects, the requirements of the resolution as above recited are complied with, and in all other respects, the building and occupancy complies with all laws, rules and regulations applicable to the continued use of the second story as a garage for more than fire cars entirely independent of the permitted use in the first story as a sales room for such sales agency, including minor repairs hereby permitted under section 7 subdivision i and servicing, consisting of greasing and washing, exclusively for cars dealt in by such agency; that all signs shall be removed from the building and no new signs erected, except there may be one sign on the Fourth avenue front, advertising the Chrysler sales agency; that such sign may be illuminated and may extend beyond the building line for a distance of not more than 4 ft.; that there shall be no roof sign, wall sign or temporary sign; that the windows along Bay Ridge avenue may be cut down to within 6 *inches* of the floor where such windows occur within the proposed enclosed showroom, as shown on plans marked 'Received September 27, 1945'; that all such repair work, except for wheel realignment, shall be done by hand tools with no machine driven tools greater than one-half horse power; that the gasoline pumps may be reset as therein indicated and as an accessory use only for supplying cars dealt in; that such portable fire fighting appliances shall be maintained throughout the building as the fire commissioner shall direct; that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and *withdrawn* as to objection 2."

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* Correction—"6 ft." changed to "6 *inches*" in line 100 of the resolution.

REGULAR MEETING

TUESDAY MORNING, OCTOBER 30, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, October 2, 1945, were approved as printed in Bulletin No. 41, Volume 30, and the minutes of the regular meeting of the Board held on Tuesday morning, July 24, 1945, were approved as printed in Bulletin 38A, Volume 30.

Zoning Applications.

225-45-BZ

APPLICANT—Abram Shlefstein, for 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles.

PREMISES AFFECTED—239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur Aronson.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 27, 1945 at 10 A.M., on request of applicant's representative.

480-45-BZ

APPLICANT—Lama & Proskauer, for Frank J. Quigan, Inc.,, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use, C area district, the construction of a one-story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution.

PREMISES AFFECTED—58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: A. J. Argondizzo, Walter Sochaz, Herman Zipser, A Stopanio, Mary Wyman, Frances Labriola, Rose Geososti0, Emma Mathies and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 27, 1945 at 10 A.M. for further consideration after applicant has submitted required statement.

555-45-BZ

APPLICANT—William O. Staber, for William E. Winkle, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a business use district and residence use district, the extension to an existing gasoline service station to gasoline service station, brake and battery service and lubritorium.

PREMISES AFFECTED—145-11 to 145-25 Rockaway boulevard, northwest corner of Inwood street (Block 12048, Lots 77-81 and 82), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: W. O. Staber and William E. Winkle.

For Opposition: Margaret C. Farrenkopf.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Referred to the Engineer of the Board.

MINUTES

563-45-BZ

APPLICANT—William O. Staber, for Edward W. Winkle, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a residence and business use district, the extension of an existing gasoline service station, to gasoline service station, brake and battery service and lubritorium.

PREMISES AFFECTED—217-48 Hempstead turnpike southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: W. O. . Staber and William E. Winkle.

For Opposition: Anna Stein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Referred to the Engineer of the Board.

275-45-BZ

APPLICANT—Lama & Proskauer, for Dora Rothenberg and Rose Strauss, owners (Thomas Brodlieb, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence and business use district, the inclusion of minor repairs to existing gasoline service station, office, laundry and lubritorium.

PREMISES AFFECTED—125-135 Kings Highway and 1635-1643 Stillwell avenue, northeast corner (Block 6618, Lot 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Blanche Caro, N. Pizzirusso, V. Gullo, R. Corso, J. Bongearno, L. Moskowitz and R. Grant.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

351-45-BZ

APPLICANT—Lama and Proskauer, for Precision Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business zone in excess of lot area.

PREMISES AFFECTED—79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Harold Jacobs.

For Opposition: Irving Rivkin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (351-45-BZ)

WHEREAS, Lama and Proskauer, for Precision Realty Corporation, owner, filed May 29, 1945, an application under section 7c of the zoning resolution, to permit in a business and residence use district, the change in occupancy from a bakery, private garage, office and storage, to factory, garage for five motor vehicles, storage, showroom and office with manufacturing in the business use zone in excess of the lot area; affecting premises 79-01 to 79-11 Rockaway Beach boulevard and 177-199 Beach 79th street, southwest corner (Block 615, Lot 30), Bockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Rockaway Beach boulevard is in a business use, C area and Class height district; 79th and 80th streets are in a residence use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 17, 1945, re Alt. Applic. 738-45, reads:

"1. The change in use from bakery, private garage, office and storage, to factory, garage, storage, showroom and office in a business and extending partly into a residence district, is contrary to Sec. 3 of the zone law.

"2. Manufacturing in a business use zone on a total floor area in excess of the area of the lot, is contrary to Sec. 4(c) of the zone law."

and

WHEREAS, the applicant states the premises consist of a plot, 117.65 ft. frontage by 227 ft., irregular in depth, on which is located a 2-story, Class 3 constructed building, 113 ft. 10 in. by 221 ft., irregular in area, occupied as a bakery, office, private garage for five cars, storage and that it is proposed to occupy the building as office and factory, manufacturing of precision instruments, showroom and garage, five cars; and

WHEREAS, the applicant contends that the premises are improved with a 2-story masonry building, 113 ft. 10 in. on Rockaway Beach boulevard and 221 ft. on Beach 79th street; that this building was altered in 1929, establishing a cake bakery, for which Certificate of Occupancy 1461 was issued under Alt. 1163-1929; that it is zoned as a business district for a distance of 100 ft. south of Rockaway Beach boulevard and remainder is zoned as residential district; that the entire plot was zoned as a business district in 1916 and the portion south of a line 100 ft. south of Rockaway Beach boulevard was changed to a residential district on July 31, 1938; that the building has been purchased by The Precision Metal Products Company for the purpose of manufacturing aeronautical precision instruments and assemblies for the War Department; that it is the contention of the owners that this use is far more desirable than a bakery, and therefore it is requested that this application be granted; and

WHEREAS, under Calendar 541-44-A, an appeal was filed to review a decision of the Borough Superintendent, denying the right to occupy the entire existing building for manufacturing use; that it appeared from the records that Certificate of Occupancy 1461 was issued after completion of Alteration Application 1163-1929, to permit the entire first floor to be occupied as a "cake bakery" and the second floor as "office"; this appeal was withdrawn so that an application for a zoning variance could be filed to extend the manufacturing use to the second story; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof,

to permit the extension of the permitted factory use to the second story as proposed, *on condition* that such factory work in the second story shall be restricted to light assembly work; that the building shall not be increased in height or area; that the sprinkler system shall be maintained throughout the premises as proposed and satisfactory to the fire commissioner; that all openings to Beach 79th street, formerly used by the prior bakery occupancy as garage space, shall be enclosed with approved masonry, except that two spaces nearest to Rockaway Beach boulevard shall be maintained for loading and unloading, in accordance with the requirements of the zoning resolution; that all loading and unloading shall be within the building in such loading spaces; that all openings in the wall adjacent to the southerly rear lot line shall be closed up, including windows as well as ventilating spaces, with approved masonry; that the heavy manufacturing shall be maintained only within the business use district toward Rockaway Beach boulevard; that no signs shall be erected on the premises other than signs permitted by the zoning resolution within the business use district, excluding all roof signs; that the system for storage of paint and paint spraying shall be in accordance with the requirements therefor, and the spraying booth shall be equipped with an approved sprinkler curtain system, of a type approved by the Board, to insure no paint spray being emitted from the building; that the order of the Fire Prevention Division, No. 15848-LF, and the order of the Division of Combustibles No. 537-LC, shall be complied with in all respects; that a recreational room shall be maintained within the building for the workers, so as to assure that the workers will not loiter on the streets adjoining the building during recreational or lunch hours; that any heavy machinery shall be equipped with such shock deadeners to reduce the unnecessary noises; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

470-45-BZ

APPLICANT—Lama and Proskauer, for 137-20 Cross Bay Boulevard, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a residence and business use district, the inclusion of minor repairs, laundry and lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices.

PREMISES AFFECTED—137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner, and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and H. Pensig.
For Opposition: Jennie Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (470-45-BZ)

WHEREAS, Lama and Proskauer, for 137-20 Cross Bay Boulevard, Inc., owner, filed July 27, 1945, an application under section 7i of the zoning resolution, to permit in a residence and business use district, the inclusion of minor repairs, laundry lubritorium in an existing showroom for the sale and display of motor vehicles, sale of auto parts and offices, affecting premises: 137-20 Cross Bay boulevard, 137-07 to 137-27 Redding street, southwest corner and 137-02 to 137-24 Old South road (Block 11409, Lots 1 and 10), Woodhaven, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Cross Bay boulevard is in a business use, D area and Class 1 height district; Albert street and Redding street are in a business and residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1945, on Alt. Applic. 1084-45, reads:

> "1. To change the use from auto showroom to auto repair shop, washing and lubritorium in a business and partly in a residence district, is contrary to Sections 3 and 4 of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 180.76 ft. frontage by 161.19 ft. in depth (irregular), occupied by a building one-story, 13 ft. in height, 119.4 ft. front by 92 ft. deep, of Class 3 construction and that it is proposed to occupy the building as a showroom for the sale and display of motor vehicles, sale of auto parts, offices and minor repairs, washing and lubritorium; and

WHEREAS, the applicant states that the premises have a frontage of 180.76 ft. on Cross Bay boulevard, 223.14 ft. on Old South road, 216.26 ft. on Redding street and irregular on the southerly lot line; that the premises are improved with a one-story masonry building, which was constructed as a public market and was recently converted to an automobile show and salesroom, and the sale of automobile parts; that the building lies wholly in the business zone; that all minor repairing will be done by hand tools only and no motor over ½ h.p. will be used; that this use is synonomous with the sale of automobiles, as periodical inspections are made on all cars sold by the owners; that directly to the west, Block 11406, Lot 32, there is a gasoline service station and also gasoline service station on Block 11372, Lot 30 and one on Block 11372, Lot 39; therefore in view of the fact that there are several non-conforming uses within the affected area, and that the proposed use will in no way affect the surrounding property owners, and all repairs will be carried on inside the building, it is requested that this application be granted; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision i, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7i thereof, to permit minor repairs within the building in connection only with the sale of cars dealt in by the agency, *on condition* that such repairs shall be with hand tools only, but permitting motor driven machinery such as grinder or drill, provided such equipment does not require more than one-half horse-power motor each; that the building shall not be increased in height or area; that the vacant portion of the premises shall be suitably landscaped; that a fence shall be erected on the entire building line, except where the front of the building occurs and entire side lot lines as shown on plans marked "Received October 29, 1945," with no openings therein, except an access gate to Redding street; that such fence shall be either steel picket or woven wire, chain link, anchor post type; that such fence shall not be less than 4 ft. 6 in. in height; that the existing double door now in the rear wall to the west shall be blocked up with approved masonry and a single door for exit purposes not over 3 ft. 8 in. in width shall be installed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

MINUTES

476-45-BZ

APPLICANT—Jacob J. Gloster, for Sunny Tower Holding Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a retail use, D area district, the extension of an existing store without providing rear yard required by zoning resolution (The premises adjoin a residence district).

PREMISES AFFECTED—93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Jacob J. Gloster and S. Mahlab, Jr.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (476-45-BZ)

WHEREAS, Jacob J. Gloster, for Sunny Tower Holding Corporation, owner, filed July 31, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a retail use, D area district, the extension of an existing store without providing the required rear yard (the premises adjoin a residence district); affecting premises 93-11 63rd drive, southwest corner of Booth street (Block 3090, Lot 30), Rego Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 63rd drive is in a business use, D area and Class 1 height district; Booth street is in a business and retail use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 12, 1945, re Alt. Applic. 909-45, reads:

"1. Area of building including proposed addition, is in excess of that permitted in Section 14 of the Zoning Resolution.

"2. Provide rear yard as per Sections 14 and 17 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises has a frontage of 100 ft. and a depth of a 100 ft., on which is located a one-story building, 13 ft. in height, of Class 3 construction and that it is proposed to extend present hardware and drug stores and construct a new cellar under the proposed extension; and

WHEREAS, the applicant contends the building was originally in a business district, which permitted a one-story building of this type without a rear yard; that changing the section into retail district has changed matters entirely for the owner of this property; that the fact that this was an existing building built on about 60% of the lot area, while the other taxpayers in the neighborhood cover 90% of the area, was not taken into consideration when the change was made; that the owner was therefore deprived of his property rights; that if this were a new building, the change perhaps would be equitable, inasmuch as the owner had plenty of time to discover what he was doing before purchase and subsequent building; that permitting the extension of this building will not in any way cause injury to adjoining property, nor will any of the adjoining owners suffer any changes in their status, because the hardware store and drug stores which are under lease, are being extended; that the present stores are shallow and that there is hardly any cellar under them at present, as the owner probably did not have any money to cover the entire lot, nor to build enough cellars, hoping and expecting to do that at some future date, but the change of the zone deprived him of his just rights; and

WHEREAS, the applicant contends under section 21, that it is a hardship to carry this property, as its assessed value is $73,000 and the owner cannot get enough rent from the taxpayer at present to cover taxes, maintenance, etc., and still have a return on his investment; that the owner is also experiencing hardship because of cellar space and the stores just have no storage space; it is therefore respectfully submitted that the Board permit the extension of these stores, including the cellars; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant an extension of area under section 21 of the zoning resolution, and is therefore entitled to relief on the grounds of practical difficulty and unecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the existing building to be extended as to the two most southerly stores, to within 10 ft. of the rear lot line, substantially as indicated on revised plans marked "Received October 26, 1945", but no further than the rear wall of the adjoining building on Lot 35 to the south, except that the cellar shall not be extended to the rear line, as shown, but shall terminate at the point of the rear wall, and except that stairs, giving direct access to each store cellar, shall be constructed without encroaching on the 10 ft. yard space herein required; that the balance of the open space on the lot shall be cement paved and shall be left completely open and not built upon; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be further increased in height or area; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

484-45-BZ

APPLICANT—Thomas E. Huser, for International Tailoring Co. of New York, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of an existing factory building to exceed the area and height than that permitted by the zoning resolution.

PREMISES AFFECTED—101-111 4th avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas E. Huser, Edgar L. Kirby and William B. Smith.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (484-45-BZ)

WHEREAS, Thomas E. Huser, for International Tailoring Company of New York, owner, filed August 3, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district the extension of an existing factory building, to exceed the area and height that permitted by the zoning resolution, affecting premises 101-111 Fourth avenue and 100-106 East 12th street, southeast corner (Block 556, Lots 44, 45 and 46), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 30, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 4th avenue is in a business use, B area and Class 2 height district and East 12th street is in a business use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1945 on Alt. Applic. 739-45, reads:

"1. Height of new addition should comply with Section 8(g) of Zoning Resolution Note that present building and new addition considered as one building in computing excess heights and Section 9(e) of Zoning Resolution.

"2. Extension of present manufacturing use in a business use district is contrary to Sections 4(c) and 6 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of three lots, 44, 45 and 46; that on Lot 44, there is an existing factory building, 13 stories (188 ft.) in height, of Class 1 construction, 142 ft. ¾ in. by 166 ft. 9½ in., irregular in area; that it is proposed to extend this building over Lots 45 and 46, having a frontage of 50 ft. and a depth of 106 ft. 6 in., irregular in area, on which it is proposed to erect on extension exceeding the area and height district regulations; and

WHEREAS, the applicant contends that 107 4th avenue located at the southeast corner of 4th avenue and East 12th street is a loft building erected in 1919-1921 and originally contained 12 stories and basement; that an additional story was erected in 1936; that 104 East 12th street, a vacant plot adjoining the existing structure on the east, was acquired in 1937; that 106 East 12th street, a vacant plot, was acquired in 1944; that the owner is engaged in the manufacture of men's clothing and does not deal directly with customers, but with dealers; that the principal place of business is 107 4th avenue, where it occupies the entire building except the ground floor and basement, which is leased to the U. S. Hoffman Machinery Company; that during the war, the company has had contracts with the U. S. Government for the manufacture of clothing equipment; that the owner anticipates the need of additional manufacturing space to meet the post-war demand; that the use district was changed from unrestricted to business in 1938; that the applicant requests permission to extend the building on the 50 ft. vacant plot on the easterly side of the existing structure; that to comply with objection 1, it would require that the street setback start at the 7th floor, which would create a loss of 1,000 sq. ft. and that the elevator tower be moved back of the street setback line; that from the standpoint of design, it is desirable that the existing belt course on the 8th floor be continued across the proposed addition; that the elevators in the proposed addition are required to serve the 11th, 12th and 13th floors of the existing building, as well as for interfloor communication between buildings, and to move them back would make this impossible, as the existing court and stairway would intervene; that under section 8g, the normal setback point of the street wall would be 90 ft. above curb level and section 9e provides, however, for an increase in height of the street wall equal to the average excess height of the adjacent buildings; that the existing building is 188 ft. in height, an excess of 98 ft. and the number of buildings and lots affected under 9e is 7, which would establish an average of 14 ft. as the permissible increase in height on the street wall of the addition; that section 9d permits the erection of a tower not to exceed 25% of the area of the lot, to unlimited height, provided it is kept back the specified distance from the street; that the drawings contemplate such a tower on the addition, to permit the new elevators in addition to serve the 11th, 12th and 13th floors of the existing building; that in the event a separate building were erected on the inside plot in question and an application filed for the construction of a new building, the average excess height and tower privileges would be permitted under section 9e and therefore the addition should be considered as a separate building or unit; that the intent of the building zone resolution is to provide for a maximum of light and ventilation and the result being the same, the owner should not be penalized for owning both corner and inside plots, but should be permitted to do what any other owner of the inside plot would be permitted to do; that the addition is in fact a separate building, in that it is separated from the corner building by fire walls having a fire-resistive rating of four hours and the openings between the corner and inside buildings are protected by assemblies, having a fire resistive rating of three hours; that the examiner in the building department agreed that the above arguments had merit and suggested that inasmuch as objection 2 was to be presented to the Board, objection 1 should be included in the application; that there would be a great hardship on the owner if it were not permitted to start the setback at 8th floor and if it were not permitted to erect a tower upon the new addition on the 50 ft. plot on the east of the existing structure; that it is vital in the interests of the owner to have additional facilities and it would be impracticable to conduct its manufacturing business at another location or to acquire additional space in other buildings; that the district was still unrestricted when the company acquired the first vacant plot adjoining on the east; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, as to use, and that the applicant had substantiated a basis for appeal under section 21 of the zoning resolution, as to height and area and was therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under sections 7c and 21 of the zoning resolution, to permit the extension in height, as proposed and as indicated on plans filed with this application marked "Received August 3, 1945", five sheets, and as to use, to permit manufacturing throughout the building *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Appeal from Administrative Decision.

597-45-A

APPLICANT—The Queensboro Corp., for Garden Housing Corp., owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—34-41 78th street, 34-21 78th street, 78-10 34th avenue, 34-20 79th street and 34-40 79th street, entire block 78th to 79th streets, between 34th and 35th avenues (Block 1265, Lots 1, 11 and 30), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: William T. Smith.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

Appliances and Material Submitted for Approval.

151-44-SA

APPLICANT—Nash Engineering Company, owner.

SUBJECT—Jennings Sewage Ejector, Types A and B, approval of.

MINUTES

APPEARANCES—
For Applicant: R. Carpenter and A. P. Smith.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee of Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (151-44-SA)

WHEREAS, the Nash Engineering Company, owner, filed on March 10, 1944, an application with the Board of Standards and Appeals for approval of the appliance known as the Jennings Sewage Ejector, Types A and B; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 151-44-SA October 2, 1945

Subject: Jennings Sewage Ejector, Types A and B, Approval of.

The Nash Engineering Company of South Norwalk, Connecticut, filed an application with the Board of Standards and Appeals under the mandatory requirements of C26-178.0, b for the approval of the Jennings Sewage Ejector, Types A and B, for use under C26-1316.0, Administrative Building Code, as amended by Local Law No. 30, approved by the Mayor on July 7, 1945.

DESCRIPTION

The Jennings Sewage Ejectors, Types A and B, vary only as to size; type B is manufactured in capacities of 30 and 50 gpm each and type A is made in capacities of 100, 150, 200, 250 and 300 gpm. The type B, owing to its smaller size, permits of the inlet and discharge connections and check valves to be arranged in the form of a header, in the type A units these connections are separate.

Essentially both types A and B consist of a cast iron ejector pot, called a receiving tank, operated by an air compressor. The pots are of close-grained gray cast iron, having a tensile strength of approximately 28,000 lbs. per sq. in. air tested for leaks after assembly to 60 lbs. per sq. in. They are of gas-tight construction. A gasketed, quick-opening manhole is fitted to the top of the pot. The following units are furnished with wall thickness and inlet and discharge connections as follows:

Pot Size	*Wall Thickness*	*Inlet & Discharge Sizes*		*Net Weights*
Type B 30 Gal.	7/16"	4"	4"	310 lbs.
Type B 50 Gal.	½"	4"	4"	490 lbs.
Type A 100 Gal.	½"	6"	6"	1150 lbs.
Type A 150 Gal.	¾"	8"	8"	1545 lbs.
Type A 200 Gal.	¾"	8"	8"	2045 lbs.
Type A 250 Gal.	⅞"	8"	8"	3000 lbs.
Type A 300 Gal.	⅞"	8"	8"	3000 lbs.

The inlet and discharge of the pots are fitted with special non-clog check valves designed and manufactured by The Nash Engineering Company, Inc. The clapper and clapper seat can be removed through a quick-opening handhole at the top of the valve body; the cover of the handhole is removable by loosening one bolt. These check valves have an iron body with bronze seat and flap.

The non-clog check valves are designed so as not to restrict free flow through the inlet and discharge connections. The largest spheres which can be passed by the valves are equal to the rated diameter; the actual diameter being larger. A 4" valve will pass a 4" sphere; a 5" valve will pass a 5" sphere; and so on.

A float-actuated switch mounted on the receiving pot acts as a pilot switch to control the automatic starter supplied with the motor driven compressor. The float-switch mechanism is a General Electric Cr-2931S-Cat. No. 2882397 of four-pole, toggle joint design, or equal. It is enclosed in a Nash housing of cast-iron construction. The switch is oil immersed and the housing is waterproof. The switch is actuated by a seamless copper ball 8" dia. fitted to a bronze float rod which passes through a gas tight stuffing box and is properly fastened to the float switch stem.

Air for blowing the pot is furnished by a Nash Hytor Air Compressor. It is of cast-iron or cast-iron bronze fitted construction, having a shaft on which is mounted the rotor supported by annular ball bearings. The compressor has one moving element, the rotor, which is circular, running without contact in its elliptically-shaped casing. The rotor is made of a number of blades which form chambers. Water in the casing revolves, being carried around by the rotor; centrifugal force makes the water follow the casing outline, so that twice in each revolution the water is forced into and then thrown out of each rotor chamber. As the water goes out, air is drawn into each chamber through the inlet ports. The air is carried around and as the water is forced back into the blade spaces, it is compressed and passed through the outlet ports. A constant volume of air is discharged free from pulsations. Nash Hytor Compressors are designed for operation at the higher motor speeds and are direct connected to the driving motor. When the compressor is at rest the seal water from a previous operation lies at the bottom of the compressor body and clears the top inlet and discharge ports. Taking advantage of this feature provides a means of venting the pots by permitting the air to blow back through the compressor.

At the compressor inlet is mounted a Nash Separator regularly supplied with a Nash Hytor Compressor. It traps out the water from the compressor body which may be thrown out with the air being vented from the pot.

Compressors are regularly furnished to deliver sufficient air to completely blow a pot in 30 seconds or less. Coupled with a filling time of 30 seconds, this gives a one-minute cycle and permits the capacity of the pots to be the rating of the ejectors in gallons per minute.

The air line between the compressor and the pots acts in a dual capacity: first, furnishing air under pressure for blowing the ejector during half of the cycle of operations and then venting the air to the regular vent. The air compressor may be said to float in the vent from the ejector pot.

The flow of water required by the Compressor for sealing is regulated by a solenoid-magnet-operated valve in the water-seal line. A positive break between the City water supply and the compressor is achieved by a water-seal tank. This tank provides for a small storage of water; flow into it is controlled by an inverted float valve.

Motors regularly furnished with the Nash Hytor Air Compressor always are of proper characteristics, sufficient capacity and rating that they will not be subjected to overloads or to the effect of undue heating. Controllers furnished with the motors provide overload protection through a thermal relay as well as under-voltage release.

PRINCIPLES AND CYCLE OF OPERATION

Pumping sewage by ejection from a receiving tank with a blast of compressed air is a practical method for this service. The applicant contends that no submerged, inaccessible working parts come in contact with dirt and grit. Any material will be pumped, without screening or separation, which can flow through the

inlet pipe adapting itself automatically to the rate of flow.

Air volume is always available indefinitely at the maximum rate. Air is alternately furnished under pressure and vented to the atmosphere through one pipe by one mechanism—the Nash Hytor Compressor. When discharging the pot, the compressor furnishes air under pressure to the ejector. When the pot is filling, and the compressor is at rest, air, displaced by incoming sewage, passes back through the compressor to the vent.

In the cycle of operation, sewage flows by gravity from its source into the pot through the inlet check valve. As the sewage accumulates, the float in the pot rises and, when the pot is full, the float at the upper limit of its travel actuates a float switch, starting the compressor. At the same time, the solenoid-operated valve opens, and a small amount of water required for operation is supplied to the compressor. While the compressor is running, air under pressure is delivered into the top of the pot, which expels the sewage through an outlet check valve, at the same time holding the inlet check valve closed. When the pot is empty, the float, having reached the lower limit of its travel, opens the float switch, stops the compressor and shuts off the supply of water. The compressed air in the pot is released by being vented back through the compressor. More incoming sewage displaces air directly through the compressor until the pot is again full, and the cycle of operation is repeated as frequently as the amount of sewage flowing requires.

TESTS

A test of a type A 100 gpm unit installed at the applicant's plant by Lawrence A. Teasdale, Licensed Professional Engineer, of Yale University Service Bureau, under date of August 24, 1945, to determine time required to empty a pot, also time required to vent the pot after emptying, with details and results as follows:

A duplex pneumatic sewage ejector as made by the Nash Engineering Company and designated by catalog data as a 100 g.p.m Jennings Pneumatic Sewage Ejector. The principal parts of the unit are two pots, two L2 air compressors, complete with separators, one seal water tank, necessary electrical controls, piping, valves and fittings. The rated capacity is given as 100 g.p.m against a 30 discharge head which includes friction head.

Detail of specification of pots, compressors and compressor motors is as follows:

Pots—Material cast iron:

Capacity, each pot 100 gallons (By actual measurement at time of test the capacity between cut-in and cut-out points of float switch was 99 gallons for the pot used in tests).

Compressors—2 L-2 Hytor units.
Capacity 56 c.f.m. of free air when discharging at 10 lbs. pressure requiring 5.25 brake h.p. Size of inlet and outlet 1½".

Compressor Motors—2 7½ H.P. operating at 1745 R.P.M. 20.1 amperes, 220 volts, 3 phase, 60 cycle alternating current.

Controls—By float actuated pilot switch and automatic starter. Separate float switch, starter and compressor for each pot.

Piping—Substantially as shown on Nash Engineering Company's sketch SK-1010 revised 1/11/38. For the test a second pressure gauge was installed on the left hand pot.

The unit was installed in the plant early in 1938. It handles all sanitary sewage from the main buildings where approximately 550 men and women office and factory employees are working. It takes discharge from all plumbing fixtures including those from floor drains and a cafeteria kitchen. Discharge is to a city sewage line several hundred feet away from the plant which is too high to permit gravity drainage.

Installation as made complies with local and State codes then in effect and is according to manufacturers general recommendations.

Conditions of the test cycles, called 1, 2 and 3 below, were substantially as follows:

In order to increase the speed of the operating cycle, one of the pots was valved off and this in turn made its compressor inoperative.

In order to further speed the operation, clean water was fed into the pot during the filling period.

During test cycle No. 4 no clean water was fed into the pot.

Two pressure gauges were installed. One on top of pot to indicate pressure at this point during filling discharge and venting. One on 1½" air discharge line between compressor and pot which also gave pressures during filling, discharging and venting. This gauge was the one used in timing. After the tests this gauge was calibrated and found to be correct within the limits used in test.

Voltmeter, two ammeters and a watt meter were connected to motor wiring.

For most of the test one man observed pressures and duration of discharge and vent periods; a second man took necessary electrical readings. A stop watch was used for timing. Time between tripping of float switch at high position to start compressor and tripping of float switch at low position to stop compressor was taken as time required to discharge. Time between tripping to stop compressor and instant when gauge reached zero point was taken as time required to vent pot.

All valves in piping connections to pot and compressor were wide open during cycles 1 to 4.

By a check made before actual tests it was found that actual volume of pot between cut-out and cut-in levels of float switch was 99 gallons.

Several trial runs were made before actual tests were made in order to observe operation of instruments.

From detailed tabulation below as a result of these tests it will be found that:

Time to empty pot was 21 seconds.
Time to vent pot was 5 seconds.

Since the gauge settled at about 7.5 lbs. during operation of compressor, the total head against which vent discharged was approximated 18 ft.

In cycle 4, when no clean water was added, there was no appreciable change in discharge or venting time.

Cycle	*Discharge Sec'ds*	*Vent Time Sec'ds*	*Voltage*	*K.W.*	*Amps.*	*Amps.*
No. 1	21	5	236	4.56	13.12	14.00
No. 2	21	5	232	4.48	13.28	13.85
No. 3	21	5	234	4.48	13.36	13.36
No. 4	20	5	231	4.48	Not taken	

After the tests, as described, were run, observation was made of the operation of a smaller single pot Nash pneumatic ejector adjacent to pattern shop. No stop watch was available at the time but check with second hand of pocket watch showed time to discharge equalled 17 seconds and time to vent approximately 4 seconds. This unit had a 1¼" vent connection.

Operating cycles of the 100 gallon unit with the hand valve in compressor discharge partly closed showed no appreciable difference in discharge and vent time until the valve was closed all but 1¾ turns when the discharge period was 32.5 to 34 seconds and vent period 6 seconds.

It should be noted that ejector under test was han-

dling its specified capacity, insofar as discharge rate was concerned, with only one pot in operation.

The applicant has also supplied data as follows: showing that the compressor connections meet the minimum venting requirements of the Administrative Building Code.

Ratings	*Head—in feet*	*Compressor* Inlet	Outlet
30 gpm, 50 gpm	All heads	1¼"	1¼"
100 gpm	to 55'*	1¼"	1¼"
150 gpm	to 28'*	1¼"	1¼"
200 gpm	to 10'	1½"	1½"
150 gpm	29' to 55' inc.	2"	2"
200	11' to 46' "		
250	to 36' "		
300	to 28' "		
200	47' to 51' inc.	2½"	3"
250	36' to 46' "		
300	29' to 41' "		
200	52' to 56' inc.	3"	4"
250	46' to 56' "		
300	42' to 56' "		

All ratings beyond the above will have compressor connections 3" or larger.

* One rating requires 1½" x 1½" because of available motor speeds.

A representative of the Committee on Tests has made inquiry of some 22 installations made in New York City and in each case satisfactory performance was reported.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Jennings Sewage Ejector, Types A and B in the capacities and when manufactured as described herein under the Board's authorization as provided in C26-191.0, when made and installed as prescribed in C26-1316.0 as amended by Local Law #30 approved July 7, 1945, and provided that each unit bear a label of non-corrodable metal with raised letters reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 151-44-SA."

(Sgd). BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Jennings Sewage Ejector, Types A and B, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

164-44-SA

APPLICANT—Orr and Sembower, Inc., owner.

SUBJECT—O and S Powermaster Boiler and Oil Burner, Models AA3, B, AC5 and AC6, approval of.

APPEARANCES—
For Applicant: H. E. De Lamater.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (164-44-SA)

WHEREAS, Orr and Sembower, Inc., owner, filed on April 7, 1944, an application with the Board of Standards and Appeals for approval of the appliance known as the O and S Powermaster Boiler and Oil Burner, Models AA3, B, AC5 and AC6; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 27, 1945.

Re: Cal. 164-44-SA.

Subject: O and S Powermaster Oil Burners and Boilers, Models AA3, B, AC5 and AC6, approval of.

Orr and Sembower, Inc., of Reading, Pa., filed an application with the Board of Standards and Appeals for the approval of their oil burners and boilers in sizes as listed herein under the requirements of C26-178.0b for use under Art. 12, Heating Appliances, Combustion and Chimneys and the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION.

The Powermaster Oil Burner and Boiler unit is intended primarily for industrial and commercial uses when quick steam generation is desired and consists of a three pass modified Scotch Marine type boiler unit and their Model B Powermaster Oil Burner unit for No. 3 oil or other approved oil burner for No. 5 or No. 6 fuel oil in horse power sizes as listed herein. The steel boiler is designed in accordance with the requirements of the ASME High Pressure Steam Boiler Code and includes all accessories and safety devices as required therein. The oil burners and nozzle capacities for use with the several boiler sizes are as follows:

H.P.	Gal. / hr.	HP	Gal. / hr.
6	2.5	30	10.5
10	3.5	40	15.0
15	6.0	50	18.0
20	7.0	60	21.0

Model B Powermaster oil burner is designed for use with oil fuel not heavier than No. 3 (flash point not exceeding 100 deg. F. when tested with a Pensky Martens closed tester) and for boilers having a horsepower not exceeding 40. For the horsepower sizes of 30 HP through 250 HP the applicant proposes to use an approved type of horizontal rotary burner of their own type or of other approved make. The oil for use in these larger size units is either No. 5 or No. 6 fuel oil. In each size, the nozzles, the fans and controls are of the required sizes and capacities. The applicant contends that the installation and equipment on both the boiler and the oil burner will comply with all the requirements of the Administrative Building Code and the Oil Burner Rules of the Board.

TEST.

A complete Powermaster unit Model AA Steam Generator with type B oil burner was submitted to a test at the Underwriters' Laboratories, Miscellaneous Petroleum 1434, Applic. No. 43C493B, report dated August 21, 1945 for intermittent and continuous operating periods for a period of 240 hours and it was found that the design, construction, material selection and workmanship on the complete unit was satisfactory. The safety attachments provided automatic ignition instantaneously at 70% normal live voltage with oil at 32°

F. and at room temperature with no extinguishment of flame by starting puffs or back drafts. The controls operated to shut down the burner in 91 seconds following ignition failure. The pilot light was not affected by starting puffs or back drafts. There were no explosions resulting from purposely delayed ignition. The controls shut the burner down within six seconds of flame failure with the combustion chamber hot and again when cold. The pressure control shut off burner before the steam pressure exceeded the maximum working pressure. The low water control actuates the feed pump, and in case of low water in the boiler stops operation until safe water level is restored. Throughout the test the burner designed for automatic ignition and automatic temperature control and for intermittent operation was found to be reliable in starting and continuity of operation.

The applicant has furnished a list of installations of these units. The Committee also inspected a typical installation, Model AA3, in Newark, N. J. at the plant of Morgan Clan Knitting Mills, which was found to be as described herein.

RECOMMENDATION.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Orr and Sembower Powermaster Boiler, Model AA Model B Oil Burner, in sizes up to 60 horsepower for use with No. 3 oil under the Board's authority as provided in C26-191.0a, when installed as required under Art. 12 of the Administrative Building Code and the Oil Burner Rules of the Board, and provided that the manufacture of the boiler and all of its appurtenances comply with the requirements of the ASME Boiler Code for High Pressure Steam Boilers. The Committee recommends that Model AA3 for No. 3 fuel oil, Model AC5 for No. 5 fuel oil and Model AC6 for No. 6 fuel oil and for horsepower of 40 to 250 be also approved, provided that whatever burner is used with any boiler unit, it shall be approved by the Board as suitable for this type of application and fuel oil. It is further recommended that each burner and each boiler bear a label or plate with raised letters on non-corrodible metal reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 164-44-SA."

(Sgd). BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the O and S Powermaster Boiler and Oil Burner, Models AA3, B, AC5 and AC6, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

492-45-SM

APPLICANT—Condensation Engineering Corp., owner.
SUBJECT—Vitroliner Type "E" Flue Pipe, approval of.
APPEARANCES:
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (492-45-SM)

WHEREAS, the Condensation Engineering Corp., owner, filed on July 2, 1945, an application with the Board of Standards and Appeals for approval of the material known as the Vitroliner Type "E" Flue Pipe; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

October 6, 1945

Re: Cal. 492-45-SM

SUBJECT: Vitroliner Type "E" Flue Pipe, approval of.

The Condensation Engineering Corporation of Chicago, Ill., filed an application with the Board of Standards and Appeals for the approval of their Vitroliner Type "E" Flue Pipe under the mandatory requirements of C26-178.0b for use in low, medium and high temperature chimneys up to 1400 deg. F. under C26-696.0c as a breeching or outlet pipe from gas, coal or oil fired heating furnaces to a legal chimney.

DESCRIPTION

The liner is made of welded seam cylindrical steel piping of the following gauges for sizes as listed as follows:

Diameter, In.	*Gauge*
5	22
6	22
7	22
8	20
9	20
10	20

The liner is fabricated in 24-in. lengths and has bell and spigot joints with a 2½ in. lap definitely determined by a bead and a bell. The upper section of the liner has a bead at each end which permits it to slip over the corresponding section. The manufacturer establishes the length of the lower section to provide a minimum of 4 in. overlap at this joint. After fabrication, the piping receives a two-coat acid-resisting vitreous enamel finish fired at a temperature of not less than 1550 F. The coating contains not less than 0.4 per cent cobalt. Its thickness is not less than 0.010 in. and not more than 0.018 in. The manufacturer's specification for this coating requires it to conform to Class A according to the Porcelain Enamel Institute test for acid resistance, April 1, 1940. The insulating jacket consists of a material, identified as No. 343 Fyrex, consisting of eight layers of corrugated asbestos paper held together with silicate of soda. Each corrugation is approximately ⅛ in. thick. The inner and outer layers are heavy weight high-temperature asbestos paper. The jacket is nominally 1 in. thick, formed cylindrically and seamless. The usual length is 21⅝ in. It may also be supplied in 36 in. lengths. The lengths of insulation are proportioned so that the joint comes approximately 2½ in. below the bell end of the liner and not flush with the end of the liner. The outer enclosure is welded-seam cylindrical steel piping No. 24 gauge in diameters of 8, 9, 10, 11, 12 and 13 in. It is fabricated in 24 in. lengths and has bell and spigot joints with a 2½ in. lap determined by a bead and bell. After fabrication, the piping receives a 0.005 in. thick coat of acid-resisting vitreous enamel fired at 1550 F.

TESTS

Tests were made at the Underwriter's Laboratory as reported in their report Misc. Haz. 2962 Applic. #43C34A, to determine whether hazardous temperatures would develop on the flue surface or on com-

bustible material adjacent to the flue pipe under severe firing conditions which may be encountered in service. The size of flue tested was 8″ in diameter erected in a simulated single story wood structure, sloping roof type, with completely enclosed attic of small volume. The structure was 7′ long, x 6′ wide, ceiling 5′3″ from the floor. The heating device was gas fired with a metal hood over the burner telescoped the flue inlet about four inches. Thermocouples were located as follows:

Couple No.	*Location*
1	Inlet flue gas—ceiling level—center of liner
2	Outlet flue gas—roof level—center of liner
3	Outlet flue gas—roof level—center of liner
4	Liner—lower joint
5	Liner—center joint
6	Between liner and asbestos—top section
7	Inside surface of asbestos—near lower joint
8	Inside surface of asbestos—near center joint
9	Outside surface of asbestos—near lower joint
10	Outside surface of asbestos—near center joint
12	Under pad—bottom section
13	Under pad—center section
14	Under pad—top section
15	Surface of outer cover—bottom section
16	Surface of outer cover—center section
17	Surface of outer cover—top section
18	On 1 by 4 at roof
19	On 1 by 4 at roof
20	On 1 by 4 at roof
21	On 1 by 4 at roof
22	Inside of flue support at ceiling
23	Underside of flashing plate
24	Between flue support and ceiling
25	On ceiling adjacent to flue support
26	Under shingles—2 in. from pipe
27	Under shingles—3 in. from pipe
28	Under shingles—4 in. from pipe
29	Against roof sheathing under flashing plate
30	Attic—10 in. from flue—near roof
31	Attic—10 in. from flue—18 in. below 30
32	Attic—10 in. from flue—18 in. below 31.

Temperatures at the four corners of the structure 1 ft. from the ceiling were taken with thermometers.

RESULTS

The following table records the maximum temperatures measured in tests A, B, C and D:

Thermocouple No. 1	*Location*	*Temperature F Test A*	*Test B*	*Test C*	*Test D*
1	Inlet flue gas—ceiling level...	1060	1410	1040	1400
2	Outlet flue gas—roof level...	805	1080	823	1155
4	Liner—lower joint	703	979	710	995
5	Liner—center joint	648	915	702	990
7	Inside surface of asbestos—near lower joint.....	543	818	647	930
8	Inside surface of asbestos—near center joint	556	795	600	852
9	Outside surface of asbestos—near lower joint	250	365	283	408
10	Outside surface of asbestos—near center joint	245	333	252	350
12	Under pad—bottom section...	253	356	243	367
13	Under pad—center section ...	243	349	268	390
14	Under pad—top section	261	370	324	478
15	Surface of outer cover—bottom section	215	298	212	295
16	Surface of outer cover—center section	216	292	222	305
17	Surface of outer cover—top section	219	292	252	350
18	On 1 by 4 wood at roof.....	142	181	170	242
19	On 1 by 4 wood at roof.....	120	150	125	160
20	On 1 by 4 wood at roof.....	140	178	171	252
21	On 1 by 4 wood at roof.....	136	172	175	268
22	Inside of flue support at ceiling	141	183	132	182
23	Underside of flashing plate...	125	152	143	205
24	Between flue support and ceiling	117	146	113	152
25	On ceiling—adjacent to flue support	120	144	106	137
26	Under shingles—2 in. from pipe	140	182	156	218
27	Under shingles—3 in. from pipe	140	182	156	218
28	Under shingles—4 in. from pipe	136	170	146	200
29	Against roof sheathing under flashing plate	140	178	158	220
30	Attic—near roof—10 in. from flue	122	152	128	170
31	Attic—18 in. below. No. 30..	140	160	165	—
32	Attic—18 in. below No. 31..	110	132	110	135

	Test A	*Test B*	*Test C*	*Test D*
Duration	3 hr. 10 min.	1 hr.	3 hr. 45 min.	1 hr. 5 min.
Room	76 F	76 F	68 F	68 F
Max. temp on roof wood	140 F	181 F	175 F	268 F
Temp rise on roof wood	64 F	105 F	107 F	200 F
Max temp on shingles...	140 F	182 F	156 F	218 F
Temp rise on shingles...	64 F	106 F	88 F	150 F
Max temp on ceiling wood	120 F	145 F	113 F	152 F
Temp rise on ceiling wood	44 F	69 F	45 F	84 F
Max outer cover temp (under pad)	261 F	370 F	324 F	478 F
Max outer cover temp (uncovered surface) ..	219 F	298 F	255 F	350 F
Max insulation temp (inside surf.)	556 F	818 F	647 F	930 F
Max liner temp	703 F	979 F	710 F	995 F

An analysis of these figures shows that:

Test A—With a flue inlet temperature maintained as high as 1000 F for an extended period, wood parts of the roof, shingles on the roof, and wood parts of the ceiling do not exceed a temperature rise of 64 F above room temperature.
Under this condition, the surface temperature of the flue in the attic against which combustibles may come in contact reached 261 F as measured under a pad, and 219 F on the uncovered surface.
Test B—Under short duration abnormal heating sufficient to provide a 1400 F flue temperature as long as 1 hr., wood parts of the roof, shingles on the roof, and wood parts of the ceiling do not exceed a temperature rise of 106 F above room temperature.
Under this condition, the surface temperature of the flue in the attic against which combustibles may come in contact reached 370 F measured under a pad, and 298 F on the uncovered surface.

Note: Tests C and D involve an assumption that after aging and subjection to high temperatures, the insulation may "shake-down" or settle to a point below the roof level. A consideration of the support provided

by the liner and cover and of the properties of the insulation hardly substantiate such an assumption. However, in the interests of safety, Tests C and D were conducted to determine the performance of the assembly should this condition arise after years of service.

Test C—Under extended firing at 1000 F. with the insulation removed below the roof line, wood parts of the roof, shingles on the roof, and wood parts of the ceiling do not exceed a temperature rise of 107 F. above room temperature.

Under this condition, the maximum surface temperature of the flue in the attic reached 324 F under a pad, and 252 F on the uncovered surface. These temperatures were measured in the top of the flue near where the insulation was removed. Toward the bottom of the flue against which combustible material is more likely to be placed, the respective temperatures were 268 F and 222 F.

Test D—This test with insulation removed below the roof line, with flue temperatures maintained at 1400 F for 1 hr. and with a totally sealed attic, constituted a more severe test condition than would ever be encountered in the field. It was desired to determine the effect of such condition, however.

The results showed that the wood parts of the roof, shingles on the roof, and the wood parts of the ceiling do not exceed a temperature rise of 200 F above room temperature. There was no evidence of smoking or decomposition during this test.

The data show that the inside attic temperature, 10 in. from the flue, reached 170 F during the test. In this test, while the maximum surface temperature of the flue reached 478 F under a pad, and 350 F on the uncovered surface at the top of the flue near where the insulation was removed, the temperatures lower down were 367 F and 295 F, respectively.

After the completion of the above tests and those previously conducted on the same assembly, the flue insulation was carefully examined for evidence of ignition of combustible material and deterioration due to high temperatures. The insulation at this time had been subjected to 36 hour exposure at flue temperatures of 1000-1400 F. The examination showed no indication of serious deterioration.

To determine the amount of combustible material in the insulation, three 5-g samples of asbestos were cut at random from the outer jacket, and similar samples from the interior of the insulation. The samples were dried to constant weight, in a weighed crucible at a temperature of 100-105 C, ignited in an electrically heated muffle furnace, cooled in a desiccator, and weighed. The residue was computed as ash on the basis of the moisture-free sample.

A segment was cut from a full length of insulation, placed in the muffle furnace, and baked for 24 hr. at a temperature of 1000 F. It was then examined for evidence of brittleness, powdering, and other structural weakness.

RESULTS: The ash content of the jacket was 85.5 per cent and of the interior insulation was 84.2 per cent. An examination of the sample after 24 hr. at 1000 F. showed some indication of brittleness. The sample was structurally intact and apparently was not greatly affected.

The vibration test was made after the assembly had been tested for 36 hr. at flue temperatures of 1000 F—1400 F, an air hammer was applied to the bottom section of the assembled flue for several minutes. This resulted in violent, low amplitude vibration of the structure. Observations were made to detect evidence of insulation breakdown, powdering, or settling. The vibration had no apparent effect on the assembly. There was no settling of the insulation.

RECOMMENDATIONS

On the basis of the foregoing data, the Committee on Tests recommends the approval under C26-191.0,a of the Condensation Engineering Corp's Vitroliner Type "E" Flue Pipe, fittings and accessories for use as an outlet pipe or breeching from gas, coal, oil or wood fired heating units to legal chimneys for low, medium or high temperature work not exceeding 1400 deg. F. in diameters of 5, 6, 7, 8, 9 and 10 inches provided that the flue pipe fittings and accessories be marked or labelled reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 492-45-SM."

(Sgd). BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Vitroliner Type "E" Flue Pipe, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:20 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING,

TUESDAY AFTERNOON, OCTOBER 30, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS.

513-45-A

APPLICANT—The Stein-Davies Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—11-48 47th road, south side, 90 ft. west of 21st street and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Joseph P. Minotty.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (513-45-A)

WHEREAS, Stein-Davies Company, owner, filed August 7, 1945, an appeal from a decision of the fire commissioner, affecting 11-48 47th road, south side, 90 ft. west of 21st street, and 11-35 48th avenue, north side, 117.83 ft. east of Jackson avenue (1st, 2nd and 5th floors); (Block 59, Lots 2 and 23), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner dated August 1, 1945, reads:

"This will acknowledge receipt of your letter of July 18th, wherein you request a permit for employees to smoke in designated areas of your factory building situated at the above mentioned premises.

"You are advised that your request must be denied for the reason that smoking is prohibited by mandatory

provisions of the Labor Law and the Rules of the Board of Standards and Appeals.

"You may appeal this decision within 30 days to the Board of Standards and Appeals, Room 1015, Municipal Building Manhattan."

and

WHEREAS, the applicant states the building is 50 and 75 ft. front, by 100 ft. in depth, five stories (58 ft.) in height; of Class 1 construction; erected 1920 and 1939; located in an unrestricted use, A area and Class 2 height district and used and occupied as follows: basement, manufacture of glue and inflammable mixtures, 5 persons; 1st floor, manufacture of glue and starch, 8 persons; 2nd floor, starch storage and office, 15 persons; 3rd floor, starch and food mixing, 4 persons; 4th floor, starch and food storage, 4 persons; 5th floor, laboratory, 12 persons; that the building is equipped with three 4 ft. wide fireproof stairs from the street to the roof; and

WHEREAS, the applicant states the permission is requested to smoke in the locker rooms located on the 2nd floor, laboratory and office located on the 2nd floor, laboratory located on the 5th floor and machine shop located on the ground floor; and

WHEREAS, the applicant contends that employees are permitted two rest periods, of 10 minutes each, one in the morning and one in the afternoon; that at this time they are obliged to step outside of the building to smoke; that this is an unsatisfactory arrangement, as it is difficult to check on the men wandering about in this fashion; it is therefore requested that the Board vary the provisions of the Labor Law, so as to permit smoking in the areas requested.

Resolved, that the decision of the fire commissioner, dated August 1, 1945, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

584-45-A

APPLICANT—Ethel Pheffer, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1070 Bruckner boulevard (formerly 1066 Whitlock avenue), south side, 134.99 ft. east of Bryant avenue (Block 2755, Lot 40), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank A. Amuso.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.... 4

Negative 0

THE RESOLUTION (584-45-A)

WHEREAS, Ethel Pheffer, owner, filed September 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 1070 Bruckner boulevard (formerly 1066 Whitlock avenue), south side, 134.99 ft. east of Bryant avenue (Block 2755, Lot 40), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated September 22, 1945, on N.B. Applic. 55-45, reads:

"1. No gasoline service station may be erected in a street between two intersecting streets where there is a park. Sec. 7G and Section 21-A, Zoning Resolution."

and

WHEREAS, the applicant states that the building is 20 ft. by 14 ft. 3 in. in area, located on a lot 112 ft. by 34 ft. in area, 1 story (16 ft. 8 in.) in height, of Class 3 construction, erected in 1923, located in an unrestricted use, B area and Class 1½ height district; now vacant and proposed to be altered and used and occupied as a gasoline service station with lubritorium; and

WHEREAS, the applicant contends that the premises consist of an irregular shaped plot fronting 112 ft. on Whitlock avenue and 4.75 ft. on Longfellow avenue; that a public garage and gasoline service station was erected on the plot prior to 1925 and were continuously operated with proper licenses and permits until June 28, 1938, when a major portion of the plot was acquired by the City of New York for the widening of Whitlock avenue; that while said public garage and gasoline service station were being operated, the park for which the objection has been issued, was in existence; that under Cal. 300-41-A, the Board granted permission to occupy the bed of a mapped street for the construction of the gasoline station, which was delayed because of the National Emergency; that the Department of Housing and Buildings extended the permit for one year and on October 6, 1943, a further extension was refused; that the plot was fenced in at the request of the Department of Housing and Buildings and also some of the remaining structure was taken down and both requests were complied with at a cost of $350; that the neighborhood has not changed since the previous appeal, except that the proposed street has been withdrawn; that the borough superintendent has no authority to invoke or render any objection pursuant to section 7G of the Zoning Resolution and is therefore invalid; that section 21-A applies to new uses only and has no application to a continuation or extension of a prior and same use; that a public garage and gasoline service station was operated on the same corner with the park as it is now located, from prior to 1925 until the condemnation proceedings for the widening of Whitlock avenue; that under Cal. 300-41-A the Chairman stated "in any event this is not an extension of a new use; it's the same use continued. There is nothing in section 21 that refers to an extension . . ."; that if the objection of the borough superintendent is sustained, the applicant would be penalized on account of the National Emergency; and

WHEREAS, the Board found under Cal. 300-41-A that the gasoline service station had been established for a number of years and was not a new gasoline station and that Section 21A has no prohibition against an extension of an existing gasoline service station.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 55-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the gasoline service station shall comply with all laws, rules and regulations applicable thereto.

589-45-A

APPLICANT—New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—Flushing avenue to Myrtle avenue, between Marcy and Nostrand avenues (Marcy Houses); (Blocks 1719 and 1738, Lots 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis S. Joseph.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (589-45-A)

WHEREAS, the New York City Housing Authority, owner, filed September 27, 1945, an appeal from a decision of the borough superintendent, affecting premises: Flushing avenue to Myrtle avenue, between Marcy and Nostrand avenues (Marcy Houses); (Block 1719, Lot 1 and Block 1738, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N.B. Applications 36 to 62-45, dated March 26th and March 27th, 1945, as amended April 25th and September 20, 1945, reads:

"3. Comply with Section 8.5.26.1, as to minimum dimensions of reinforced concrete columns.

6. Provide 4 in. fireproof recess for incinerator opening on public stair hall and public halls and doors for same to be 1 hour test S.C.F. Door and trim."

and

WHEREAS, the applicant states that the project will consist of 27 six story multiple dwellings, of class 1 construction, located in an unrestricted and business use, B area and Class 1½ height district; that each building unit will be equipped with a 3 ft. 3 in. wide steel and concrete stairs, enclosed in 6" tile, located at center of unit and extending to the roof bulkhead and leading directly to the street, and equipped with one hour fireproof self-closing doors; and

WHEREAS, the applicant contends as to objection 3, that the ACI on February 20, 1941 adopted standard "Building Regulations for Reinforced Concrete" (318-41), which reflects later thinking in the field of concrete and reinforced concrete than the current New York City Building Code; that section 1101 of the ACI "Building Regulations for Reinforced Concrete" (318-41), states that principal short columns in buildings shall have a minimum diameter of 12 inches, or in the case of rectangular columns, a minimum thickness of 10 inches, and a minimum gross area of 120 sq. in.; that it is proposed to use principal short columns having a minimum dimension of 11½ in., square columns having, therefore, a gross area of 132 sq. in., which are above the minimum adopted by the ACI and providing adequate safety; that the use of 11½ inch columns will prove considerably more economical and practicable, by the elimination of waste in the construction of the forms and by providing more available space; as to objection 6, that the incinerators are of a non-fuel fired type and not subject to the same degree of heat or fire hazard as fuel oil fired incinerators; that the incinerator openings will be provided with self-closing hopper doors and frames having a one hour fire test rating and therefore it is unnecessary to add further protection; that in buildings where protective doors have been installed, said doors have been a continual nuisance to the tenants, by interfering with the convenient operation of the hopper door and cause the spilling of refuse, creating an unsanitary condition and people's clothes become soiled, as they must lean against the protective door to hold it open; that in general, this additional door is very impractical and in addition, all the buildings in question will be class 1 fireproof structures; and

WHEREAS, the columns in question are proposed to comply with Section 1101 of the ACI standard Building Regulations for Reinforced Concrete (318-41), which was approved on February 20, 1941, and ratified July 21, 1941, and are proposed to comply with the reinforcement requirement of the Building Code.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 36 to 62-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to objection 3, *on condition* that the columns shall be designed and constructed as proposed and shall comply with all other requirements of the Code; and as to objection 6, *on condition* that the proposed incinerator hopper assembly shall be of the type as approved by the Board, as meeting the test requirements for one-hour rating and that in all other respects, the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto, including the provisions of the Multiple Dwelling Law, requiring fireproof doors to be installed between the stairhall and the public hall on all stories.

590-45-A

APPLICANT—Frank S. Parker, for Directory of Church Wardens & Vestrymen of Trinity Church, owner (King Street Garage, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—80-86 King street, south side, 150 ft. west of Varick street and 71-77 Charlton street (2nd floor); (Block 580, Lot 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank S. Parker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (590-45-A)

WHEREAS, Frank S. Parker, for Church Wardens & Vestrymen of Trinity Church, owner (King Street Garage, Inc., lessee), filed September 28, 1945, an appeal from a decision of the borough superintendent, affecting premises 80-86 King street, south side, 150 ft. west of Varick street and 71-77 Charlton street (2nd floor); (Block 580, Lot 52), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1539-45, dated September 25, 1945, reads:

"1. Building should comply with Sec. 270 Labor Law.

a. Two exits remote from each other should be provided from 2nd floor, consisting of enclosed fireproof stairways or such a stairway and a horizontal exit, with min. width of 44 in.

b. Treads of stairs should not be less than 10 in. wide, exclusive of nosing and risers should not be more than 7¾ in.

c. Doors opening on stairway should have a minimum width of 44 in.

d. No point in any floor area should be more than 100 ft. distant from an exit."

and

WHEREAS, the applicant states the building is 2 stories (34 ft.) in height; 100 ft. by 201 ft. 6 in. in area; of Class 1 construction; erected in 1924; located in an unrestricted use, A area and Class 2 height district, and used and occupied as follows: Cellar, boiler room; 1st floor, garage for more than 5 cars, 2 persons; mezzanine, vacant; 2nd floor, garage for more than five cars; that it is proposed to be used and occupied as follows: basement, boiler room; 1st floor, storage garage, body and auto repair shop, 25 persons; mezzanine, storage and office, 2 persons; 2nd floor, storage garage, 2 persons; that the building is equipped with an approved fire alarm system; that there is one interior stair, 3 ft. 8 in. wide, constructed of reinforced concrete, enclosed in 8 in. brick, equipped with metal covered self-closing door, and leading from the roof to the street; and

WHEREAS, the applicant contends that the building as originally built was constructed as a storage garage, and under the new occupancy, the 2nd floor will still be used solely as a storage garage and there are no alterations contemplated to this floor; that the occupancy of the 2nd floor will be two persons; that the building as originally built, had two means of egress, one an enclosed stairway and the other a ramp, which is entirely separated with fire walls from the first floor; that the occupancy of the 2nd floor will be of no greater hazard than heretofore; that to install an additional stairway to the 2nd floor would seriously obstruct the use of the floor; it is therefore requested that the continued use of the existing stairway be permitted, as now constructed and which has been in use for over 20 years.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1539-45, objection 1a, 1b, 1c and 1d, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the primary means of exit from the second story, leading directly to King street, shall be maintained as shown and proposed; that the door from the second story, leading thereto, shall be not less than 3 feet in width; that a secondary means of exit from the second story shall be provided, which may consist of an exterior balcony on the Charlton street side, with a counterbalanced stair to the street; and that the existing ramp may be maintained, but shall not be deemed as meeting the requirements for exit; that in all other respects, the requirements of all laws and rules relating to the building and occupancy shall be complied with.

MINUTES

592-45-A

APPLICANT—Burros Bag Co., Inc., lessee, for Dom Ben Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—135 Plymouth street, northeast corner of Adams street (1st floor); (Block 18, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis K. Bleecker.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (592-45-A)

WHEREAS, Burros Bag Company, Incorporated, lessee, for Dom Ben Realty Corporation, owner, filed on September 28, 1945, an appeal from an order and decision of the fire commissioner, affecting 135 Plymouth street, northeast corner of Adams street (1st floor); (Block 18, Lot 1), Borough of Brooklyn; and

WHEREAS, Order 15230-LF, issued by the fire commissioner, dated June 6, 1945, reads:

"1. Arrange wire mesh on all windows on the 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unconstructed use of such windows for the purpose of egress, as per Sec. 272 of the Labor Law."

and

WHEREAS, the decision of the fire commissioner, issued August 31, 1945, reads:

"In response to your request of this date for rescindment of Order 15230-LF and the reissuance of same for the purpose of filing an appeal, I regret to advise you that your request is denied. However, you may appeal from this denial to the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 7 stories (85 ft.) in height; 200 ft. by 200 ft. in area; of Class 3 construction; erected 1890; located in an unrestricted use, A area and Class 2 height district, and used and occupied since 1934 as follows: 1st floor, loading and storage of burlap bags, 4 persons; 2nd floor, manufacture of burlap bags, 40 persons; 3rd floor, same, 30 persons; 4th floor, cabinet making, 35 persons; 5th floor, toy manufacturing, 100 persons; 6th floor, manufacture of footwear, 100 persons; 7th floor, textile screen printing, 4 persons; that the building is equipped with an approved sprinkler system, standpipe system and interior fire alarm system and that fire drills are maintained; that there are two interior fireproof stairs 8 ft. wide, of concrete and steel construction, enclosed with fireproof brick, and equipped with fireproof metal doors, extending to the roof by a scuttle and leading directly to the street; that there is one fire escape leading to the roof by a ladder and to the street by a ladder; that windows and door openings along the courses of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the 24 screens involved are attached on the outside of the windows in question located on the portion of the premises occupied by the applicant, on the ground floor of the building; that each window is approximately 4 ft. by 10 ft.; that the screens were so attached at the time the lessee moved in the premises nine years ago; that the screens were in the same condition as they are now and fastened in the same manner; that the purpose of the maintenance of screens in the manner indicated is for protection against intruders; that the ground floor is used for storage and warehouse purposes and for shipping and receiving; that there is a large truck entrance and loading platform in the front on Plymouth street, which is open all day and affords a means of entrance and exit to employees working on that floor; that there is another exit on the Adams street side of the building, which is a regular stairway exit; there is also a railroad siding in the center of the building, leading from Adams street, which is open all day and also affords a means of exit and entrance; that there are only 4 employees working on the ground floor and at no time can it become necessary for them to use the windows for an exit or entrance; that it is not possible to attach the screens to the inside of the windows instead of the outside, because it would not be possible to open them from the inside, because of the storage work done on this floor; that it is not practical to put locks on the screens on the outside, because of the size of the screens and windows; that to take the screens off the windows entirely is not advisable, because of the possibility of burglaries and damage to windows and merchandise.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor law, as cited in Order 15230-LF of the fire commissioner, and that the appeal be and it hereby is *granted,* as to Item 1, *on condition* that the exits, as indicated on plans filed with this appeal, marked "Received September 28, 1945", giving direct access to the three streets, shall be maintained available at all times while the building is occupied; that this variation applies only to that portion of the first floor occupied by the Burros Bag Company, Inc.; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

595-45-A

APPLICANT—Lama & Proskauer, for Marie Atherton, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (1st floor); (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (595-45-A)

WHEREAS, Lama and Proskauer, for Marie Atherton, owner, filed October 2, 1945, an appeal from a decision of the borough superintendent, affecting premises 87-24 to 87-38 Lefferts boulevard, west side, 190 ft. south of Jamaica avenue (1st floor); (Block 9328, Lots 16, 18, 20 and 22), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 74-45, dated September 20, 1945, reads:

"1. Area of building exceeds the maximum permitted in non-fireproof construction—Section 4.2.1 of the Building Code."

and

WHEREAS, the applicant states that the building will be one story (13 ft.) in height, 160 ft. by 100 ft. in area, of Class 3 construction, located in a business use, C area and Class 1½ height district and used and occupied: cellar, ordinary use; 1st floor, public garage and gasoline service station, 4 persons; that no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that the premises has a frontage of 160 ft. on Lefferts boulevard and 93 ft. 10 in. in depth; that it is proposed to construct a one-story building occupying the entire plot, with the exception of an open area 30 ft. by 108 ft. to be used as a gasoline service station; that permission is requested to permit the construction of a Class 3 one-story building, as granted by the Board under Cal. 95-45-BZ; that the total area of the

building is 11,700 ft., which includes the two extensions on the north and south, measuring 26 ft. by 30 ft. housing a lubritorium and brake testing machine; that the main garage will be separated from the lubritorium and brake testing machine by masonry wall and steel sashes, cutting the area from 11,700 ft. to 10,140 sq. ft.; that inasmuch as the exceeded area is approximately 2640 ft., it is requested that this appeal be granted; and

WHEREAS, the Board under Cal. 95-45-BZ, granted on certain conditions, a zoning variance, to permit the building as proposed, to cover the area shown on plans filed with that application marked "Received February 23, 1945", replacing existing buildings of substantially similar area.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 74-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the separation shall be maintained between the lubritorium and lift sections and the main building, as proposed; that the building shall not be increased in height and area; that the ceiling throughout shall be fire-retarded; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 95-45-BZ.

601-45-A

APPLICANT—Arthur F. Winter, for Adda Inc., owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1514-1530 Broadway, east side, from West 44th to West 45th streets and 155-169 West 44th street (basement and sub-basement); (Block 997, Lots 1, 6, 9, 54 and 57), Borough of Manhattan.

APPEARANCES—

For Applicant: C. E. Arthus and Robert Jahelka.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (601-45-A)

WHEREAS, Arthur F. Winter, for Adda, Inc., owner (F. W. Woolworth Co., lessee), filed October 10, 1945, an appeal from an order and decision of the fire commissioner, affecting premises: 1514-1530 Broadway, east side, between West 44th and West 45th streets and 155-169 West 44th street (basement and sub-basement); (Block 997, Lots 1, 6, 9, 54 and 57), Borough of Manhattan; and

WHEREAS, Order 35387-LF, issued by the Fire Commissioner, August 3, 1945, reads:

"1. Provide a fixed fire extinguisher system or other means for the extinguishment of fire satisfactory to the Fire Commissioner in cellar and sub-cellar storage areas occupied by the F. W. Woolworth Co. C19-161.0. Adm. Code."

and

WHEREAS, reconsideration of above order was denied by decision of Fire Commissioner, dated September 13, 1945; and

WHEREAS, the applicant states the building is 3 stories (44 ft.) in height, 203 ft. 9¼ in. by 202 ft. 8½ in. in area; Class 1 construction; located in a retail use, B area and Class 2 height district; erected in 1936 and used and occupied since as follows: Sub-basement, storage, 1 person; basement, stores, kitchen, mechanical euipment, girls' rooms and storage, 52 persons; 1st floor, store, 150 persons; 2nd floor, store, 200 persons; 2nd mezzanine, interviewing office, 10 persons; 3rd mezzanine, alteration dept., 30 persons; that no change in use or occupancy is proposed; that the building is equipped with an approved standpipe system, interior fire alarm system and that fire drills are maintained; that there are two interior stairs at the center and rear, 3 ft. 8 in., 4 ft. and 8 ft. wide, of steel and concrete construction, enclosed with terra cotta, equipped with hollow metal, self-closing doors, leading directly to the street; and

WHEREAS, the applicant contends that as indicated on plans filed with this appeal, "A" is a fireproof 3 ft. 8 in. wide stairway, equipped with self-closing, fireproof doors, running from sub-basement to grade on West 44th street; "B" is a fireproof 4 ft. wide stairs, equipped with self-closing doors, running from sub-basement to basement; "C" is a fireproof 3 ft. 8 in. stairs, equipped with self-closing, fireproof doors, running from sub-basement to the first floor mezzanine; "D" is an accommodation 8 ft. wide stairway, running from the rear of the basement sales floor to the first floor; "E" is an accommodation 8 ft. wide stairway, running from the center of the basement sales floor, to the first floor, terminating directly back of the store entrances on Broadway; "F" is a freight elevator, running from the sub-basement to grade on West 44th street; that mechanical ventilation is provided for these areas; that there is a fireproof enclosed room used for the storage of baled paper which is baled every night; this room is equipped with self-closing doors; that this area is for receiving and marking merchandise before it is stored in stock bins; that there are fire pails provided at the ends of all stock bins and fire extinguishers on both floors; there is an approved standpipe system in each stairway on both floors; that all aisles are 3 ft. wide or more and kept clear at all times; that the merchandise carried on premises is common to this type of occupancy; that applicant feels that adequate fire protection has been provided in these areas and requests this order be rescinded.

Resolved, that Order 35387-LF of the Fire Commissioner, Item 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

604-45-A

APPLICANT—Samuel Rosenblum, for Rose Packer, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx.

APPEARANCES—

For Applicant—Samuel Rosenblum, Monroe Goldwater and Oliver T. Cowan.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (604-45-A)

WHEREAS, Samuel Rosenblum, for Rose Packer, owner, filed October 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 1740 Bathgate avenue, east side, 51.19 ft. north of East 174th street (1st floor); (Block 2922, Lot 4), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated October 4, 1945, on B. N. Applic. 467-45, reads:

"1. Proposed use of store in a business district as a retail rental laundry, is contrary to Art. 2, Section 4(a) (51) of the zoning resolution."

and

WHEREAS, the applicant states the building is one story (15 ft.) in height; 50 ft. by 75 ft. in area; of Class 3 construction; erected 1925; located in a business use, D area and Class 1½ height district and used and occupied as stores since 1925 and that it is proposed to be used and occupied as follows: cellar, storage; 1st floor, south half, dry goods store, 4 persons; north half, retail rental self-service laundry, 2 persons; and

WHEREAS, the applicant contends that the type of occu-

pancy proposed does not come within the purview of the intent of Section 4(a)(51) of the zoning resolution, and is actually a type of business similar to other uses that are permitted in a business district; that the northerly half of the building is to be occupied as follows: a series of individual automatic self-service machines are to be installed and operated as a retail rental laundry; that the place is to be under the supervision of attendants and the public will serve themselves by dropping a 25¢ coin in this automatic machine and then sit by, while the machine does the laundry; that these machines are not noise making or obnoxious in any way; that there are no wagons depositing bundles of clothing, nor is there any steam or power plant in use; that in a business district, machines and apparatus can be used in operating a factory, lathes, milling machines, electro-plating machines and similar apparatus are all permissible, just as long as they do not create any odor or dust, smoke, gas or noise; that the prohibition in the zoning law was intended to prohibit obnoxious occupancy, where a steam plant would be in operation with chimney flues and boiler flues; that the very grouping of steam or wet wash laundry with the other types of businesses enumerated in Section 4(a), indicates the type of occupancy it was intended to prohibit; that the occupancy proposed in this installation has none of the attributes of the industries enumerated in Section 4(a); that one cannot conceive that it a woman brings in a 10 lb. bundle of clothes, places it in this machine which cleanses and rinses the garments and releases them damp dry, should be construed as the same type of occupancy which it was intended to prohibit under Sec. 4(a); that under date of March 16, 1920, under Cal. 549-17-BZ the Board of Appeals, amended a resolution as to the status of community laundries in business districts and held that while a laundry was a factory within the meaning of the Labor Law, under the provisions of Section 4 of the zoning resolution, it was not a prohibited use; that the proposed Bendix automatic machine has a cylinder only 20 in. in diameter and a depth of 12 in. which is considerably less than the size of the apparatus mentioned in the resolution adopted under Cal. 549-17-BZ; that the purpose of the zoning resolution is to protect life and to eliminate menaces to health and property; that to limit uses which it was never the intention to limit, goes beyond the purpose of the zoning resolution.

WHEREAS, the Board deemed that under the provisions of the Zoning Resolution, Article II, Section 4(a), Paragraph 51, the use as proposed constitutes a wet wash laundry within the meaning of the section and that the request for an interpretation, holding otherwise, should be denied.

Resolved, that the decision of the borough superintendent acting on B.N. Applic. 467-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

606-45-A

APPLICANT—James McCreery and Company, lessee, for Adrico Realty Co., owner.

SUBJECT—Appeal for an order of the fire commissioner.

PREMISES AFFECTED—1½-9 West 34th street, north side, 150 ft. west of 5th avenue and 4-22 West 35th street (Block 836, Lots 26 and 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Hettinger.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (606-45-A)

WHEREAS, James McCreery and Company, applicant and lessee, for Adrica Realty Company, owner, filed October 5, 1945, an appeal from an order of the fire commissioner, affecting premises 1½-9 West 34th street, north side, 150 ft. west of 5th avenue and 4-22 West 35th street (Block 836, Lots 26 and 54), Borough of Manhattan; and

WHEREAS, Order 35499-LF, issued by the Fire Commissioner, September 27, 1945, reads:

> "5. Relocate the 2½" valves of hose outlets of standpipe system on all stories, so that the wheel controlling same is within 6'6" of stair landing, or within 6'6" of steps that are within 2' of the standpipe riser. Ch. 26, Art. 17, Adm. Code."

and

WHEREAS, applicant states that the building is ten stories (150 ft.) in height, 150 ft. and 213 ft., irregular by 197 ft. 6 in. in area; of Class 1 construction; erected in 1906; located in a restricted retail use, B area and Class 2 height district; used and occupied since 1910 as follows: Cellar engine room; basement to 10th floors, inclusive, department store, with an occupancy as follows: Cellar, 10 persons; basement, 196 persons; 1st floor, 315 persons; 2nd floor 117 persons; 3rd floor, 114 persons; 4th floor, 71 persons; 5th floor, 75 persons; 6th floor, 71 persons; 7th floor, 32 persons; 8th floor, 62 persons; 9th floor, 128 persons; 10th floor, 107 persons; that the building is equipped with a two-source sprinkler system, a standpipe system and a fire alarm system; that monthly fire drills are maintained; that there is one interior fireproof stairs with fireproof enclosure and fireproof, self-closing doors, leading to the roof bulkhead; that there are two fire towers; and

WHEREAS, the applicant contends that there are 63 standpipe hose outlets on the premises, locations of which have not been altered since construction of the building in 1906, 25 of which are higher than 6 ft. 6 in., as follows:

Roof—6'8"			
10th floor,	6'10½"	6'10"	6'8"
9th floor,	6'11"	7'	6'11"
8th floor,	6'11"	6'11"	6'10½"
7th floor,	6'9½"	6'9½"	6'11"
6th floor,	6'8½"	6'9½"	6'10"
5th floor,	6'9"	6'9½"	6'9"
4th floor,	6'8½"	6'9"	
Base.	7'2"	6'9"	
Sub. base.	6'8"		

Resolved, that Order 35499-LF of the Fire Commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item 5, *on condition* that the wheels of all existing small sized outlet valves shall be replaced by approved wheels not less than 6 inches in diameter, to the satisfaction of the fire commissioner; and that in all other respects, the standpipe system shall comply with all laws, rules and regulations applicable thereto.

504-45-A

APPLICANT—J. Nelson Cooper, for Globe Wide Carriers Corporation, owner (Sofia Bros., lessees).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—41-47 Columbus avenue and 33-43 West 61st street, northeast corner (1st floor); (Block 1114, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Jerome F. Healy, Jr. and J. Nelson Cooper.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after discussion. Applicant to file a zoning application.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

605-45-A

APPLICANT—Henry Nordheim, for Rosina Pizzimento, owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2418 Belmont avenue, east side, 95 ft. south of East 188th street (2nd floor); (Block 3075, Lot 8), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn. Applicant to file a zoning application.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

561-45-A

APPLICANT—A. Gordon Lorimer, for Department of Public Works, City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—34-28 21st street, west side, from 34th to 35th avenues, Long Island City (Block 525, Lot 16), Borough of Queens.
APPEARANCES—
For Applicant: A. Henry Johnson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 13, 1945 at 2 P.M. at request of applicant's representation.

564-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.
APPEARANCES—
For Applicant: Alexis Krusko.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 27, 1945 at 2 P.M. at request of applicant's representative.

565-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street, (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.
APPEARANCES—
For Applicant: Alexis Krusko.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 27, 1945 at 2 P.M. at request of applicant's representative.

591-45-A

APPLICANT—Globe Products Co., Inc., lessee, for 330 Morgan Avenue Corp., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Randell Henderson.
ACTION OF BOARD—Laid over to November 7, 1945 at 2 P.M. at request of applicant's representative.

598-45-A

APPLICANT—American Contracting Co., Inc., for Estate of Charles H. Merritt (Nellie G. Merritt, administratrix), owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—132-138 Mulberry street, east side, 84 ft. north of Hester street (6th floor); (Block 237, Lots 1, 2, 3 and 5), Borough of Manhattan.
APPEARANCES—
For Applicant: Harry Jolkower.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Referred to the Engineer of the Board.

600-45-A

APPLICANT—Joseph B. Klein, for Charles H. Gerhards, owner (Marchia Schliffer, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.
APPEARANCES—
For Applicant: Joseph B. Klein.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945 at 2 P.M., for an inspection by a committee of the Board.

608-45-A

APPLICANT—Raymond Irrera, for Fred C. and Augusta Dick, owners (Steinway Lumber Co., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—40-16 31st avenue, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945 at 2 P.M., for an inspection by a committee of the Board.

614-45-A

APPLICANT—Henry Nordheim, for Osna Strohmayer, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2707 Bailey avenue, west side, 336.07 ft. south of Kingsbridge road (1st floor); (Block 3238, Lot 102), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Referred to the Engineer of the Board.

APPLIANCE SUBMITTED FOR APPROVAL

779-38-SA

APPLICANT—Martin & Schwartz, Inc., owner.
SUBJECT—Application for consideration—reopening and approval of additional model, No. 80—re M & S Computing Gasoline Pump, Model No. 70, approved 12/16/41.
APPEARANCES—
For Applicant: Jack H. Pranse.

ACTION OF BOARD—Application reopened, restored to the calendar for test and report.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

ZONING APPLICATIONS

33-20-BZ

APPLICANT—Vince Perotto, for Eugene F. Nolan, owner.

SUBJECT—Application for consideration—reopening and amendment re temporary change of occupancy—re Application (decision of the borough superintendent) previously granted on condition, permitting partly in a business use district and partly in an unrestricted use district, the change of occupancy from oil storage in the celler and ice storage on the 1st floor, to dead storage of autos in the cellar and a garage for more than five motor vehicles on the 1st story.

PREMISES AFFECTED—245 West Fordham road, northeast corner of Cedar avenue (Block 3235, Lots 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx.

APPEARANCES—
For Applicant: Vince Perotto.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (33-20-BZ)

WHEREAS, this application, permitted partly in a business use district and partly in an unrestricted use district, the erection and maintenance of an ice storage plant and garage for more than five motor vehicles, affecting premises 245 West Fordham road, northeast corner of Cedar avenue (Block 3235, Lots 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx, was granted by the Board on February 3, 1920, on certain conditions; and

WHEREAS, the resolution was amended on January 3, 1945 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 3, 1920, as amended January 3, 1945, by adding thereto:

"*Resolved further,* that the cellar and first floor of the building may be occupied for a term of six (6) months from the date of this *amended* resolution, for the storing and sorting of wool clothing under the auspices of the National War Relief Committee, and that order 42616-C issued by the fire commissioner be and it hereby is *modified on condition* that no structural changes shall be made in the building; that after the termination of this temporary variance, the occupancy of the two lower stories shall be in accordance with the resolution amended on January 3, 1945; that during such occupancy, such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct and that other than as herein *amended,* the conditions of the resolutions of February 3, 1920 and January 3, 1945, shall be complied with."

1092-38-BZ

APPLICANT—Paul Friedman, for Sambern Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, limited to tenants of adjoining apartment house only (previously denied to public parking lot).

PREMISES AFFECTED—167-01 to 167-19 Depot road, north side, entire block between 167th and 168th streets, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block 5294, Lot 1 and part of Lot 6), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (1092-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, to permit in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 167-01 to 167-19 Depot road, north side, entire block, between 167th street and 168th street, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block 5294, Lot 1 and part of Lot 6), Flushing, Borough of Queens, was denied by the Board on April 11, 1939; and

WHEREAS, the applicant requested a reopening and reconsideration, to permit the parking and storage of more than five motor vehicles, limited to the tenants of the adjoining apartment houses only; and

WHEREAS, on October 31, 1939, this case was granted by the Board, on certain conditions; and

WHEREAS, subsequently the permit was extended on October 28, 1941, the resolution amended on June 23, 1942 and the permit further extended on November 3, 1943; and

WHEREAS, the applicant has now requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 31, 1939, as amended through November 3, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolutions of October 31, 1939 as amended June 23, 1942 shall be complied with and that a certificate of occupancy shall be obtained (N.B. 9211-38 and Misc. Applic. 1193-42)."

704-39-BZ

APPLICANT—Paul Friedman, for Estate of Charles Doscher and Caroline Candidus, owners.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block 3826, Lots 21 and 27), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (704-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block 3826, Lots 21 and 27), Borough of Brooklyn, was granted by the Board on October 31, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 21, 1941 and October 26, 1943 and the applicant requested a further extension of the permit.

Resolved, that Board of Standards and Appeals does hereby amend the resolution of October 31, 1939, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of October 31, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

1177-40-BZ

APPLICANT—Frances Stabile, lessee, for (Rose Cummins and Joedbur Realty Corporation, owners).
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—1165-1175 Gates avenue, north side, 124 ft. west of Evergreen avenue (Block 3331, Lots 24, 25, 26 and 29), Borough of Brooklyn.
APPEARANCES—
For Applicant: Frances Stabile.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (1177-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises, 1165-1175 Gates avenue, north side, 124 ft. west of Evergreen avenue (Block 3331, Lots 24, 25, 26 and 29), Borough of Brooklyn, was granted by the Board on October 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 13, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 15, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of October 15, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

1212-40-BZ

APPLICANT—Jerome N. Wanshel, for Anne Zuppordi, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, the vacant portion of the premises to be occupied for the parking and storage of more than five motor vehicles for a term of two years.
PREMISES AFFECTED—1061-1065 Montgomery street, north side, 5 ft. 3¼ in. west of East New York avenue and 46-48 Ford street (Block 1420, Lots 58 and 51), Borough of Brooklyn.
APPEARANCES—
For Applicant: Isidore Rivinson.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (1212-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the vacant portion of the premises to be occupied for the parking and storage of more than five motor vehicles for a term of two years, affecting premises 1061-1065 Montgomery street, north side, 5 ft. 3¼ in. west of East New York avenue and 46-48 Ford street (Block 1420, Lots 58 and 51), Borough of Brooklyn, was granted by the Board on April 1, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 19, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 1, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the vacant portion of the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of April 1, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

72-41-BZ

APPLICANT—Gerald E. Dwyer, for New York Central Railroad Company, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a restricted retail use district, the parking and storage of more than five motor vehicles for a term of two years.

PREMISES AFFECTED—275 ft. west of Lexington avenue and 344 ft. 4 in. east of Vanderbilt avenue, between East 45th street and East 46th street (Block 1300, Lot 6), Borough of Manhattan.

APPEARANCES—
For Applicant: Edmund P. Riely.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (72-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use district and partly in a restricted retail use district, the parking and storage of more than five motor vehicles for a term of two years, affecting premises, 275 ft. west of Lexington avenue and 344 ft. 4 in. east of Vanderbilt avenue, between East 45th street and East 46th street (Block 1300, Lot 6), Borough of Manhattan, was granted by the Board on July 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 3, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 15, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of July 15, 1941 shall be complied with and that a certificate of occupancy shall be obtained."

232-41-BZ

APPLICANT—Paul Friedman, for John J. O'Grady, owner (as trustee u/w of Patrick J. O'Keefe, deceased); (Bernard J. Green, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—9201-9213 Fourth avenue, 402-424 92nd street, southeast corner and 9202-9212 Fifth avenue, southwest corner of 92nd street (Block 6108, Lot 22), Borough of Brooklyn.

APPEARANCES—
For Applicant: Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (232-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 9201-9213 Fourth avenue, 402-424 92nd street, southeast corner and 9202-9212 Fifth avenue, southwest corner of 92nd street (Block 6108, Lot 22), Borough of Brooklyn, was granted by the Board on October 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on October 19, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 15, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of October 15, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

385-41-BZ

APPLICANT—West 52nd-53rd Street Parking, Inc., lessee, for John D. Rockefeller, Jr., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a residence use and partly in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2-24 West 53rd street, south side, 100 ft. west of Fifth avenue and 3 West 52nd street (Block 1268, Lots 30, and 42 to 52, inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: Rudolph A. Travers.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (385-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a residence use district and partly in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2-24 West 53rd street, south side, 100 ft. west of Fifth avenue and 3 West 52nd street (Block 1268, Lots 30 and 42 to 52, inclusive), Borough of Manhattan, was granted by the Board on November 12, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 9, 1943 and the resolution was amended on January 25, 1944; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of November 12, 1941, as amended through January 25, 1944, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of November 12, 1941, as amended by resolution of January 25, 1944, reducing the area, shall be complied with and that a certificate of occupancy shall be obtained."

10-43-BZ

APPLICANT—Renander and Miller, for Estate of Annie Gibney, owner (Title Guarantee and Trust Company, administrator); (Maple Grove Parking Company, Inc., lessee).

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—expired by time limitation—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—137-52 to 137-70 Queens boulevard and the west side of 85th avenue, between Queens boulevard and 137th street (Block 9650, Lot 31), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Arthur W. Renander.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (10-43-BZ)

WHEREAS, this application, under section 7h of the zoning resolution permitting partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five motor vehicles, affecting premises 137-52 to 137-70 Queens boulevard and the west side of 85th avenue, between Queens boulevard and 137th street (Block 9650, Lot 31), Jamaica, Borough of Queens, was granted by the Board on July 20, 1943, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by time limitation.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 20, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended,* the provisions of the resolution of July 20, 1943 shall be complied with and that a certificate of occupancy shall be obtained (Misc. Applic. 5825-42)."

212-35-BZ

APPLICANT—Jack Z. Cohen, for Edwin J. Long, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles for a term of years.

PREMISES AFFECTED—6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn.

APPEARANCES—
For Applicant: Jack Z. Cohen.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to calendar and set for hearing on November 20, 1945 at 10 A.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

205-42-BZ

APPLICANT—Albert and Gerber, for 1748 Jerome Avenue Corporation, owner (Eva Rohr, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a non-flashing neon electric sign extending more than eighteen (18) inches beyond the building line.

PREMISES AFFECTED—1754 Jerome avenue and 1-7 East 175th street, northeast corner (Block 2850, Lot 1), Borough of The Bronx.

APPEARANCES—
For Applicant: Benjamin Albert.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on September 11, 1945, as they appeared in Bulletin No. 39, Vol. 30, are hereby corrected to read as follows:

58-45-A

APPLICANT—Kitzler and Nurick, for Jose-Lee Corp., owner (Honey-Knit, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—87-89 Osborne street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn.

APPEARANCES—
For Applicant: Henry J. Nurick.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (58-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 87-89 Osborne street, east side, 100 ft. north of Pitkin avenue (1st and 2nd floors); (Block 3506, Lot 5), Borough of Brooklyn, was granted by the Board on June 5, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 5, 1945, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent acting on Alt. Applic. 1736-44, Objection 1, and that the appeal be and it hereby is *granted on condition* that no windows shall be barred, except those indicated on the *rear*

easterly wall of the cellar story, the southerly and easterly walls of the first and second stories and the five windows on the northerly wall of the second story toward the rear, and that the windows on the Osborne street front throughout and the three windows on the second story north wall towards Osborne street and one toilet window on the northerly wall of the first story towards Osborne street remain unbarred; that the windows as indicated not to be barred on the 1st and 2nd floors, shall be maintained so as to be readily usable at all times in the event of fire; that all the windows on the course of the fire escape shall be fireproof and self-closing; that exit to such fire escape shall be fireproof and self-closing as indicated; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

* Correction—As indicated in italics, beginning with line 16 of the resolution.

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stairhall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or mounmental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code of the City of New York, Pocket Edition—344 pages, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan, N. Y. 7. Price 75 cents; by mail 85 cents.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-5600.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PETITION AND CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On November 8, 1945, copy of petition and order of certiorari was served on the Board by Bond & Babson, attorneys, on behalf of Atlantic Leasing Co., Inc., lessee, in re decision by the Board on October 2, 1945, denying appeal for enlargement of existing sign; premises 1572-1576 Broadway, 201 West 47th Street and 702-708 Seventh Ave., Borough of Manhattan; Cal. No. 522-45-A.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

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659-45-SM—Wheeling Steelcrete System of Vault Construction, manufactured by Wheeling Steel Corp., Material.

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667-45-SM—Wheeling Ceilings and Sidewalls, manufactured by Wheeling Steel Corp., Material.

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673-45-SM—Official West Coast Lumbermen's Association Grade and Trade Marks (on lumber), manufactured by West Coast Lumbermen's Association, material.

674-45-BZ—H.B.B.—431 Lafayette avenue, north side, 104 ft. east of Kent avenue, 1009-1011 Kent avenue and 12 Kosciusko place (Block 1940, Lots 2, 3 and 8), Borough of Brooklyn, Alt. 1364-45.

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DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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Paint, Varnish and Lacquer Spraying Rules	Aug. 28, 1945—Vol. 30, No. 35
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Nov. 13, 1945—Vol. 30, No. 46
Smoking in Factories, Rules for	Nov. 6, 1945—Vol. 30, No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

NOVEMBER 13, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 13, 1945. at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

256-45-BZ—Application, May 2, 1945, under sections 7c and 21 of the zoning resolution, of Samuel J. Resnick, applicant, on behalf of Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles; premises 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

407-40-BZ—Application of Lama & Proskauer, applicants, on behalf of Frederick L. Cranford, as trustee under declaration of trust, owner, reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application, previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building; premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

803-38-BZ—Application of Lama & Proskauer, applicants, on behalf of Anna Weiss, owner, reopened September 25, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

248-39-BZ—Application of Lester L. Callan, applicant, on behalf of Nicholas J. Roth, lessee (Janssen Dairy Corp., owner) reopened October 2, 1945, for consideration as to extension of variance—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

558-37-BZ—Application of Philip S. Garozzo, applicant, for Michael Garozzo (lessee), for Druiss Co., Inc., owner, reopened October 9, 1945 for consideration as to extension of variance—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

512-45-BZ—Application, August 27, 1945, under section 7i of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Victor A. Beard, owner, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

Materials for Approval.

74-45-SM—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air).

486-45-SM—Henry Spen 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 13, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 13, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Application

389-42-BZ—Application of Emanuel H. Jerabek, applicant on behalf of Dominick Carl Carena, owner, reopened October 16, 1945 for consideration as to amendment of resolution—re Application previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station; premises 82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

Appeals from Administrative Decisions.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

CALENDAR

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

561-45-A—34-28 21st street, entire block bounded by 21st street, 14th street, 34th and 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.

607-45-A—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan.

656-45-A—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

375-40-BZ—Application of Walter A. Beaudel, applicant and owner, reopened October 23, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, northwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

212-35-BZ—Application of Jack Z. Cohen, applicant, on behalf of Estate of Edwin J. Long (Loleta A. Long, temporary administratrix), owner, reopened October 30, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles for a temporary period; premises 6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

691-45-A—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Appliances for Approval

103-45-SA—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector.

558-45-SA—Peerless DeLuxe Lowboy Vented Gas Circulators.

General Resolution

1464-39-GR—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

600-45-A—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

608-45-A—40-16 31st street, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

653-45-A—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.

637-45-A—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.

613-45-A—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—32nd avenue).

632-45-A—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn.

657-45-A—1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 441-459 7th avenue and 108-156 West 35th street (Block 810, Lot 1), Borough of Manhattan.

CALENDAR

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

680-45-A—279 Hebertson avenue, west side, 119.17 ft. north of Albion avenue (Block 1031, Lot 24), West Brighton, Borough of Richmond.

696-45-A—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 45½), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 27*, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

344-45-BZ—Application, June 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Antonio Sicuro, owner, to permit in a retail and business use district, the extension of an existing building; premises 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

616-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Vode Realty Corp., owner, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling to showrooms which does not comply with B area requirements of zoning resolution; premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

Appeals from Administrative Decisions

710-45-A—84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn.

631-45-A—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

617-45-A—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

General Resolution.

1464-39-GR.—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR. addition of the inspection agency, Alfred T. Holl of Canton, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 27*, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

628-45-A—1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

717-45-A—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.

713-45-A—56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan.

655-45-A—43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 90), Borough of Brooklyn.

723-45-A—58-50 and 58-56 214th street, northwest corner of Horace Harding boulevard (Block 7464, Lot 27), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DECEMBER 4, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 4, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

708-45-BZ—Application, November 15, 1945, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Sears, Roebuck & Co., owners, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; premises 2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

691-45-A—34-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Materials for Approval.

536-45-SM—Silbraz Joints, Walseal, Flaggseal, Craneseal and Faircoseal.

615-45-SM—Port Obround 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 4, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

699-45-A—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

594-45-A—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan.

686-45-A—300 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

694-45-A—North side, of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx.

715-45-A—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 11, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

619-45-BZ—Application, October 18, 1945, under section 7a of the zoning resolution, of James Whitford, applicant, on behalf of William J. Couch, owner, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop; premises 977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

234-36-BZ—Application of Joseph Brill, applicant, on behalf of Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee), reopened September 25, 1945, under section 21 of the zoning resolution, to permit in a retail 1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school; premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

597-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

Appeal from Administrative Decision.

137-45-A—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn (reopened and restored to the calendar October 16, 1945; previously withdrawn).

CALENDAR

Appliance for Approval.

538-45-SA—Cyclotherm Steel Generator (Oil Burner).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 7, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, October 9, 1945, were approved as printed in Bulletin No. 42, Volume No. 30.

ZONING APPLICATIONS

296-45-BZ

APPLICANT—Lama & Proskauer, for Ida Gottfried, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board).

PREMISES AFFECTED—1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and E. Gottfried.

For Opposition: Jeannette Ramberg and Max Weinman.

For Administration: Fred Dahlem. Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945 at 10 A. M. for an inspection by a committee of the Board and for decision without further argument.

322-45-BZ

APPLICANT—Henry Nordheim, for Israel Fleiss, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c, 7i and 21 of the zoning resolution, to permit in a partly residence and business use district, the change of occupancy from stores to motor vehicle repair shops.

PREMISES AFFECTED—2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: A. Pelizzari and Cristina Pelizzari.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945 at 10 A. M. for an inspection by a committee of the Board and for decision without further argument.

398-45-BZ

APPLICANT—Stanley Kilburn, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7f and 7i of the zoning resolution, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to omit the rear yard required under section 17a of the zoning resolution.

PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: R. Harold Paltrow and S. S. Kilburn.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application placed on the Reserve Calendar.

423-45-BZ

APPLICANT—Henry Nordheim, for Mt. Eden Construction Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7(b), 7(c) and 21 of the zoning resolution, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area.

PREMISES AFFECTED—101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Meyer Schulman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 27, 1945 at 10 A. M., for applicant to file corrected diagrams and for the Building Department records to be obtained.

265-28-BZ

APPLICANT—Herman Kron, for Ottilia Realty Corp., owner (Hamilton Buick, Inc., lessee).

SUBJECT—Application reopened October 2, 1945—Application (decision of the borough superintendent) under sections 7(e) and 7(i) of the zoning resolution, to permit in a business and residence use district, the extension (of use) of garage for more than five cars to garage for more than five cars, motor vehicle repair shop, sales of auto parts and automobile showroom.

PREMISES AFFECTED—3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron, W. Altman, G. Nannetori and P. Cuopri.

For Opposition: Albert A. Cuneo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (265-28-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 3181 Westchester avenue, west side, 140.49 ft. south of Wilkinson avenue (Block 4235, Lot 43), Borough of The Bronx, was granted by the Board on October 2, 1928, on certain conditions; and

WHEREAS, the resolution was amended on June 21, 1938; and

WHEREAS, on May 28, 1940, the Board denied an amendment to include a gasoline service station; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit under sections 7e and 7i of the zoning resolution, the inclusion of a motor vehicle repair shop, sales of auto parts and automobile showroom; and

WHEREAS, this case was reopened by vote of the Board on October 2, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 7, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Westchester avenue is in a residence and business use, C and D area and Class 1 and 1¼ height district; Wilkinson avenue is in a business use, D area, Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated September 4, 1945, re Alt. App. 412-45, reads:

> "1. The change of the subject premises from a storage garage for more than five cars to a storage garage for more than five cars, motor vehicle repair shop and sale of repair parts, is contrary to the resolution in Cal. 265-28-BZ (Board of Standards and Appeals), and Sections 3 and 4, Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 104.45 ft. frontage by 136.24 ft. in depth (irregular), on which is a building of same area, one story, (14 ft.) in height, of Class 3 construction; that it is proposed to change the use of present garage for more than five cars, to garage for more than five cars, repair shop, sale of auto parts and auto showroom; and

WHEREAS, the applicant contends that the building was erected in 1928 under approval of the Board of Standards and Appeals, Cal. 265-28-BZ; that it is non-fireproof, one story in height and equipped with an approved sprinkler system; that presently it is operated as a storage garage; that the present application is for an extension of the garage use, to permit its use as a public garage, automobile showroom, repair shop and sales of auto parts; that this integral use will be known as the Hamilton-Buick Service and be financed by the General Motors Corporation, a co-investor in this business; that this new application is made necessary, due to changed circumstances in the neighborhood where the subject garage is located; that it is a large building and it is not feasible in this neighborhood to operate the entire building solely as a public garage, and the operator must supplement the income by also using the garage as a repair shop, etc.; that as the original resolution of the Board did not include the words "repair shop" in addition to public garage, the Building Department is prohibited under the zoning resolution to permit this use; therefore, it is respectfully requested that the Board consider this application and permit the use extended under the authority vested in the Board by sections 7e and 7i of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 2, 1928 as amended through June 21, 1938 so that as amended, the resolution shall read:

> *"Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it is *granted on condition,* that the structure shall not exceed in height one story

above grade; that the rear and side walls shall be unpierced throughout their entire height and length; that the building shall be constructed of fireproof materials, except that the roof may be constructed of wood beams and wood boarding, supported on steel girders and steel columns, on condition that a one-source sprinkler system shall be installed in the building and that the columns and main girders are protected with fire resistant construction rated for one hour; that in the event it is decided to install a sprinkler system using one-inch heads, such system shall be installed in accordance with the sprinkler requirements of the Building Code, but not requiring more than one line between girders; that the exterior of the building on Westchester avenue front shall be finished with light-color face brick with architectural terra cotta or natural stone trimmings; that there shall be no advertising display of any nature or description, other than one projecting electric sign, located approximately at the center of the building on street front.

Resolved further, that in the event the owner desires to occupy the premises as a sales agency for Buick automobiles, such use may be permitted as proposed on plans filed with the borough superintendent under Alt. Applic. 412-45; that the decision of the borough superintendent, as to objection 1 thereunder, be and it hereby is *modified* and the permit to use the premises as proposed is hereby *granted on condition* that the use of the building for general garage purposes and for the sale of gasoline shall be discontinued and the building used solely as a sales agency for the Buick automobiles; that the existing gasoline storage system shall be used solely for servicing within the building, the cars dealt in by such agency; that the sale of auto parts may be permitted as indicated on plans filed with this application marked "Received September 13, 1945"; that no motor vehicle repairing shall be permitted on the premises, except such repairing as may be necessary by means of hand tools and only in connection with automobiles sold and dealt in by such agency; that all existing signs shall be removed and only such signs installed in the building as are permitted under the law in a business use district; that such motor vehicle repairing may be permitted under section 7i for a term of five years from the date of this *amended* resolution and upon the termination thereof, the former use as a storage garage for more than five (5) motor vehicles may be restored; that in all other respects, the resolution adopted by the Board October 2, 1928, as amended through June 21, 1938, shall be complied with; that all permits shall be obtained and all work completed within six (6) months from the date of this *amended* resolution; that a new certificate of occupancy shall be obtained."

97-45-BZ

APPLICANT—Alden B. MacNeil, for Abe L. Malamut, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence district, G area, the existing storm enclosure in the side yard.

PREMISES AFFECTED—108-22 66th road, south side, 180 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Alden B. MacNeil.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (97-45-BZ)

WHEREAS, Alden B. MacNeil, for Abe L. Malamut, owner, filed February 26, 1945, an application under section 21 of the zoning resolution, to permit in a residence use, G area district, the (existing) storm enclosure in the side yard affecting premises: 108-22 66th road, south side, 180 ft. east of 108th street (Block 2175, Lot 16), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 7, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 66th road is in a residence use, G area and Class 1 height district; 108th and 110th streets are in a residence use, G area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated February 20, 1945, re Misc. App. 4498-44, reads:

> "1. Side yards for a dwelling within a residence use, G area district, is to comply with sec. 16B of the zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 40 ft. frontage by 100 ft. in depth, on which is located a building, 27 ft. front by 35 ft. in depth, 2 stories (23 ft.) in height, of Class 3 construction; that it is sought to legalize the illegally erected extension, which is built upon the existing stoop as a storm vestibule; and

WHEREAS, the applicant contends that this appeal is from a decision of the Department of Housing and Buildings, requiring the removal of a permanently built storm enclosure on the side yard of a residence in a G area district; that a brick platform and steps, extending out to within three inches of extent of the present enclosure, was built when the house was constructed; that it was found by the owner that due to the arrangement of the surrounding houses, every time the side door was opened when the wind was blowing, a disagreeable indraft of cold air occurred; that the owner then decided in order to make the house more livable and save fuel, it would be necessary to build a storm enclosure; that since some houses in the neighborhood had such enclosures, the owner assumed, not having an intimate knowledge of the Building Code, that such an enclosure would violate no provisions of the zoning law; that a contractor was engaged and the construction of the storm enclosure began in 1944; that it is well constructed, attractive in appearance and in keeping with the architectural style of the house; that there is no increase in area of the building, as existing stoop was built prior to the change of area district and the only change is the enclosure of the stoop for a storm vestibule; it is therefore requested that the storm enclosure be allowed to remain as a necessary convenience to the owner; that this house was formerly in a residence use, F area district and was changed to residence use, G area district, by amendment of the zoning resolution, dated September 25, 1941; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the ground of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standard and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the continuance of the temporary storm vestibule enclosure as indicated on plans filed with this application marked "Received February 26, 1945," *on condition* that the building and occupancy shall in all other respects, comply with all laws, rules and regulations applicable thereto; that the building shall not be further extended in height or area; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

MINUTES

408-45-BZ

APPLICANT—Jack Z. Cohen, for DAF Holding Corporation, owner (David Anhisiger, lessee).

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy from auto laundry and brake testing station, to motor vehicle repair shop.

PREMISES AFFECTED—561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Z. Cohen, D. Anhisiger, A. Furmonar and J. Weiss.

For Opposition: I. Ratisher, A. Milder, A. Bminouritz and S. Arenstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (408-45-BZ)

WHEREAS, Jack Z. Cohen, for DAF Holding Corporation, owner (David Anhisiger, lessee), filed June 2, 1945, an application under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy from auto laundry and brake testing station to motor vehicles repair shop, affecting premises 561 Utica avenue, east side, 265 ft. south of Rutland road (Block 4604, Lot 71), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 7, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Utica avenue is in a business use, C area and Class 1 height district and Rutland road is in a residence and business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 27, 1945, on Alt. Applic. 3429-44, reads:

> "1. Proposed change of occupancy to motor vehicle repair shop in business district violates Art. II, Sec. 4a-29, Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 20 ft. frontage by 100 ft. in depth, 1 story (14 ft.) in height, of Class 3 construction and that it is proposed to use existing building as a motor vehicle repair shop for body and fender repairs and auto painting; and

WHEREAS, the applicant contends that the building in question was erected under N.B. 8167-32 and Certificate of Occupancy 70119-33, issued January 18, 1933, for auto laundry and brake testing station; that this use was engaged in for about two years and since has been and is now being used as a motor vehicle repair shop without a certificate of occupancy; that the purpose of this application is to legalize this use; that the premises have been used by the present lessee for 11 years and had permits from the fire commissioner for several years to maintain acetylene equipment; that all walls on lot lines are unpierced and all business is conducted from the front of the premises and only minor repairs to auto bodies and fenders and auto painting is done; that the adjoining premises on the north and south, to a distance as shown on plot plan, are vacant and have been so vacant for a long time; that the occupancy is confined to minor auto repairing and the applicant is not conducting the general business of repairing motor vehicles, as defined in the Code; that the only machinery to be used in the shop will be a 1½ h.p. air compressor and acetylene, spraying and painting equipment will be subject to the requirements and permits to be procured as issued by the fire commissioner; that all body and fender repair work will be done by hand tools only and within the premises and not on the sidewalk and all repairs will be limited to pleasure car type; and

WHEREAS, Violation 286-41, was filed against the premises on January 15, 1941, for using the premises for fender repairing and (Duco) finishing; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a variance under section 7i of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3429-44, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

528-45-BZ

APPLICANT—William I. Hohauser, for Simon Ginsberg Estate, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctor's offices.

PREMISES AFFECTED—1082 Park avenue, west side, 25.8 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: William I. Hohauser, Herman Gaines and Louis Ginsberg.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (528-45-BZ)

WHEREAS, William I. Hohauser, for Simon Ginsberg Estate, Inc., owner, filed August 31, 1945, an application under section 21 of the zoning resolution, to permit in a residence use district, the change of occupancy from store and showrooms to store and doctors' offices; affecting premises: 1082 Park avenue, west side, 25.8 ft. north of East 88th street (Block 1500, Lot 34), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 7, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Park avenue is in a residence use, B area and Class 1½ height district; East 87th, 88th, 89th and 90th streets are in a residence, retail and business use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated August 27, 1945, re Alt. Applic. 1135-45, reads:

> "The change of the non-conforming use (showrooms) in a building located within a residence use, B area district, to another nonconforming use (Doctors offices on 2, 3, 4, 5 floors), is contrary to Art. II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 25 ft. frontage by 82 ft. in depth, on which is located a building 25 ft. frontage by 68 ft. in depth, 5 stories (60 ft.) in height of Class 3 construction and that it is proposed to change the 2nd to the 5th floors from showrooms to professional offices; and

WHEREAS, the applicant contends that the size of the building and its outside appearance will not be changed; that this building was used for business before 1916 and this use has been continued therein, up to the time it was

vacated by the founder of the estate of the present owner, who died, and the business was discontinued; that the heirs of the original owner have found that they cannot rent the building in its present state and have had a great many inquiries from professional people, such as doctors and dentists, for space on the second and upper floors; that the change in use from showrooms to professional offices is a more restrictive use and therefore beneficial to the neighborhood than if the present showroom use were continued; and

WHEREAS, at the hearing the applicant changed his basis of appeal to section 7e of the zoning resolution; and

WHEREAS, it appears from the records that the building has been used at all times since erection for commercial uses throughout; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e thereof for a term of fifteen (15) years from the date of this action, to permit the building to be occupied as proposed, as store on the ground floor and doctors' professional offices above, *on condition* that the building shall not be increased in height or area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

548-45-BZ

APPLICANT—Stanley Lieberman, for Scandinavian Good Templars Temperance Mission of New York City, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7(b) and 21 of the zoning resolution, to permit partly in a residence use district, and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one family to funeral chapel and one family.

PREMISES AFFECTED—641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Stanley Lieberman, Benjamin Rubinowitz and E. C. Halberson.

For Opposition: H. Klorfein, Dep't of Parks, W. K. Teen, Mathilde Pappi, N. Underwood.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (548-45-BZ)

WHEREAS, Stanley Lieberman, for Scandinavian Good Templars Temperance Mission of New York City, owner, filed September 13, 1945, an application under sections 7b and 21 of the zoning resolution, to permit partly in a residence use district and partly in an unrestricted use district, the alteration and conversion of occupancy from clubrooms, office and one family to funeral chapel and one family; affecting premises: 641 66th street, north side, 325 ft. east of 6th avenue (Block 5829, Lot 53), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 7, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 66th street is in a residential use, C area and Class 1¼ height district; 65th street is in an unrestricted use, C area and Class 1½ height district; 6th avenue and 7th avenue are in a residence, business and unrestricted use, C area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated July 22, 1945, re Alt. Applic. 2579-45, reads:

> "1. Proposed business occupancy in premises located in a partly residential and partly unrestricted zone is contrary to Article II, Section 3 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage by 122 ft. in depth, on which is located a building 35 ft. 8 in. by 66 ft. 8 in. in depth, two stories (25 ft.) in height, of Class 3 construction and that it is proposed to change the occupancy from clubrooms to funeral chapel; and

WHEREAS, the applicant contends that the premises were erected in 1927 by the present owners; that since that time, the building has been used as clubrooms and offices and one family; that in connection with such use, the clubrooms were rented out for public and private meetings and functions of various Scandinavian societies; that the surrounding neighborhood is composed generally of two story buildings used for residential purposes; that however there are other buildings in the neighborhood used for garages and other business purposes such as a dairy, brass foundry, welding plant, lumber yard, poultry market, etc.; that the residential zone only extends about 50 ft. from 66th street north and the rear portion of the premises is located in an unrestricted zone, thus the premises is located in two zones, residential and unrestricted; that this is an application to obtain a variation so that a certificate of occupancy may be issued, to permit the use of the premises for funeral chapel, which is now located at 5310 8th avenue, Brooklyn; that there will be no change in the external appearance of the building and the appearance of the neighborhood will not be affected in any way by such use; that the building in its present condition, is unsuited for any use except that of club rooms or other limited types of social occupancy; that the owners find they are unable to continue the operation and management of the building, because the membership of their organization has dwindled and the financial burden is too great for the members; that it would require expensive alterations to permit the use of the building for residential purposes or some other conforming use; that the present owners have no other alternative but to dispose of the property; that a variation of the requirements of the zoning resolution for the purpose requested, would in no way affect the nature of the neighborhood, but would receive the approval of the neighboring owners and would aid the present owners in their financial predicament; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a variance under section 7, subdivision B of the zoning resolution and that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2579-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS.

399-45-A

APPLICANT—Stanley Kilburn, owner.

SUBJECT—Appeal from a decision of the borough superintendent, (Under section 35, General City Law re bed of mapped street—Corporal Kennedy street (Stewart avenue).

PREMISES AFFECTED—209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: R. Harold Paltrow and S. S. Kilburn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after discussion.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

623-45-A

APPLICANT—Lama and Proskauer, for 1083-1087 Willoughby Avenue Corp., owner (Styl-Rite Optical Corp., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Leonard Liebowitz.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

622-45-A

APPLICANT—A. Gordon Lorimer, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—44-36 Vernon boulevard, northwest corner of 44th drive (1st floor); (Block 489, part of Lot 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Prober.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (622-45-A)

WHEREAS, A. Gordon Lorimer, for Department of Public Works, City of New York, owner, filed October 15, 1945, an appeal from a decision of the fire commissioner, affecting premises 44-36 Vernon boulevard, northwest corner of 44th drive (1st floor); (Block 489, part of Lot 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated March 3, 1945 and repeated in a decision of the fire commissioner, dated October 2, 1945, reads:

"An inspection by the Fire Department indicates that the following must be done in order to render safe, the premises, 44-36 Vernon boulevard, Borough of Queens, used as a Private Filling Station:

"1. Remove all gasoline from the buried gasoline storage tank, at the above premises; seal all openings of same with concrete or cement, and lock pump with wire and lead seal, as such storage of gasoline in a building wherein materials of a highly inflammable nature are manufactured, is prohibited by C19-51.0-b-3, Administrative Code and C19-65.0-b-3, Administrative Code."

and

WHEREAS, the applicant states that the building is 3 stories (44 ft.) in height, 270 ft. by 426 ft. in area, of Class 1 construction, erected in 1938, located in an unrestricted use, A area and Class 2 height district and used and occupied since 1940: cellar, boiler room and storage, 20 persons; 1st floor, storage and shipping, 30 persons; 2nd floor and 3rd floor, storage and manufacturing of drugs, clothing and paper, 80 persons on the 2nd floor and 20 persons on the 3rd floor; that the building is occupied in its entirety by the Department of Purchase, City of New York, that no change in use or occupancy is proposed; that the building is equipped with a standpipe system, six interior 3 ft. 8 in. wide fireproof stairs, which lead from the roof to the street; and

WHEREAS, the applicant contends that the installation of a gasoline storage tank of 550 gallon capacity and approved pump, was permitted under Application M 4050-41 and it is proposed to maintain the existing approved type pump and gasoline tank, as they are an essential part of the functions of the building; that no inflammable oils or liquids are stored in proximity to the gasoline pump and tank, as both are located in an enclosure, subdivided by doors from the building and enterable directly from the street; that only food stuffs are stored on the first floor and the applicant requests a variation be granted, on the basis that the location and arrangement of the tank and pump do not create an undue hazard and denial of permission to maintain the tank and pump, would create an undue hardship and cause delay in deliveries, which might be a serious detriment to health of the citizens of the City of New York.

Resolved, that the decision of the fire commissioner dated October 2, 1945 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the gasoline pump and tank shall comply in all other respects, with all laws, rules and regulations applicable thereto and granted only so long as the gasoline service is used in connection with the occupancy throughout the building by the Department of Purchase; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the walls as shown, separating the portion of the building where such gasoline pump is installed, from the balance of the building, shall be maintained.

650-45-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—78-01 57th avenue, north side, 745 ft. east of 74th street (Block 2805, Lot 31), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: R. L. Heeren and W. M. Wepfer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (650-45-A)

WHEREAS, Brooklyn Union Gas Company, owner, filed October 26, 1945, an appeal from an order of the fire commissioner, affecting premises 78-01 57th avenue, north side, 745 ft. east of 74th street (Block 2805, Lot 31), Elmhurst, Borough of Queens; and

WHEREAS, Order 748-LC, issued by the fire commissioner October 16, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use Diesel oil, shows that the following must be done before the permit requested by you can be issued:

"FORTHWITH

"1. Discontinue the use of an auxiliary storage tank having a capacity greater than 60 gallons, for the stor-

age and use of Diesel oil. Rule 2.31, Oil Burner Rules of Board of Standards and Appeals."

and

WHEREAS, the applicant states that the structure in question is 82 ft. 4 in. by 163 ft. average in area, 1 story and basement (46 ft. 6 in.) in height, erected in 1911, extended in 1933, used to house auxiliary equipment, pumps, etc. and gas compressors, with an occupancy of 7 persons; and

WHEREAS, the applicant contends that additional gas pumping capacity is being installed in anticipation of increased use of gas this winter; that the new plant consists of three 800 h.p. Diesel engine driven gas compressors which will consume about 3,000 gallons of oil per day; that this oil will be supplied to engines by gravity from an elevator tank of 550 gallon capacity and a 24 hour run would require this tank to be filled about 5½ times a day, with the three engines operating at full load; that if a 60 gallon auxiliary tank were used as required, the tank would have to be filled 50 times per day or over twice per hour, an operating condition which would be inefficient and more hazardous than if a larger tank were used; that the auxiliary tank will be placed entirely outside the pumping station building and will have no connection thereto, except the necessary piping through the wall; that the auxiliary tank will be equipped with an automatic CO_2 fire extinguishing system.

Resolved, that Order 748-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the auxiliary tank shall be of an approved type and shall be installed and maintained substantially as proposed and to the satisfaction of the fire commissioner; that the CO_2 fire extinguishing system as proposed, shall be installed and maintained, as the fire commissioner shall approve; that this appeal is granted only so long as the auxiliary tank is used for the storage of fuel oil for use in Diesel engines as proposed.

MATERIAL SUBMITTED FOR APPROVAL

502-45-SM

APPLICANT—Western Concrete Pile Corporation, for Western Foundation Co., owner.

SUBJECT—Western's Standard Concrete Piles, approval of.

APPEARANCES—

For Applicant: H. Q. Burrell and F. T. Jenkins.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (502-45-SM)

WHEREAS, the Western Concrete Pile Corporation, for the Western Foundation Co., owner, filed on July 7, 1945, an application with the Board of Standards and Appeals for approval of the material known as Western's Standard Concrete Piles; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1945.

Re: Cal. 502-45-SM

Subject: Western's Standard Concrete Piles, approval of.

The Western Concrete Pile Corporation of New York and Chicago, Ill., filed an application with the Board of Standards and Appeals for the approval of their Standard Concrete Pile under the mandatory requirements of C26-178.0,b for use as a cast-in-place concrete pile under the same restrictions of driving, concreting and loading as provided for other types of cast-in-place concrete piles, under C26-409.0 of the Administrative Building Code.

The Code title in its present form does not apply to the applicant's type of cast-in-place concrete pile, since this form of construction was in development stages at the time the Administrative Building Code was adopted and consequently could not have been considered by the authorities comprising the Sub-committee on Foundations. Section C26-391.0, a, provides in part: "Any type of pile or other foundation construction unprovided for in this title shall meet, in addition to the requirements of this article, all the requirements which may be established by the rules of the board." Clearly, Western's Standard Concrete Pile comes within the purview of this section, as a type of pile unprovided for in the Code title. In substantiation of the foregoing, the applicant has filed a communication from Mr. Ralph W. Chambers and also from Mr. John W. Pickworth of Weiskopf and Pickworth, who were members of the committee who prepared sub-article 3, entitled "Foundations" of Article 9, entitled, "Construction," of the present Administrative Building Code.

To establish the integrity of the applicant's form of construction, considerable test data from construction projects where this type of pile was installed, has been filed. Included also is a complete description of the materials used, method of installation and the job precautions observed by the applicant to insure proper placing of the piles and their correct penetration as required by the Code title, as follows:

DESCRIPTION OF PILE

The pile consists essentially of a precast concrete point or button (Fig. 1, lower portion) which is larger in diameter than the shaft which surmounts it. This shaft consists of a steel shell provided with helical corrugations which impart stiffness and the ability to resist pressure. The lower end of the steel shell is closed with a pressed steel shoe (Fig. 1, upper portion) which is screwed on to the shell by means of indentations which engage in the valleys of the corrugations. The center of this shoe is slotted and the two edges are turned upwards providing two steel wings. When the shell with the attached shoe is lowered onto the precast concrete point or button, these wings slip over and engage a lag screw which has been cast in the center of the point and allowed to project upwards. The shell is thus locked to the point and prevented from moving sideways as well as being held in place. The steel shell is then filled with concrete and cut off at the elevation shown on the plans.

MATERIALS

Point or Button—The point or button is of unreinforced controlled concrete designed to develop a strength of not less than 4,000 lbs. per sq. in. in 28 days when tested in accordance with the requirements of the Code title. The point is pre-fabricated prior to its installation in machined steel forms which have been coated with oil to facilitate stripping. The point is made in the size of 17″ maximum diameter and a depth of 20″, all as shown in Fig. 1, lower portion. The concrete is made with approved high early strength portland cement mixed to a plastic consistency to insure filling of the form and a dense concrete to insure density of the concrete mix. The concrete in the molds is mechanically vibrated until no further settlement takes place. A ⅝″ steel lag screw is placed in the center of the point or button and extends approximately 3″ above the top of the concrete to facilitate handling and anchorage.

SHELL

The shells are manufactured for the applicant by the American Rolling Mill Company and consist of cold rolled steel strip conforming to the Iron and Steel Institute Specification A.I.S.I. 1006 to 1008, known as the Hel-cor type of shell, nominal diameter 12″ plus.

This material comes from the strip mill in coils in the required widths after which the strip is then fed into

a special corrugating and crimping machine which converts it into a spiral helical shell having corrugations 7/16″ deep and 2″ on pitch. The edges of the strip are at the same time joined by a permanent locked seam following the valley of the corrugations and consist of four thicknesses of metal formed into rolled locked seam.

The machine produces shells of indefinite length which are available, cut in lengths commensurate with shipping facilities. This cutting is done with an automatic machine giving a square true surface.

CONCRETE FILLING

While C26-407.0, c, requires that concrete in concrete piles shall be mixed in compliance with Section C26-311.0 which provides for plain concrete, the applicant proposes to furnish Average A concrete complying with the proportions and working stresses as provided in C-26-365.0.

CONSTRUCTION OF PILE

The precast concrete point or button is accurately placed at a pre-determined location and the driving casing is lowered so as to fit onto the shoulder of the button. The driving casing consists of standard grade B, Petroleum Institute material, having an outside diameter of 14″ and approximately a ½″ wall thickness. This shell is reinforced at the lower end with a band accurately machined to fit the conical section of the point. It is also reinforced at the upper end with a reinforcing band to take the blows of the hammer.

The casing having been placed over the button is then plumbed in the leads of the driver by shifting the pile driving rig as required. Positioning is facilitated by a stub core attached to the bottom of the hammer which penetrates several feet into the casing, as shown on Fig. 2. The casing is then driven into the earth by a steam hammer delivering at least 15,000 ft. lb. blow in conformity with the requirements of C26-409.0,c. During this operation the pile is checked to meet all requirements for driving as given in C26-405.0. When the resistance to further driving develops as specified under the formulas given in C26-405.0, c-1, the driving stops. After stopping of the driving, the permanent corrugated shell with shoe attached, as shown in Fig. 3, is lowered into the driving casing and locked on the button by spreading of the wings as they slide over the lag screw in the button. The pile is then filled with concrete in proportions as hereinbefore described. This filling may take place before the withdrawal of the driving casing or subsequently thereafter. The maintenance of the alignment of the shell after withdrawal of the driving casing is insured by the soil which grips the corrugated shell for its entire length and so holds it in place by the soil squeezing back against the casing as a result of the internal pressure developed during driving.

When casings are required to be spliced, they are aligned first by placing the sections to be attached in a

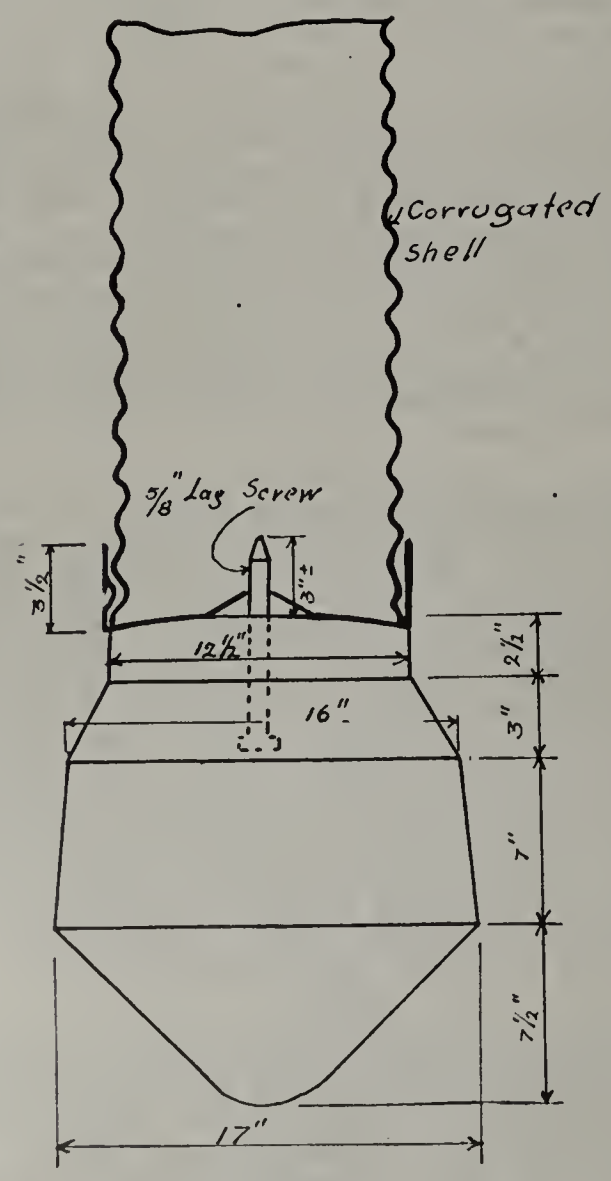


FIG. 1.

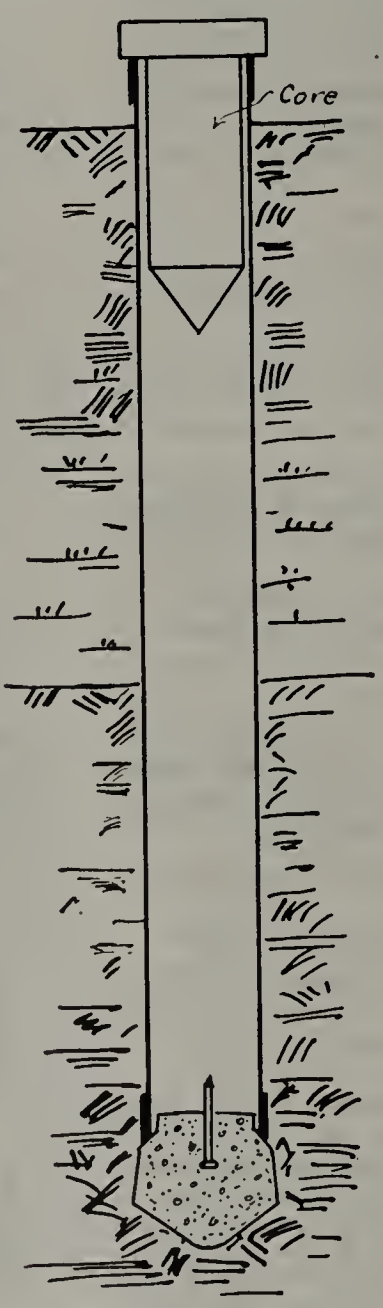


FIG. 2.

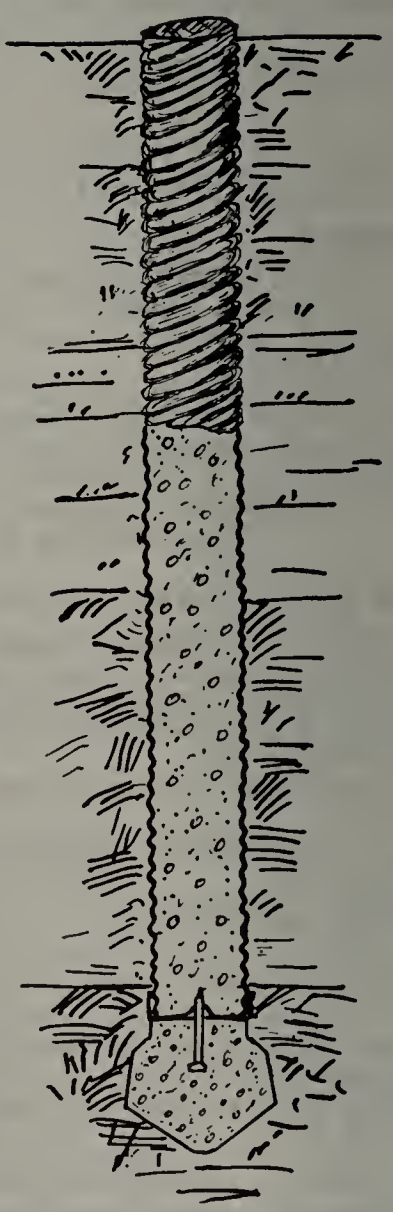


FIG. 3.

trough formed by two shells which have been placed parallel to each other. They are then welded around the periphery to allow the sections to be handled with a pile line without damage. The piles when completed are then cut off by burning the shell at the required elevation and cutting the concrete with a bull point.

TESTS

Since the development of the applicant's pile was begun in 1936, the applicant has installed many piles and has filed with the Board a list of such installations. From the records of some of these jobs as filed there is contained pertinent test data, as follows:

	Located	Type of Structure	Dimensions of Pile	Test Load	Working Load	Number of tests	Number of piles in contract
U.S. Navy	Navy Yard at Portsmouth, Va.	Warehouse	12″ shaft	42 tons shock load 45 tons	30 tons	9	7232
U.S. Navy	New River, N. C.	Heating plant	12″ shaft	82 tons	40 tons	1	1067
U.S. Navy	Boston, Mass.	Warehouse	12″ shaft 17″ point	82 tons	(*) 40 tons	1	2033
City of Fort Wayne	Fort Wayne, Ind.	Sewage Disposal	12″ shaft	60 tons	30 tons	1	1588

* This test was performed to determine how much of the heave to which the piles in large groups were subjected could be eliminated by loading one pile in order to ascertain the probable amount of re-driving that would be required to attain stability. The pile rose during driving of subsequent piles by 4½″ and settled 2⅛″ under a load of 50 tons without showing further settlement when the load was increased to 80 tons.

The load tests were carried out in two ways—one by loading a box of material over the pile and transferring this load to the pile by means of a hydraulic jack which was accurately calibrated; and the second method by moving the pile-driver over the pile and throwing the weight of the driver on to the test pile through a hydraulic jack.

The Administrative Building Code provides for a settlement of not more than 1/100th of an inch per ton of load applied, after load has been removed as provided in C26-405.Od.

At Ft. Wayne, Ind., with a 60 ton load, the allowable settlement would have been .6 of an inch, whereas the settlement actually was .5 of an inch.

At the Portsmouth Navy Yard one pile was tested with a box loaded with anchors. The permissible settlement under 45 tons would have been .45 of an inch; actual settlement was .406 of an inch.

In a number of tests at the Portsmouth Navy Yard made by the shock method, the load was applied suddenly instead of by increments. Forty-two tons were applied in each case and the settlement could have been 7/16th of an inch, or .42″. Actual settlement was zero, 1/8th of an inch, 3/32nds of an inch, 1/16th of an inch, zero, 1/32nds of an inch, 5/32nds of an inch and zero.

The test at the Marine Barracks at New River, N. C., loaded with 81-1/2 tons, could have settled .815 of an inch, whereas the actual settlement was .4375 of an inch. In other words, in each case, tests were better than called for under the Administrative Building Code, C26-405.Od.

Another installation of the applicant's type of pile was made for the Department of Sanitation, of New York City and Bergen Landing, Queens, for a garage in 1939. The number of piles driven was 839. While the description of a shaft in that test specified that the shaft was 14″ this referred to the maximum diameter, the shells used being circumferentially corrugated, maxima and minima diameters succeeded other, the minimum being 12″ and the maximum 14″. These shells were riveted and therefore more irregular in their contour than the Hel-cor type of shell now used. These piles were designed for a working load of 30 tons and were subjected to three tests wherein the total load was 60 tons, one of which without rebound showed a settlement of 3/32″, the 2nd 1/8″ without rebound and the third 11/32″, the latter load being left for two days.

GENERAL

In the drawing of the applicant's standard pile, all loads are transmitted to good bearing strata as reflected by the penetration resulting from the final blows of the pile hammer. The maximum length of the pile is limited by the driving equipment which with the type of equipment now available limits the length of the pile to 75 ft. When more than one length of Hel-cor shell is used additional sections are securely attached by welding around the circumference of the periphery which will be done in conformity with the Board's Fusion Welding Rules. The applicant has filed data showing that thousands of their piles have been driven with no damage to the Hel-cor shell resulting from lateral pressures within the earth. No internal cleaning of the shell is required as the method of driving used by the applicant precludes foreign matter from entering the shell.

While C26-405.O requires that misalignment be not greater than two percent, the applicant contends that misalignment as great as two percent would induce driving difficulties which for economical reasons they prefer to correct by forcing the pile into closer alignment which is accomplished by maneuvering the leads of the driving equipment. If the pile persisted in drifting where misalignment would be excessive, the applicant proposes tnat a substitute pile shall be driven as close to the subject as the conditions would permit and redesigning the pile cap accordingly. Where soils are incompressible the piles are proposed to be re-driven until firm bearing strata is reached, particularly in large groupings of piles where there may be a tendency for the piles to rise in such soil conditions. In any case, no pile is proposed to be placed closer than 30″ as prescribed in C26-407.O.b.

The applicant further proposed that no piles shall be driven in any completed or partially completed pier unless the concrete in the piles already in place is at least seven days old. The concrete used to fill the shells is proposed to be at least equal to Type A concrete as prescribed in C26-365.O,b,1 and in every case the pile shall be continuously and completely filled. Upon withdrawal

of the driving shell should inspection show that water conditions exist within the pile, the applicant proposes to dewater the piles with a special baler they have developed for this purpose. In such locations the pile is equipped with a tight-fitting pressed steel shoe which is turned upwards so that the pile may be attached to the concrete button which is already in place through the lag screw anchored therein. This proposed steel shoe fits tightly over the shell and it is made water-tight by filling with oakum and sealing with an asphaltic cement. Where sub-soil conditions are dry, the pressed steel shoe need not be made water-tight with the Hel-cor shell. Since it is impossible to completely dewater the pile before concreting, the applicant proposes to pour 1/2 cu. ft. of rich cement grout so as not to impair the quality of the average A concrete poured subsequently. Precautions are observed with the setting of the leads to insure that the guides are in a plumb position and after each shift of the equipment, the leads are checked for plumbness to insure axial driving of the pile. All work is under the jurisdiction of the applicant's superintendents who have qualified experience in this type of work.

RECOMMENDATION

The Administrative Building Code under Section C26-391.O gives the Board power to establish rules, sic.: "Any type of pile or foundation construction unprovided for in this title shall meet in addition to the requirements of this article all requirements which may be established by the Board."

The Committee on Tests has reviewed the foregoing data and have inspected a typical installation of the applicant's Standard type of pile at the Philadelphia Navy Yard and on the basis of this data and inspection, recommends under the authority vested in the Board under Section C26-391.O the approval under section C26-191.O of the Western Foundation Company's Standard Concrete Pile (details as contained herein) as a new and unprovided for type of cast-in-place pile for a maximum load of 30 tons when installed as provided in C26-409.O,c and when meeting the requirements of C26-405.O, C26-407.O and C26-409.O, and in accordance with the details and specifications as contained herein; provided further, that there shall be available adequate inspection equipment, so that at all times the integrity of the construction can be evaluated.

It is further recommended that all designs of Western Foundation Company's Standard cast-in-place piles be certified to by the Professional Engineer in charge of design. These drawings submitted to the Department of Housing and Buildings shall bear the following wording: The design of Western Foundation Company's Standard Cast-in-place pile under N. B. Permit..... is strictly in accordance with the approval of the Board granted under Cal. 502-45-SM. All installations of this pile shall be made by the Western Foundation Company or their subsidiaries. This approval is not to be construed as the approval of the Hel-cor shell, the applicant is hereby instructed to have manufacturers of this material file for separate approval.

It is further recommended that the applicant prepare a report of each installation and when completed, aforesaid report shall be filed with the Borough Superintendent. The data contained in this report shall be as follows:

PILE DRIVING REPORT

Bldg. Permit No. .....
Job Location.....
Date of Driving.....
Type of Pile.....
Type of Pile Driver.....
Design Load.....
Type of Hammer.....Ft...lbs./blow.....
Type of Shell.....
Diameter of Point.....
Area of Shaft.....
Concrete Mix.....
Date of pouring concrete.....
Pier No. ..... Pile No. .....
Final Length at cut-off.....
Elevation at cut-off.....
Blows per last inch.....
Rebound, if any, in final blow.....
Drift or Heave of Pile.....
Other abnormal conditions.....
Jom Superintendent.....Date.....
Inspector, Department of Housing and Buildings ..... Date.....

(Sgd.) BERNARD A. SAVAGE,
Commissioner

CHARLES M. BLUM,
Commissioner

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Western's Standard Concrete Piles, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:50 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 7, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

624-45-A

APPLICANT—Harry A. Yarish, for B. Mortimer Cohen, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—75-80 184th street, northwest corner of Union turnpike (1st floor); (Block 7200, Lot 44), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Harry A. Yarish.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (624-45-A)

WHEREAS, Harry A. Yarish, for B. Mortimer Cohen, owner, filed October 15, 1945, an appeal from a decision of the borough superintendent, affecting premises 75-80 184th street, northwest corner of Union turnpike (1st floor); (Block 7200, Lot 44), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 21, 1945, re Alt. App. 1502-45, reads:

"1. As original building was approved under Cal. 602-39-A, any changes or increase in area must be approved by the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is two stories (23 ft.) in height; 25 ft. by 32 ft. in area; of Class 4 con-

struction; erected 1939; located in a business use, D area and Class 1 height district and used and occupied as a one family dwelling and proposed to be used and occupied as follows: cellar, ordinary; 1st floor and 2nd floor combined, one family dwelling with doctor's office on the 1st floor; and

WHEREAS, Certificate of Occupancy Q10476, issued March 21, 1940, permits the use of the building as a one family dwelling, as erected under N.B. Applic. 9910-38; and

WHEREAS, the applicant contends that the premises were purchased by a physician for the specific use as shown on the plans; that the proposed extension will be of masonry and will conform in all respects with the Building Code and zoning resolution and that it is therefore requested the Board grant the relief sought in this appeal; and

WHEREAS, under Cal. 602-39-A, the Board permitted the building in question to be erected of Class 4 construction within the fire limits, on condition that the requirements of an F area district be complied with, except that the side yards need not exceed 4 ft. in width, provided there is at least 10 ft. between houses on adjoining plots and requiring the buildings be of brick veneer and the garages be of similar design.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1502-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the extension as proposed shall be for the purpose as represented, namely as a professional doctor's office in connection with the residential occupancy in the building, as permitted to be erected under Cal. No. 602-39-A, (N.B. Applic. 9910-38); that the requirements of the resolution adopted under Cal. 602-39-A, on May 1, 1939, shall be complied with as to the requirements of the "F" district, including the requirements for the side yards; that the set back from Union turnpike shall be not less than 12 ft. from the street building line at the nearest point substantially as shown on plan; that the extension shall be of masonry as proposed and separated from the frame dwelling by a fireproof door; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

630-45-A

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—302-340 East 83rd street, 1579-1593 1st avenue, southwest corner, 301-351 East 82nd street and 1584-1598 2nd avenue (basement); (Block 1545, Lots 1-52, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Gustave Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (630-45-A)

WHEREAS, Eric Kebbon, for Board of Education, City of New York, owner, filed October 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 302-340 East 83rd street, 1579-1593 1st avenue, southwest corner, 301-351 East 82nd street and 1584-1598 2nd avenue (basement); (Block 1545, Lots 1-52, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N. B. Applic. 139-45, dated October 17, 1945, reads:

"1. The connection of more than one oil burner to a single flue, is contrary to Oil Burner Rules 12.1, Board of Standards and Appeals."

and

WHEREAS, the applicant states that the proposed building will be four stories (55 ft. 4 in.) in height, 284 ft. 8 in. by 202 ft. 6 in. in area; Class 1 construction; located in business use, B area and Class 1½ height district; used and occupied as a public school; and

WHEREAS, the applicant contends that if compliance with the Oil Burner Rules were required, three individual flues would have to be installed; that it is proposed to erect a medium temperature chimney for one boiler and a similar chimney for two boilers; that the breeching from one boiler, equipped with a fully automatic type oil burner, will be connected to one chimney and the breeching from two boilers equipped with semi-automatic oil burners will be connected to the other chimney; that these boilers will at all times be under the supervision of a competent and qualified operator; that the estimated temperature at entrance to chimney is about 400 degrees; that these boilers will be operated simultaneously at times.

Resolved, that the decision of the borough superintendent, acting on N. B. Applic. 139-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the installation shall comply with the requirements of the Building Code and the Oil Burner Rules of the Board of Standards and Appeals, and that the conditions as proposed shall be maintained.

634-45-A

APPLICANT—Gerald L. Kaufman, for Sagamore Land Corporation, owner (Jane Engel, Inc., lessee).

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—1021-1031 Madison avenue and 44-52 East 79th street, southeast corner (cellar); (Block 1393, Lot 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Gerald L. Kaufman.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Deputy Chief Gunn 2

THE RESOLUTION (634-45-A)

WHEREAS, Gerald L. Kaufman, Sagamore Land Corporation, owner (Jane Engel, Incorporated, lessee), filed October 22, 1945, an appeal from an order and decision of the fire commissioner affecting premises 1021-1031 Madison avenue and 44-52 East 79th street, southeast corner (cellar); (Block 1393, Lot 52), Borough of Manhattan; and

WHEREAS, Order 34712-LF, issued by the fire commissioner June 5, 1945, reads:

"1. Provide a non-automatic sprinkler system in cellar, as provided in C19-161.O of the Adm. Code, and in connection therewith, provide an automatic fire alarm complete with central office connection. Art. 16, Ch. 26, Adm. Code and C19-161.O, Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated October 3, 1945, reads:

"In reply to your request for reconsideration on Order 34712-LF, requiring an approved type automatic sprinkler system in the cellar, you are advised that after consideration of the proposed alteration in the cellar, your request to omit compliance with the order has been denied."

and

WHEREAS, the applicant states the building is two stories and cellar (26 ft.) in height; 100 ft. by 100 ft. in area; of Class 3 construction; erected in 1926, located in a restricted retail use, B area and Class 1½ height district, and used and occupied since 1936—cellar, boiler room and storage, 15 persons; 1st floor, stores and offices, 125 persons; 2nd floor,

showroom and 25% manufacturing, 140 persons; that no change in use or occupancy is proposed; that the building is equipped with three interior metal stairs, enclosed in partitions of fire retarding construction, equipped with three-quarter hour fireproof self-closing doors, two of which lead from the roof to the street; and

WHEREAS, the applicant contends that the order was issued due to the amount of combustible material stored in the cellar and the lack of adequate ventilation for cellar storage spaces; that in order to correct these conditions, it is proposed to move approximately 50% of the dresses now stored in the cellar, to stock rooms to be constructed on the first floor; that the existing 2 ft. 6 in. steel stairs near the work shop will be relocated at the Madison avenue front of cellar, thus providing another means of egress, enclosed in 4 in. terra cotta block partitions with ¾ hour fireproof self-closing doors; that the existing partitions, enclosing storage spaces will be removed, thus improving ventilation and access; that in the box storage room and work shop, a sprinkler system will be installed, connected to the existing domestic water supply, with heads spaced for 80 sq. ft. coverage; that both of these spaces will be enclosed in 4 in. terra cotta block partitions, with fireproof self-closing doors; that air conditioning ducts will be relocated, to provide more ventilation and fuseable link dampers will be installed; and

WHEREAS, the applicant further contends that the cost to comply with the order would be $3200 for the non-automatic sprinkler system; that the automatic fire alarm system with central office connection, in addition to its installation cost, would require charges of several hundred dollars per year; that due to the low story height, the headroom below the present ducts is only 6 ft. 8 in. in parts of the cellar; that sprinkler heads, if set below this point, would interfere with the use of the cellar; that it is proposed to erect a new 3rd story under Alt. 1356-45 and the proposed changes to the cellar and 1st floor will be included in this contract, if this appeal is granted; that in view of the fact that the alterations proposed and as indicated on drawings filed with this appeal, in the opinion of the applicant, will meet the objections of the Fire Department and obviate the necessity for a sprinkler and fire alarm, with central office connections, it is therefore requested that the order be modified; and

WHEREAS, the following resolution was offered for consideration:

Resolved, that the Order 34712-LF of the fire commissioner, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the additional fireproof enclosed stair shall be installed from the cellar to the 1st story, leading to Madison avenue, as indicated on plans filed with this appeal marked "Received October 22, 1945" and the revised cellar plan marked "Received November 7, 1945"; that the cellar shall be maintained as shown on such revised plan, to the satisfaction of the fire commissioner; that the new stair to Madison avenue as proposed, shall be constructed, and the existing stair at East 79th Street shall be maintained, as well as the enclosed interior stair leading to the first floor; that the space proposed for box storage, shall be enclosed with fireproof partitions with a fireproof, self-closing door and shall be protected by a sprinkler system connected to the domestic water supply of the building; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that plans shall be filed immediately with the Department of Housing and Buildings, showing these changes and work shall be proceeded with promptly.

Resolved, that Order 34712-LF of the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

636-45-A

APPLICANT—Eggers and Higgins, for F. and M. Schaefer Brewing Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—440-446 Kent avenue, southwest corner of South 8th street (1st to 4th floors, inclusive); (Block 2134, Lot 1 and Block 2143, Lot 1), Borough of **Brooklyn.**

APPEARANCES—

For Applicant: Mario E. Campioli and Harry B. Rutkins.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (636-45-A)

WHEREAS, Eggers and Higgins, for F. and M. Schaefer Brewing Company, owner, filed October 18, 1945, an appeal from a decision of the borough superintendent, affecting premises 440-446 Kent avenue, southwest corner of South 8th street (1st to 4th floors, inclusive); (Block 2134, Lot 1 and Block 2143, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 24, 1945, on Alt. Applic. 3784-44, reads:

"6. Two legal exits should be provided from each portion of the 3rd and 4th floors.

8. Sect. 270 of the Labor Law, par. 7, requires all vertical openings in the floors be enclosed. Submit detail showing enclosure of 'kettle' and tank openings.

10. The use of cork in partition construction on the 3rd and 4th floors is contrary to sections 3.2.1 & 10.4.3.1 of the Bldg. Code."

WHEREAS, the applicant states that the building will be six stories and penthouse (98 ft.) in height, 105 ft. 8 in. by 110 ft. 9½ in. when extended, of Class 1 construction, located in an unrestricted use, A area, and Class 2 height district; that the building was erected prior to 1900 and used since erection for manufacturing and storage of beer and for offices with five persons in the basement, 4 persons on the 1st floor; 4 persons on the 2nd floor; 1 person on the 3rd floor; 1 person on the 4th floor and no occupancy above the 4th floor; that total occupancy throughout building is to be 15 persons; that the building is equipped with two interior 3 ft. 8 in. wide stairs for 3rd and 4th floors and three such stairs for the lower floors; that two stairs extend to the roof bulkhead; that stairs are fireproof enclosed, equipped with fireproof, self-closing doors and lead to the street; and

WHEREAS, the applicant contends as to objection 6, that there has been no change in the existing means of egress and the proposed addition will not increase the occupancy; that the existing egress consists of two 3 ft. 8 in. stairs in fireproof enclosure and other exits, with the arrangement of stairs and exits for the questionable 3rd and 4th floors, are adequate; that there are no men employed on the 3rd and 4th floors, except one man who periodically inspects and operates valves; and contends as to objection 8, that because of the special nature of the business and the processes involved, equipment extends through several stories and the openings in the floors are required; that similar conditions exist in the present building; and contends as to objection 10, that there is existing cork in the building and the proposed addition extends its use and increases by a small percentage, the total amount in the structure; that all rooms, where new partitions or wall enclosures are indicated to have cork application on the wall surfaces, will have all the wall surfaces of the room covered with new cork or existing cork covering; that all cork thicknesses consist of two layers applied to walls with asphalt and the surface of same finished with ¾ in. cement plaster; that the existing building and the proposed addition will be fireproof throughout; and

WHEREAS, Certificate of Occupancy 74665 issued November 20, 1934, permits the use and occupancy of the building as follows: 1st floor, Sternewirt and cooper shop, 8 persons; 2nd floor, locker rooms and maintenance shop, 14 persons; 3rd floor, hop storage, 4 persons; 4th floor, vacant; and

WHEREAS, drawings filed with this appeal indicate that a portion of the extension proposed will project into the lines of South 9th street; and

WHEREAS, the applicant has filed a statement that the Board of Estimate closed South 9th street on May 26, 1938 and that deeds, conveying a portion of the bed of the street involved, were recorded in the office of the Register of Kings County April 12, 1939, lib. 5673, pages 546-549.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3784-44, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 6, *on condition* that the enclosed exits as indicated on plans filed with this appeal marked "Received October 18, 1945" shall be maintained, as shown on the 3rd and 4th floors; that such stairs shall both lead to the roof and both lead to the street; as to Objection 8, that the vertical kettle and tank openings may be permitted, provided the building in all other respects, except as herein modified, shall comply with all laws, rules and regulations applicable thereto; as to Objection 10, that the use of cork in partitions, as proposed, on the third and fourth floors may be permitted, provided the partitions are covered with asphalt and two coats of cement plaster to a thickness of ¾ in. are applied.

645-45-A

APPLICANT—Irving Adelsohn, for Elix Kravitz, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—757-761 Utica avenue, east side, 155 ft. south of Lenox road (1st floor); (Block 4656, Lots 46, 47 and 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Irving Adelsohn and Elix Kravitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (645-45-A)

WHEREAS, Irving Adelsohn, for Elix Kravitz, owner, filed October 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 757-761 Utica avenue, east side, 155 ft. south of Lenox road (1st floor); (Block 4656, Lots 46, 47 and 48), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 15, 1945, on N.B. Application 594-45, reads:

"1. The proof submitted to the Superintendent that the area marked on the plans "unloading space" will be actually so used, is not acceptable. Therefore Section 19(g) of the zoning resolution, permitting this area to be added to the allowable area of the building does not apply."

and

WHEREAS, the applicant states the proposed building will be one story (14 ft. 10 in.) in height; 60 ft. by 100 ft. and 85 ft. in area; of Class 3 construction; located in a business use, C area and Class 1½ height district, and used and occupied as a warehouse for plumbing supplies; and

WHEREAS, the applicant contends the building will be divided into two parts, the warehouse being 36 ft. by 100 ft. and the unloading space 24 ft. by 85 ft.; that the unloading space will be divided into two portions, the front portion will have a ramped floor, so that trucks and trailers delivering merchandise, can back up against the platform located in the rear; that the warehouse portion will occupy 60% of the lot; that section 19(g) states "where provision is made for parking or unloading within a building, the area of such parking and unloading facilities may be added to the area permitted to be occupied by the first floor of the building;" that a reasonable interpretation of Section 19(g) will recognize that types of business handling bulky merchandise require more unloading space than is required for other uses; that this also holds trucks to the size of trucks generally required to deliver merchandise; that the owner kept a record of actual deliveries on their place of business from August 21, 1945 to September 20, 1945; that this record indicates that the length of trucks making deliveries are from 40 to 50 ft. long, whereas the length of the ramp proposed is approximately 47 ft.; that the area to be occupied by various shipments of merchandise immediately after unloading, as is evidenced by records of deliveries during the 8 day's deliveries recorded at the applicant's present premises, shows that the area required exceeded 900 sq. ft. in deliveries per day and in fact on three days exceeded 2500 sq. ft.; that the space provided in the plan for proposed unloading of merchandise is only 827 sq. ft.; that the owner's present establishment employs 4 men to continuously remove merchandise as soon as same is unloaded in order to make room for new deliveries; that this practice will be continued in the proposed building; that in the case of galvanized pipe deliveries, the pipes are delivered in 22 ft. lengths, which leaves very little additional space for the unloading of other merchandise; that the space shown on plans for unloading as proposed, is the minimum that will be practicable, as merchandise is frequently ordered in car load lots and the delivery of such orders is usually made consecutively by two or three large trucks or trailers; and

WHEREAS, the applicant has filed with the Board communications from various concerns delivering merchandise to the owner's present establishment in support of this appeal; and

WHEREAS, this appeal is offered solely for interpretation of the requirements of law and not for variance; and

WHEREAS, in the opinion of the Board, the space as shown for loading and unloading space, complies with the requirements of Section 19(g) of the zoning resolution, provided such space is used only for loading and unloading and at no time used for the storage of merchandise or for motor vehicles other than when such merchandise is being loaded or unloaded.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 594-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises is maintained as proposed and complies with all requirements of all laws, rules and regulations in all respects, and that the loading space is maintained in accordance with the Board's finding, as hereinbefore stated, for the special conditions as set forth.

649-45-A

APPLICANT—Fireproof Structure Corporation, for Julius Aptowitz, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—136-17 38th avenue, north side, 155 ft. east of Main street (attic); (Block 4978, Lot 75), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Samuel Rice.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (649-45-A)

WHEREAS, Fireproof Structure Corporation, for Julius Aptowitz, owner, filed October 25, 1945, an appeal from a decision of the borough superintendent, affecting premises 136-17 38th avenue, north side, 155 ft. east of Main street (attic); (Block 4978, Lot 75), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 17, 1945, re Alt. Applic. 1707-45, reads:

"1. In the fire limits it is unlawful to increase a two story frame building an additional story. Sec. 4.1.5 (d2) Bldg. Code.

2. A structure of mixed occupancy may not be enlarged in frame construction. Sec. 4.1.5 Bldg. Code."

and

WHEREAS, the applicant states that the building is two stories and attic (26 ft.) in height; 30 ft. by 40 ft. in area; of Class 4 construction; erected 1906, altered 1936; located on a lot 30 ft. front by 87 ft. in depth, in a business use, C area and Class 1½ height district and used and occupied; 1st floor, 2 stores, 2nd floor and attic, combined, one family; that the attic is used for storage and the building is proposed to be used and occupied as follows: 1st floor, same; 2nd floor and 3rd floor combined, one family, with three bedrooms on the new third floor; that the building is equipped with one 3 ft. 8 in. wide wood stairs, enclosed in partitions of wood studs, lath and plaster, equipped with wood doors, which are not self-closing and lead directly to the street, and equipped with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the owner has lived on the premises since 1932 in the four rooms shown on the 2nd floor plan, but finds it inadequate for his enlarged family of seven children and wife; that it is proposed to alter the building, by removing the existing peak attic roof and make the same flat, to give 8 ft. clear height for 3 new rooms in new third floor; that the alteration will not increase the occupancy whatever, but due to the increase in the height of the building from 26 ft. to 29 ft., it will not be in compliance with the Code; that the building is at present wire lathed and covered with 7/8 in. cement plaster on the outside surface and the wall 12 in. from the side lot line is masonry filled between studs; that the existing building occupies about 44% of the area of the plot.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1707-45, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to objections 1 and 2 *on condition* that the building shall not be extended in height and area other than as proposed and as indicated on plans filed with this appeal, marked "Received October 25, 1945" (4 sheets); that the residential portion of the building shall be occupied by one family only; that a means of access to the two-story front roof shall be provided as shown from the proposed third story and in addition, a fire escape from the rear of such third story, accessible to both rear rooms, shall be constructed and maintained with a drop ladder to the yard grade; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

652-45-A

APPLICANT—Eugene Miller, for Felton Chemical Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—585-603 Johnson avenue, north side, 100 ft. 4 in. east of Gardner avenue (2nd and 3rd floors); (Block 2989, Lots 42 and 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene Miller and Leo Howard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (652-45-A)

WHEREAS, Eugene Miller, for Felton Chemical Company, filed October 26, 1945, an appeal from a decision of the borough superintendent, affecting premises 585-603 Johnson avenue, north side, 100 ft. 4 in. east of Gardner avenue (2nd and 3rd floors); (Block 2989, Lots 42 and 46), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 16, 1945, on amendment to N. B. Applic. 356-44, reads:

"1. Provide two means of egress from each floor, complying with the requirements of Sec. 270 of the Labor Law."

and

WHEREAS, the applicant states that the existing building is one story in height; 56 ft. by 47 ft. in area; of Class 1 construction; located in an unrestricted use, A area and Class 1½ height district and used and occupied as follows: Cellar, storage of essential and vegetable oil in steel containers, 2 persons; 1st floor, same, 4 persons and proposed to be used and occupied as follows: cellar, storage of essential and vegetable oil in steel containers, 2 persons; 1st floor, same and shipping, 4 persons; 2nd floor, manufacturing admixtures and packaging, 5 persons; 3rd floor, factory, admixtures, laboratory and storage, 2 persons; that the building is equipped with one 3 ft. 8 in. wide iron stairs, enclosed in 6 in. terra cotta partitions, equipped with fireproof, self-closing doors and leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that is it proposed to add two additional stories of fireproof construction to the existing one story and cellar fireproof building; that the gross area of the building is 2450 sq. ft. and the net area, after deducting walls and partitions for stair and elevator is approximately 1992 sq. ft.; that the height from the street level to the third floor will be 25 ft.; that the cellar will be used for storage and has one exit leading to an enclosed fireproof stairway; that the 1st floor will be used for storage and shipping only, with an occupancy of 4 persons and will have one exit to a fireproof stair enclosure and three shipping doors leading to the yard or the street; that the 2nd floor will be used for factory with an occupancy of 5 persons and will have two exits, one to an enclosed fireproof stairway and one to an enclosed steel and concrete bridge to the adjoining building; that 3rd floor will be used as a factory, laboratory and storage with an occupancy of two and will have one exit leading to an enclosed fireproof stairway; that the distance from the remote corner of this area to the exit will be 61 ft.; that the manufacturing to be done, consists of admixture and packaging of various essential and vegetable oils, aromatic chemicals and flavoring materials; that all of the materials are brought to the floors, packaged in shipping containers; that in view of the small area, the fireproof construction, the small occupancy and the type of manufacturing to be done, it is requested the Board permit the use of this building as a factory with the exit conditions as proposed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on amendment to N. B. Applic. 356-44, objection 1, and that the appeal be and it hereby is *granted on condition* that the primary means of exit as shown, shall be maintained; that a secondary means of exit, from the 2nd floor by means of a bridge to the adjoining building in the same ownership, shall be maintained; that from the third floor, there shall be an exterior fire stairs, leading to such bridge or to grade; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

669-45-A

APPLICANT—A. H. Salkowitz, for Wainwright Homes, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—221-28 Braddock avenue, south side, from 221st street to 221st place, 89-02 to 89-18 and 89-17 to 89-33 221st street and 89-02 to 89-06 221st place (Block 10666, part of Lot 53 and Block 10667, part of Lot 27), Queens Village, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Abraham H. Salkowitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (669-45-A)

WHEREAS, A. H. Salkowitz, for Wainwright Homes, Inc., owner. filed November 1, 1945, an appeal from decisions of the borough superintendent, affecting premises 221-28 Braddock avenue, south side, from 221st street to 221st place, 89-02 to 89-18 and 89-17 to 89-33 221st street and 89-02 to 89-06 221st place (Block 10666, part of Lot 53 and Block 10667, part of Lot 27), Queens Village, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent dated, October 30, 1945, on N. B. Applications 595, 596, 597, 163, 164, 1282, 1281 of 1945, and the decisions of the borough superintendent, dated October 29, 1945, on N. B. Applications 1502 and 1501 of 1945, and the decisions of the borough superintendent, dated October 17, 1945, on N. B. Applications 1277, 1276, 1283 of 1945, read:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 82.81 ft. on 89th avenue, 30.38 ft. on Braddock avenue, 175.07 ft. on 221st street, in Block 10666, part of Lot 53, and a plot fronting 230.08 ft. on 221st street, 388.65 ft. on Braddock avenue, 86.73 ft. on 221st place, located in a business and residence use, D area, Class 1 height district, which it is proposed to divide into separate lots and to erect thereon one and one-half story frame one family dwellings, two of which will have attached accessory garages, all as indicated on plans filed with this appeal marked "Received November 1, 1945"; that the buildings are to be constructed of frame, covered on the exterior with 4 in. of masonry veneer from foundation to plate line; that the roofs are to be covered with approved asphalt shingles; and

WHEREAS, the applicant contends that the dwellings will be for one family occupancy and will be of the detached type; that these dwellings will be part of a group development being erected in this same area and adjoining the premises under appeal, all erected by the same owner; that the entire surrounding area is composed of frame dwellings; that all buildings will be set back from the building lines, so that proper rear yards are more than adequately provided for; and

WHEREAS, plans filed with this appeal indicate that the dwellings will be set back from 221st street and 221st place building lines approximately 15 ft., into which set-back front entrances will project; that the dwelling to be erected under N. B. Applic. 595-45, will be set back from 89th avenue a distance of 10 ft.; that the dwelling to be erected under N. B. Applic. 1502-45, will be set back from Braddock avenue approximately 4 ft.; that the buildings will be so located on the respective lots, as to be not nearer than 15 ft. from the next adjoining dwelling.

Resolved, that the decisions of the borough superintendent, acting on N. B. Applications 595, 596, 597, 163, 164, 1281, 1282, 1501, 1502, 1276, 1277 and 1283-45, be and they hereby are *modified* and that the appeal be and it hereby is *granted* as to Objection 1, in connection with each such application, *on condition* that the buildings shall be erected substantially as herein proposed and shall be limited to an occupancy of one family each; that any garage erected in connection with any building shall be accessory only to such dwelling and shall comply with the requirements of the zoning resolution for a similar garage when erected within a residential area and shall be of construction comparable to the proposed construction of the dwelling; that as soon as official city lot numbers are assigned to the lots, a record of same shall be filed with the borough superintendent and with this Board; that an application shall be made to the City Planning Commission for a change of district to residential use; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

670-45-A

APPLICANT—A. H. Salkowitz, for Wainwright Homes, Inc., owner.
SUBJECT—Appeal from decisions of the borough superintendent.
PREMISES AFFECTED—89-31 to 89-35 221st place, east side, 171 ft. and 211 ft. south of Braddock avenue (Block 10668, part of Lot 16), Queens Village, Borough of Queens.
APPEARANCES—
For Applicant: Abraham H. Salkowitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman. Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (670-45-A)

WHEREAS, A. H. Salkowitz, for Wainwright Homes, Inc., owner, filed November 1, 1945, an appeal from decisions of the borough superintendent, affecting premises 89-31 to 89-35 221st place, east side, 171 ft. and 211 ft. south of Braddock avenue (Block 10668, part of Lot 16), Queens Village, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, dated October 29, 1945, on N. B. Applications 1499 and 1500-45, read:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 Building Code."

and

WHEREAS, the applicant states the buildings will be 1½ stories (19 ft.) in height, 24 ft. 8 in. by 38 ft. 8 in.; of Class 4 construction; located in a business and residence use, D area, and Class 1 height district; used and occupied as one-family dwellings; and

WHEREAS, the applicant contends that the buildings will be constructed of frame walls, covered on the exterior by 4 in. masonry veneer to plate line; that roofs will be surfaced with approved asphalt shingles; that these dwellings are part of a group development being erected in the same area; that the surrounding area is composed of dwellings of frame construction; that due to the acute angle of the building line on Braddock avenue, these buildings come within the 100 foot business use district boundary line; that all buildings are set back from the building line, so that proper rear yards are more than adequately provided for; and

WHEREAS, the proposed dwellings will be set back from 221st place, a distance of 15 feet and will have side yards along the northerly lot lines of not less than 10 feet and along the southerly lot lines, not less than 5 feet.

Resolved, that the decisions of the borough superintendent, acting on N. B. Applications 1499 and 1500-45, Objection 1, be and they hereby are *modified* and the appeal be and it hereby is *granted* in connection with each such application, *on condition* that the buildings shall be erected substantially as herein proposed and shall be limited to an occupancy of one family each; that any garage, erected in connection with any building, shall be accessory only to such dwelling and shall comply with the requirements of the zoning resolution for a similar garage when erected within a residential area and shall be of construction comparable to the proposed construction of the dwelling; that as soon as official city lot numbers are assigned to the lots, a record of same shall be filed with the borough superintendent and with this Board; that an application shall be made to the City Planning Commisison for a change of district to residential use; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

MINUTES

1194-38-A

APPLICANT—Samuel A. Hertz, for Riverside School, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment re new decision—re Appeal from decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—40 Riverside drive, northeast corner of West 76th street, (Block 1185, Lot 49), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel A. Hertz, Margaret E. Wells and Leah P. Sibley.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1194-38-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 40 Riverside drive, northeast corner of West 76th street (Block 1185, Lot 49), Borough of Manhattan, was granted by the Board on February 21, 1939, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the borough superintendent, acting on Alt. Applic. 1680-45, dated October 24, 1945.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted February 21, 1939, by adding thereto:

"that the 5th floor may be occupied for caretaker's apartment and for two classrooms, as indicated on revised plans, marked 'Received October 26, 1945' *on condition* that the requirements of the resolution adopted February 21, 1939 shall be complied with in all other respects and in addition, that the building shall be protected throughout with an approved automatic sprinkler system in place of partial sprinkler protection formerly required and the required interior fire alarm system; that fire drills shall be maintained regularly, not less than once every two weeks in charge of responsible persons; that a new certificate of occupancy shall be obtained; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

770-42-A

APPLICANT—Harold Wyman, for Minnesota Mining & Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Appeal from a decision of the fire commissioner re Packaging and distribution of inflammable mixtures known as "3-M Furniture Cleaner and Polish and Scotchlite Adhesive" in 1 pt., 1 qt., ½ gallon and 1 gallon glass containers (capacity of same not in conformity with Admin. Code requirements); previously granted on condition for temporary term of 3 months.

APPEARANCES—

For Applicant: Harold Wyman.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (770-42-A)

WHEREAS, this appeal from a decision of the fire commissioner, relative to packaging, storage and distribution of combustible mixture known as "3M Wax Finish" in one-gallon glass bottles, was granted by the Board on February 16, 1943 on certain conditions, resolution amended on July 13, 1943 and the applicant requested a further amendment of the resolution to include permission for the packaging of the inflammable mixtures known as "3M Furniture Cleaner and Polish" and "Scotchlite Adhesive" in glass containers in pint, quart, one-half and one-gallon sizes; and

WHEREAS, on November 30, 1943, the resolution was furthere amended and on May 9, 1944 and on November 21, 1944 and May 1, 1945, the permit was extended and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted February 16, 1943, as amended by resolutions adopted through May 1, 1945, so that as amended it shall read:

"*Resolved*, that the decision of the fire commissioner, dated November 30, 1942, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, only so far as it has reference to 3-M wax finish and to permit such material with a flashpoint of over 100° F. as now permitted under Fire Department Certificate #933 to be marketed for a term not to exceed three (3) months from the date of this *amended* resolution, in glass jugs of one gallon capacity for commercial use only and not for household use."

895-42-A

APPLICANT—The Doris Playschool, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Appeal from a decision of the borough superintendent, (previously granted on condition for temporary term of two years).

PREMISES AFFECTED—1381 East 23d street, east side, 90 ft. north of Avenue N (Block 7659, Lot 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Loretto A. Doris.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (895-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 1381 East 23d street, east side, 90 ft. north of avenue N (Block 7659, Lot 11), Borough of Brooklyn, was granted by the Board on April 27, 1943, on certain conditions and for a term of two years; and

WHEREAS, the applicant requested an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted April 27, 1943, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * that this variance shall continue for not over two years from the date of this *amended* resolution and that a certificate of occupancy to supersede Certificate of Occupancy 110018 shall be obtained and that other than as herein *amended*, the conditions of the resolution of April 27, 1943, shall be complied with."

1349-39-A

APPLICANT—Max Hirsch, for Fannie Hoffman, new owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent, (previously granted on condition).

MINUTES

PREMISES AFFECTED—346 Ocean parkway, west side, 40 ft. south of avenue C (Block 5374, Lot 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: Max Hirsch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Request to reopen denied.
THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

525-45-A
APPLICANT—Julius Eckmann, for 17 East 37th Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—15-17 East 37th street and 232 Madison avenue, northwest corner (10th, 11th and 13th floors); (Block 867, Lots 13-15), Borough of Manhattan.
APPEARANCES—
For Applicant: Julius Eckmann and E. E. Bloodgood.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

611-45-A
APPLICANT—Norman Lederer, for Rose Gold Graff, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—13-96 Beach 28th street, south side, 121.4 ft. east of Mott avenue (Block 175, Lots 18 and 19), Far Rockaway, Borough of Queens.
APPEARANCES—
For Applicant: Norman Lederer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn. Applicant to file revised plans in the Department of Housing and Buildings.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

591-45-A
APPLICANT—Globe Products Co., lessee, for 330 Morgan Avenue Corp., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Wallace G. Storch.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Laid over to November 27, 1945 at 2 P. M., for an inspection by a committee of the Board.

637-45-A
APPLICANT—Lama and Proskauer, for Archie Snyder, owner (Lon Fong, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945 at 2 P. M., for an inspection by a committee of the Board.

653-45-A
APPLICANT—Antonin Raymond, for Baltimore and Ohio Railroad, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.
APPEARANCES—
For Applicant: Alexander Riklin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945 at 2 P. M., for an inspection by a committee of the Board.

ZONING APPLICATIONS

203-33-BZ
APPLICANT—Lama and Proskauer, for Borden's Farm Products Company, Inc., owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition, under section 21 of the zoning resolution, for a term of ten years, permitting in a business use district the extension in area and maintenance of a gasoline service station, previously granted for five year term.
PREMISES AFFECTED—365-381 Fourth avenue, northeast corner of 6th street (Block 987, part of Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (203-33-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, for a term of years, affecting premises 365-381 Fourth avenue, northeast corner of 6th street (Block 987, part of Lot 1), Borough of Brooklyn, was granted by the Board on July 16, 1935, on certain conditions; and

WHEREAS, the resolution was amended on October 8, 1935 and November 10, 1936 and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 16, 1935, as amended by resolutions adopted October 8, 1935 and November 10, 1936, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7f for a term of ten (10) years from the date of this *amended* resolution, permitting that portion of the building with a frontage of 150 feet on 4th avenue, as indicated on revised plans marked

'Received October 4, 1935' to be occupied as a gasoline service station, *on condition* * * * and that other than as *amended* herein, the conditions of the resolutions adopted by the Board October 8, 1935 and November 10, 1936, shall be complied with in all respects and that a certificate of occupancy shall be obtained."

170-37-BZ

APPLICANT—Saul Steinlauf, for Hermine Corliss, owner.

SUBJECT—Application for Approval of Plans—re Application (decision of the commissioner of buildings) previously granted on condition under section 7f of the zoning resolution, permitting in a business use district, for a term of ten years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—79-05 Little Neck road, southeast corner of Union Turnpike (Block 12, Lots 4, 5 and 6), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Saul Steinlauf, Hermine Corliss, William O. Staber and Albert Taufman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and revised plans approved.

THE VOTE TO REOPEN AND APPROVE REVISED PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (170-37-BZ)

WHEREAS, this application, under section 21 of the zoning resolution permitting in a business use district the erection and maintenance of a gasoline service station, affecting premises 79-05 Little Neck road, southeast corner of Union turnpike (Block 12, Lots 4, 5 and 6), Floral Park, Borough of Queens, was granted by the Board April 12, 1938, on certain conditions; and

WHEREAS, on October 11, 1938, plans were approved by the Board, in accordance with the resolution of April 12, 1938; and

WHEREAS, time was extended to obtain permits and complete the work, on October 3, 1939 and October 8, 1940; and

WHEREAS, on March 18, 1941, under section 7f of the zoning resolution, the permit was extended for a term of ten (10) years; and

WHEREAS, a further extension of time to obtain permits and complete the work, was granted on May 5, 1942, June 8, 1943 and May 9, 1944; and

WHEREAS, the applicant requested a further extension of time and a further extension of the permit; and

WHEREAS, the Board deemed that the time to complete should be extended as well as the term of the variance, in view of the conditions that have prevailed under which no construction could be done, as to a building deemed unessential for the war effort; and

WHEREAS, on April 10, 1945, the Board extended for one year, the time to obtain permits and also extended the permit for a term of ten (10) years; and

WHEREAS, the applicant requested an amendment of the resolution and approval of the revised plans.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted April 12, 1938, as amended October 11, 1938, as to approval of plans, by adding thereto:

"* * * that the plans approved October 11, 1938, and marked 'Received October 5, 1938' may be amended in the following respects:

that the lubritorium section may be increased in depth not over two feet and in width not over four feet; that the rear space at the back of lubritorium may be reduced to not less than four feet; that the slate on the roofs may be heavy variegated slate; that a portion of the false timberwork on the rear elevation may be eliminated; that the wall on the easterly lot line may be increased to not over seven feet; that the gates shown at entrance of lubritorium section may be changed to overhead doors; that the window in the rear wall of the lubritorium section shall be changed to 6 x 6 glass block as approved for exterior wall without access panels; that such resolutions as amended through April 10, 1945, shall be complied with in all respects except as herein *amended* as to approved plans (Permit 969-37)."

233-41-BZ

APPLICANT—George M. McClelland, lessee, for Madeline Coghlin, executrix for Estate of James Coghlin, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in residence and partly in business use districts, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—9419-9423 Fifth avenue, east side, 102 ft. 8½ in. north of 95th street (Block 6118, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: George M. McClelland.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (233-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a residence use district and partly in a business use district, for a term of two years, the parking and storage of more than five motor vehicles affecting premises 9419-9423 Fifth avenue, east side, 102 ft. 8½ in. north of 95th street (Block 6118, Lot 5), Borough of Brooklyn, was granted by the Board on October 15, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 3, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 15, 1941, only so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"* * * *granted,* under section 7h, for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as *amended* herein, the resolution adopted October 15, 1941 shall be complied with in all respects and that a certificate of occupancy shall be obtained."

705-41-BZ

APPLICANT—James A. Martin, for Idella R. Koeshel, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent), previously granted on condition under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—170 Beach 105th street, northeast corner of Shore Front parkway (Block 643, Lots 10, 17 and 18), Rockaway Beach, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: James A. Martin and Idella R. Koeshel.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (705-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 170 Beach 105th street, northeast corner of Shore Front parkway (Block 643, Lots 10, 17 and 18), Rockaway Beach, Borough of Queens, was granted by the Board on July 21, 1942, on certain conditions; and

WHEREAS, the permit was extended on July 5, 1944 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 21, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h of the zoning resolution for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure type shall be so stored or parked and only motor vehicles in condition for operation; that the plot shall be leveled substantially to the grade of Beach 105th street and shall be adequately surfaced; that adequate fences shall be maintained on all lot lines, including the woven wire fence separating the lot from Shore Front parkway; that the entrance shall be solely from Beach 105th street; that such entrance shall not exceed 15 ft. in width with a curb cut opposite, not exceeding such width; that during the term of this variance, the premises shall be occupied for no other use and no building shall be erected thereon; that no signs shall be displayed, except there may be one sign attached to the fence, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that all permits shall be obtained and all work completed within two months from the date of this *amended* resolution and that a certificate of occupancy shall be obtained (Misc. Applic. 6142-42)."

140-42-BZ

APPLICANT—Anthony M. DeRose, for Anton Escherich, owner.

SUBJECT—Application reopened March 28, 1944, re (decision of the borough superintendent)—under section 7e of the zoning resolution, to permit in a business use district, the erection and maintenance of a six-car garage on same plot with existing five-car garage (previously denied under section 21).

PREMISES AFFECTED—2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block 3264, Lot 63), Borough of The Bronx.

APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (140-42-BZ)

WHEREAS, this application under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing five (5) car garage, affecting premises 2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block 3264, Lot 63), Borough of The Bronx, was denied on February 23, 1944; and

WHEREAS, the applicant requested a reopening of the application and restoration to the calendar, under section 7e of the zoning resolution; and

WHEREAS, this case was reopened by vote of the Board on March 28, 1944, and restored to the calendar, subject to usual procedure; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1206-40-BZ

APPLICANT—M. J. Martin & Son, Inc., for M. J. Martin & Sons and James Keane, owners.

SUBJECT—Application for consideration—re opening and extension of permit re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—5550 Broadway, northeast corner of Kimberly place (Block 3266, Lots 155, 157 and 159), Borough of The Bronx.

APPEARANCES—
For Applicant: William E. Martin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

1213-40-BZ

APPLICANT—Frank S. Parker, for Gottfried Baking Company, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 7g of the zoning resolution, to permit in an unrestricted use district, the erection and maintenance of a building to be used as a garage for more than five motor vehicles and also a motor vehicle repair shop; plot in question is located within 200 ft. of a public park (previously dismissed for lack of prosecution).

PREMISES AFFECTED—727-31 11th avenue, west side, 50 ft. 2½ in. south of West 52nd street (Block 1099, Lots 32, 33 and 34), Borough of Manhattan.

APPEARANCES—
For Applicant: Frank S. Parker.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

MINUTES

MATERIAL SUBMITTED FOR APPROVAL

901-42-SM

APPLICANT—Onyx Oil and Chemical Co., owner.

SUBJECT—Application for consideration—reopening and amendment (as to additional name) re Approval of Onyx Flameproof S P Compound.

APPEARANCES—

For Applicant: Dr. Hugh H. Mosher.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (901-42-SM)

WHEREAS, the Onyx Oil and Chemical Co., owner filed on December 26, 1942, an application with the Board of Standards and Appeals for the approval of the material known as Onyx Flameproof S. P. Compound; and

WHEREAS, on June 8, 1943, this material was approved by the Board, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, for permission to market his material under the trade name of "Repel-O-Flame."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 8, 1943, by adding thereto:

"* * * that this material may hereafter be marketed under the name "Repel-O-Flame", *on condition* that the requirements of the resolution adopted June 8, 1943 shall be complied with."

Adjourned: 5:00 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

AMENDMENTS TO THE BUILDING LAWS

Now on Sale at The City Record Office

In order to bring the Building Laws of The City of New York more up-to-date, pamphlets are now available containing the Amendments to those Laws up to December 31, 1943, including such Amendments to the Multiple Dwelling Law as were enacted by the Legislature in 1944.

These Amendments are printed in four pamphlets so that the subjects covered in each pamphlet will conform to the subjects contained in each volume of the Building Laws to which it relates.

Copies are on sale at the Office of the Supervisor of The City Record, 2213 Municipal Building, Manhattan, New York 7, N. Y. The prices are: For Amendments to Volumes 1 and 3, ten cents each; for Amendments to Volumes 2 and 4, twenty cents each.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code of the City of New York, Pocket Edition—344 pages, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan, N. Y. 7. Price 75 cents; by mail 85 cents.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigrant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11") CFC_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the privisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C-19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114, when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigeration system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instruction or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction. The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigeration Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in. Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency swith controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where is can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1	Col. 2 Low Pressure Side	Col. 3
	High Pressure Side	With Safety Valves	Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane, No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons.....	1—½"	1—½"
30 to 60 tons.....	1—½"	1—¾"
60 to 100 tons.....	1—½"	1—1"
100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in Co_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

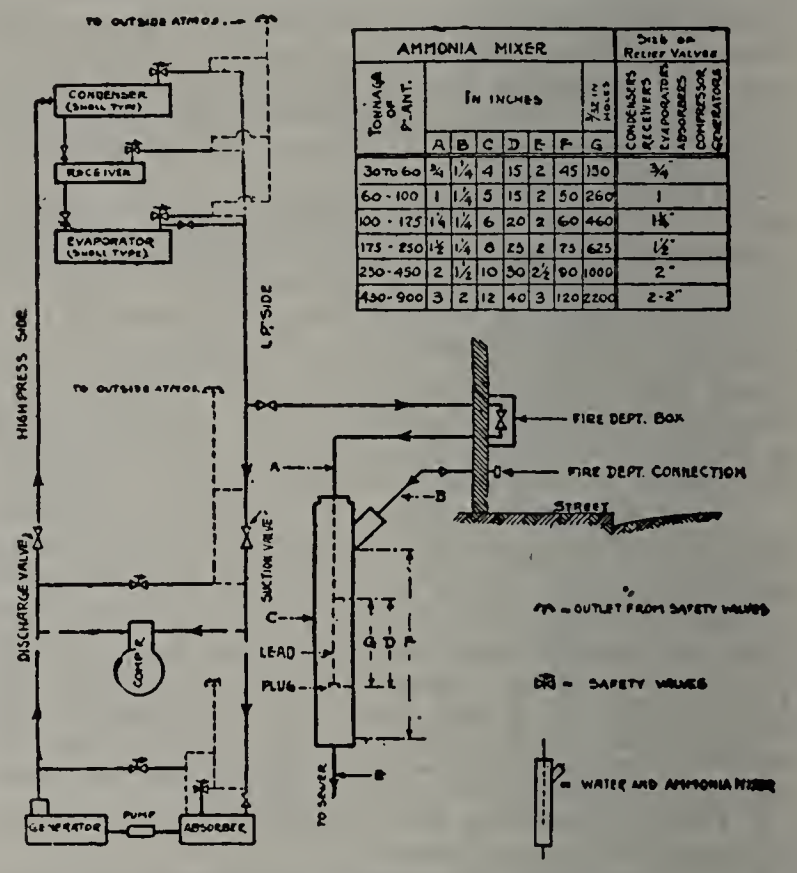
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

§C19-152.0. Violations.

Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

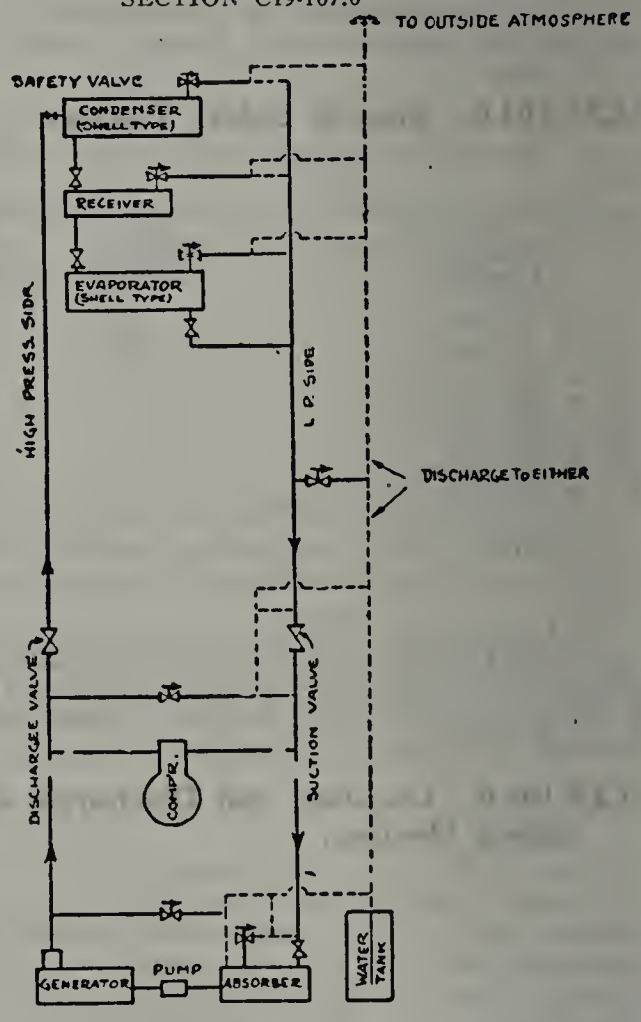


AMMONIA MIXER

Tonnage of Plant	In Inches A	B	C	D	E	F	G (⅞ in Holes)	Size of Relief Valves: Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

SECTION C19-107.0

2.05
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
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Minutes of Regular Meeting of Tuesday Afternoon, November 13, 1945, Affecting Calendar Numbers 561-45-A, 575-45-A, 579-45-A, 580-45-A, 607-45-A, 656-45-A, 617-24-BZ, 331-32-BZ, 535-32-BZ, 361-37-BZ, 480-37-BZ, 866-38-BZ, 1308-39-BZ and 284-42-BZ.

PETITION AND CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On November 15, 1945, copy of petition and order of certiorari was served on the Board by Lorenz, Finn & Lorenz, attorneys for 108 West 34th Street Corp., owner of Premises 108 West 34th Street, in objection to variance granted by the Board on October 16, 1945, for extension of building (elevators) exceeding area limitations; Cal. No. 481-45-BZ; premises 102 West 34th Street. 105 West 33rd Street and 1293-1311 Broadway, Borough of Manhattan.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 13, 1945.

Cal. No. Dept. Premises Affected

683-45-A—H.B.M.—49-55 Lexington avenue east side, 39.6 ft. south of East 25th street (3rd to 6th floors, inclusive); (Block 880, Lot 66), Borough of Manhattan, Alt. 686-44.

684-45-SA—Otis Type "G" Hoistway Door, Car Door or Gate Contact, Appliance.

685-45-BZ—H.B.B.—1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn, Alt. 3247-45:

686-45-A—H.B.B.—300 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn, Alt. 3172-45.

687-45-BZ—H.B.B.—3712-3714 13th avenue, west side, 70 ft. and 90 ft. south of 37th street (Block 5295, Lots 37 and 38), Borough of Brooklyn, Alt. 2918-45 and Alt. 2919-45.

688-45-BZ—H.B.Q.—162-34 Pidgeon Meadow road, west side, 289.54 ft. south of 46th avenue (Block 5461, Lot 40), Flushing, Borough of Queens, Alt. 1912-45.

689-45-A—F.D.—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn, Decision.

690-45-SA—Atomic Oil Burner, Models 1G, 2G, 3G, 4G and 5G, Appliance.

691-45-A—F.D.—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens, CMVO-37656.

692-45-A—H.B.B.—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn, Amendment to Alt. 1649-45.

693-45-A—H.B.M.—270-272 West 19th street, south side, 150 ft. east of 8th avenue (1st floor); (Block 768, Lots 75 and 76), Borough of Manhattan, Alt. 1703-45.

694-45-A—H.B.Bx—North side of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx, N.B.126-44, N.B.139-44 and N.B. 140-44.

695-45-A—F.D.—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn, 00010-C and Decision.

696-45-A—H.B.M.—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 46½), Borough of Manhattan, Misc. F.P. 2077-45.

697-45-A—F.D.—224 Tompkins street, southeast corner of Warren street (Block 552, Lots 23, 24, 25 and 26), Stapleton, Borough of Richmond, 18387-LF and Decision.

698-45-SA—Todd Type "P" Fully Automatic Oil Burning Unit, Models G-15, G-30, G-45, F-60 and G-90, Appliance.

699-45-A—F.D.—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn, 155590-LF and Decision.

Restored to Calendar.

289-40-BZ—H.B.Bx—103 Bruckner boulevard (formerly known as 447-457 East 133rd street), north side, 195 ft. west of Brown place (Block 2278, Lots 64-69, inclusive), Borough of The Bronx, Amendment to Alt. 960-39.

1025-39-BZ—H.B.R.—2505 Hylan boulevard, southwest corner of New Dorp lane (Block 4221, Lot 67), New Dorp, Borough of Richmond, Decision re N.B.148-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

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CALENDAR

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

NOVEMBER 20, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 20, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

293-45-BZ—Application, May 16, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Harry Pollack, owner, to permit in a business use district, the reconstruction of an existing gasoline service station and inclusion of a motor vehicle repair shop within 200 ft. of a hospital entrance; premises 739-747 Albany avenue, and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

296-45-BZ—Application, May 14, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Ida Gottfried, owner, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board); premises 1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

322-45-BZ—Application, May 29, 1945, under sections 7e, 7i and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Israel Fleiss, owner, to permit in a partly residence and business use district, the change in occupancy from stores to motor vehicle repair shops; premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

375-40-BZ—Application of Walter A. Beaudel, applicant and owner, reopened October 23, 1945 for consideration as to extension of time to obtain permits and complete work—Application, previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station; premises 144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, northwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

212-35-BZ—Application of Jack Z. Cohen, applicant, on behalf of Estate of Edwin J. Long (Loleta A. Long, temporary administratrix), owner, reopened October 30, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles for a temporary period; premises 6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

691-45-A—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Appliances for Approval

103-45-SA—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector.

558-45-SA—Peerless DeLuxe Lowboy Vented Gas Circulators.

General Resolution

1464-39-GR—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 20, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 20, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

389-42-BZ—Application of Emanuel H. Jerabek, applicant on behalf of Dominick Carl Carena, owner, reopened October 16, 1945 for consideration as to amendment of resolution—re Application previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station; premises 82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

Appeals from Administrative Decisions

554-45-A—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

600-45-A—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

608-45-A—40-16 31st street, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

653-45-A—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.

637-45-A—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.

575-45-A—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

579-45-A—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

580-45-A—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

607-45-A—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan.

CALENDAR

656-45-A—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

613-45-A—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens (Under section 35, General City Law re bed of mapped street—32nd avenue).

632-45-A—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn.

657-45-A—1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 441-459 7th avenue and 108-156 West 35th street (Block 810, Lot 1), Borough of Manhattan.

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

680-45-A—279 Hebertson avenue, west side, 119.17 ft. north of Albion avenue (Block 1031, Lot 24), West Brighton, Borough of Richmond.

696-45-A—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 45½), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 27*, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

344-45-BZ—Application, June 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Antonio Sicuro, owner, to permit in a retail and business use district, the extension of an existing building; premises 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

616-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Vode Realty Corp., owner, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling to showrooms which does not comply with B area requirements of zoning resolution; premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

Appeals from Administrative Decisions

710-45-A—84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn.

631-45-A—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

617-45-A—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

General Resolution.

1464-39-GR.—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR. addition of the inspection agency, Alfred T. Holl of Canton, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 27*, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

628-45-A—1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

CALENDAR

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

717-45-A—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.

713-45-A—56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan.

655-45-A—43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 90), Borough of Brooklyn.

723-45-A—58-50 and 58-56 214th street, northwest corner of Horace Harding boulevard (Block 7464, Lot 27), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 4, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

708-45-BZ—Application, November 15, 1945, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Sears, Roebuck & Co., owners, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; premises 2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

691-45-A—34-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Materials for Approval.

536-45-SM—Silbraz Joints, Walseal, Flaggseal, Craneseal and Faircoseal.

615-45-SM—Port Obround 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 4, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

699-45-A—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

594-45-A—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan.

686-45-A—300 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

694-45-A—North side, of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx.

715-45-A—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 11, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

CALENDAR

619-45-BZ—Application, October 18, 1945, under section 7a of the zoning resolution, of James Whitford, applicant, on behalf of William J. Couch, owner, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop; premises 977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

234-36-BZ—Application of Joseph Brill, applicant, on behalf of Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee), reopened September 25, 1945, under section 21 of the zoning resolution, to permit in a retail 1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school; premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

597-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

137-45-A—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn (reopened and restored to the calendar October 16, 1945; previously withdrawn).

444-45-A—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3 to 15), Long Island City, Borough of Queens.

754-45-A—Re Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in conformity with Administrative Code requirements covering Tank Trucks).

695-45-A—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliance for Approval.

538-45-SA—Cyclotherm Steel Generator (Oil Burner).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER, 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 11, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

686-45-A—330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

643-45-A—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Edgemere, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 49th street).

625-45-A—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond.

677-45-A—509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn.

692-45-A—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

714-45-A—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and

CALENDAR

garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 13, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, and Tuesday afternoon, October 16, 1945, were approved as printed in Bulletin No. 43, Volume 30.

ZONING APPLICATIONS

558-37-BZ

APPLICANT—Philip S. Garozzo, for Michael Garozzo (lessee), for Druiss Co., Inc., owner.

SUBJECT—Application reopened October 9, 1945, for consideration as to extension of variance—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip S. Garozzo.

For Opposition: Harold Klorfein, Park Dept.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (558-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 62-66 Henry street and 23-29 Market street, southwest corner (Block 277, Lots 24 to 27, inclusive), Borough of Manhattan, was granted by the Board on September 27, 1938, on certain conditions; and

WHEREAS, the permit was extended on December 1, 1942 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on October 9, 1945, restored to the calendar and set for hearing on November 13, 1945, at 10 A.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 27, 1938, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended*, the provisions of the resolution of September 27, 1938 shall be complied with and that a certificate of occupancy shall be obtained."

803-38-BZ

APPLICANT—Lama & Proskauer, for Anna Weiss, owner.

SUBJECT—Application reopened September 25, 1945, for consideration as to extension of variance (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (803-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx, was granted by the Board on January 24, 1939, on certain conditions; and

WHEREAS, the permit was extended on February 4, 1941, and February 9, 1943 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on September 25, 1945, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 24, 1939, only in so

far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* . . . that other than as herein *amended*, the provisions of the resolution of January 24, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

248-39-BZ

APPLICANT—Lester L. Callan, for Nicholas J. Roth, lessee (Janssen Dairy Corp., owner).

SUBJECT—Application reopened October 2, 1945, for consideration as to extension of variance—Application (decision of the borough superintendent), previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of an existing building, to a motor vehicle repair shop.

PREMISES AFFECTED—41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Lester L. Callan.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (248-39-BZ)

WHEREAS, this application under section 21 of the zoning resolution, permitting in a business use district, for a term of five years, the conversion of occupancy of an existing building, to a motor vehicle repair shop, affecting premises 41 Barker street, east side, 700 ft. north of Castleton avenue (Block 197, Lot 34), West New Brighton, Borough of Richmond was granted by the Board on June 27, 1939, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on October 2, 1945, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the applicant amended the basis of his application to section 7i of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 27, 1939, so that as amended, the resolution shall read:

"*Granted* under section 7, subdivision i of five (5) years from the date of this *amended* resolution, to permit the premises to be occupied as an automobile repair shop, *on condition* that there shall be no anvil or forges installed or used; that no heavy work or collision work shall be done and the only work done shall be by means of hand tools and motor-driven tools not requiring motor power of more than ½ h.p. each; that no signs shall be erected on the premises except one across the front, advertising the automobile repairing, but excluding all temporary and roof signs; that no gasoline shall be stored on the premises other than in the tanks of the cars being repaired; that all permits shall be obtained and all work completed within six (6) months from date of this *amended* resolution and that a new certificate of occupancy shall be obtained."

407-40-BZ

APPLICANT—Lama & Proskauer, for Frederick L. Cranford, as trustee under declaration of trust, owner.

SUBJECT—Application reopened September 25, 1945 for consideration as to extension of time to complete work (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7f of the zoning resolution, for a term of ten years, permitting the premises within the business use district to be occupied as a gasoline service station and, also, the erection and maintenance of an accessory building.

PREMISES AFFECTED—1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Time and permit extended.

THE VOTE TO EXTEND TIME AND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (407-40-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting the premises within the business use district, to be occupied as a gasoline service station, for a term of ten (10) years and also the erection and maintenance of an accessory building, affecting premises 1927-1935 Flatbush avenue, northeast corner of Kings Highway (Block 7819, Lot 20), Borough of Brooklyn, was granted by the Board on July 16, 1940, on certain conditions; and

WHEREAS, on November 18, 1941, the time to obtain permits and complete the work was extended for one year therefrom and the applicant requested a further extension of time for such similar purpose and for the extension of the permit; and

WHEREAS, this case was reopened by vote of the Board on September 25, 1945, restored to the calendar and set for hearing on November 13, 1945 at 10 A.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the applicant now states that all permits have been obtained and part of the work consisting of foundations completed; that the work had been suspended due to the war and the military absence of the tenant.

Resolved, that the Board of Standard and Appeals does hereby *amend* the resolution of July 16, 1940, only in so far as it has reference to obtaining permits, completion of the work and extension of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a term of ten (10) years from the date of this *amended* resolution, to permit the premises under appeal within the business use area to be occupied as a gasoline service station, *on condition* . . . that other than as herein *amended*, the provisions of the resolution of July 16, 1940 shall be complied with and that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

256-45-BZ

APPLICANT—Samuel J. Resnick, for Angelo Rodolico, Vincenzo Bongiorno, Sebastiano Rodolico and Guiseppe Rodolico, owners (Jack Wollenberg lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, and fender and body repairs, in an existing garage for more than five automobiles.

MINUTES

PREMISES AFFECTED—1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, Lot 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel J. Resnick, Ann Duncan and Jack Wallenberg.

For Opposition: Josephine Lamoneca, Louisa Raiano and R. Cesianamo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (256-45-BZ)

WHEREAS, Samuel J. Resnick, for Angelo Rodolico, Vincenzo Bongiorno, Sebastiano and Guiseppe Rodolico, owners (Jack Wollenberg, lessee), filed May 2, 1945 an application under sections 7c and 21 of the zoning resolution, to permit in a residence and local retail use district, the inclusion of auto repairs, auto painting, fender and body repairs in an existing garage for more than five automobiles; affecting premises: 1732-1740 Pacific street, south side, 75 ft. west of Utica avenue (Block 1342, lot 40), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Pacific street is in a residential and local retail use, C area and Class 1 height district; Utica avenue is in a manufacturing and local retail use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 3, 1945, re Alt. App. 212-45, reads:

"1. Proposed increase in occupancy from garage for more than 5 cars to garage for more than 5 cars, motor vehicle repair shop, auto painting and body and fender repairs, located within a residential & local retail district is contrary to Art. 2, Sect. 3 & Art. 2, Sect. 4C of the Zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot 97 ft. frontage by 107 ft. 2½ in. in depth, occupied by a building 97 ft. frontage by 107 ft. 2½ in. in depth, one story, 13 ft. high, of Class 3 construction; that it is proposed to increase the occupancy for a garage for more than five cars, to a garage for more than five motor cars, motor vehicle repair shop, auto painting and body and fender repairs and that the gasoline pumps will be discontinued and no gasoline stored; and

WHEREAS, the applicant contends that the building was erected in 1925, when the area was zoned for unrestricted use; that the building has been used since that year, as a garage for more than five motor vehicles with repairs incidental thereto; that Fire Department practice does not require an owner to obtain a separate permit for repairs, when conducted in a garage located in an unrestricted use district and there is therefore no record that premises have been used previously for repair of motor vehicles; that, further the building was never used legally for any other purpose than garage for more than five motor vehicles; that the zone was subsequently changed (November, 1940), so that the building is partly in local retail and partly in residence use district; that the present lessee obtained possession in March 31, 1944, under lease which permitted the use of the building for garage, motor vehicle repairs, auto painting and body and fender repairs; that the terms of the lease require the lessee to obtain all necessary permits for the conduct of the business; that the lessee has spent considerable money in making premises available for repair and painting of motor vehicles and received a violation from the Borough Superintendent for motor vehicle repairing and garage for more than five cars contrary to the original certificate of occupancy, which permitted garage use only; that the area is given over largely to unrestricted use, which was recognized by the City Planning Commission, when it rezoned portion of the block opposite, to manufacturing use on January 2, 1945, for specific purpose of allowing an extension to existing one-story brick Dept. of Sanitation garage located on lot 18, block 1336; that proposed use of the subject building for motor vehicle repairs, does not tend to depreciate the value of neighboring property; that the continued use of the building as a garage is not economically feasible, because of present war conditions; that the present lessee entered into possession, believing the building having been designed for garage use, could be used for the intended use; that the variation requested herein, is in harmony with the conditions in the neighborhood, especially in view of proposed extension of the Dept. of Sanitation garage on opposite side of Pacific Street; that the painting operations to be conducted in this building will be strictly in conformance with the Code requirements and the Board's Rules and no noxious odors should emanate from the spraying operations, by reason of the conformance thereto; that the amount of vehicular traffic entering the street by reason of the proposed use, will be far less than that which occurred during the previous garage occupancy; that the existing garage use, as a storage garage and gasoline sales to the public, were heretofore conducted; that it is now proposed to discontinue sale of gasoline and to seal up the tanks and remove the pumps; that the expense incurred by lessee in making premises ready for the repair shop, approximates $2,000 or more; that he will suffer hardship if he cannot maintain this lease to carry the building during the present economic depression for garages; that the premises are unique in that the building is designed for garage use and as such, cannot be devoted to use which would be conforming in local retail or residence use zones in which it is located; that there is no other building in the neighborhood similarly situated and available for this use; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant at the hearing amended his basis of appeal to section 7i; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision i, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7i thereof, for a term of five (5) years from the date of this action, to permit the premises to be occupied as proposed, *on condition* that the building shall not be increased in height or area; that no new openings shall be constructed in the side or rear lot line walls; that signs shall be restricted to a permanent sign attached to the front of the building, excluding temporary signs, roof signs and illuminated signs; that the existing gasoline storage system shall be sealed to the satisfaction of the fire commissioner; that all equipment in connection with repairing shall be carried on in accordance with all laws, rules and regulations applicable thereto; that no work shall be carried on, except during regular working hours, excluding night work and work on Sundays and holidays; that no cars shall be parked on the street other than operable cars owned by the tenant or his employees; that all repair work shall be done inside the building; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

512-45-BZ

APPLICANT—Lama and Proskauer, for Victor A. Beard, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing.

PREMISES AFFECTED—50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama and Victor A. Beard.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (512-45-BZ)

WHEREAS, Lama and Proskauer, for Victor A. Beard, owner, filed August 22, 1945, an application under section 7i of the zoning resolution, to permit in a business use district, the change of occupancy of a garage for more than five motor vehicles, previously granted by the Board, to garage for more than five motor vehicles and servicing and auto repairing; affecting premises 50-60 Pennsylvania avenue, west side, 100 ft. south of Fulton street (Block 3669, Lot 22), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 13, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Pennsylvania avenue is in a business use, C area and Class 1 height district; Fulton street and Atlantic avenue are in a business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent acting on Alt. Applic. 2249-45, dated July 30, 1945, reads:

"1. Proposed change in occupancy from public garage for more than five motor vehicles, to public garage for more than five motor vehicles and servicing and repairing of cars in a business use district, is contrary to Art. II, Sec. 4(a)15 and 29 of the zoning resolution. Note: premises were the subject of conditional variations of the Board of Standards and Appeals, Cal. 1379-24-BZ."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage by 100 ft. in depth, on which there is a one story building, 15 ft. 4 in. in height, of Class 3 construction; that it is proposed to include in the existing garage, the additional use for the servicing and repairing of automobiles; and

WHEREAS, the applicant contends that the premises are improved with a one story masonry fireproof public garage for more than five motor vehicles; that this garage was granted by the Board under Cal. 1379-24-BZ; that permission is requested to include the servicing and repairing of motor vehicles, inasmuch as this is a fireproof building; that the additional use will in no way affect the surrounding area; that directly across the street, Block 3670, Lot 9, is improved with a one story brick public garage; that Lot 18 is improved with a gasoline service station; that Block 3669, Lot 3 is improved with a one story public garage; that Lot 13 also is improved with a one story brick garage; that in view of the foregoing facts, it is respectfully requested that this application be granted; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision i, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7 subdivision i, thereof, for a term of ten (10) years from the date of this action, to permit the premises to be occupied for motor vehicle repairing in addition to the occupancy as storage garage for more than five cars as permitted under Cal. 1379-24-BZ, *on condition* that the repairing shall be by means of hand tools only, except that a drill and grinder may also be permitted to be motor-driven, provided the motor required for each machine does not exceed ½ h.p.; that the equipment may also be installed for brake testing and wheel aligning as well as pneumatic lubricating lifts, as indicated on plans filed with this application marked "Received August 22, 1945"; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the boiler shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 1379-24-BZ, except that the gasoline pumps may be located as indicated on plans marked "Received August 22, 1945"; that curb cuts on Pennsylvania avenue shall be restricted to those as shown thereon.

55-45-BZ

APPLICANT—Lama and Proskauer, for Robert Schurz and Marie Goetz, owners.

SUBJECT—Application for consideration—amendment of resolution and approval of plans—re Application (decision of the borough superintendent) previously granted on condition under section 7f of the zoning resolution, permitting in a business use district, for a term of ten (10) years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn..... 3
Negative: Chairman Murdock 1

THE RESOLUTION (55-45-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district, for a term of ten (10) years, the erection and maintenance of a gasoline service station, affecting premises 51-65 Kingsland avenue (51-61 displayed) and 101-129 Woodpoint road, northwest corner (Block 2866, Lots 37 to 48 and 136), Borough of Brooklyn, was granted by the Board on July 24, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 24, 1945, by adding thereto:

"that complete plans marked 'Received October 16, 1945,' two sets, three sheets to each, are hereby *approved* as complying with the requirements of the resolution, provided the one story building shown toward the south as proposed for ice storage is erected at the same time as the proposed gasoline service station and to be used and occupied only as proposed, as a conforming building in a business district; that the area of the plot devoted to the gasoline service station use shall not exceed the total length along Kingsland avenue of 100 ft. and along Woodpoint road of 128 ft.; that curb cuts shall be restricted to two 25 ft. curb cuts as shown, to Woodpoint road and two 25 ft. cuts to Kingsland avenue and no portion of any curb cut to be nearer than 5 ft. to the intersection of Kingsland avenue and Woodpoint road; that the number of gasoline service tanks shall be restricted to four, 550 gallons each;

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that pumps shall be not nearer than 10 ft. to the street line; that the entire gasoline selling area, where not occupied by the accessory building, shall be paved with cement or asphalt; that the gasoline selling area shall not be occupied except for such use, together with the usual accessory uses, consisting of car washing, greasing and sale of accessories, but for no other uses; that, as provided in the resolution of July 24, 1945, all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

MATERIALS SUBMITTED FOR APPROVAL

74-45-SM

APPLICANT—Magnatrol Valve Corporation, owner.

SUBJECT—Magnatrol Valve (Solenoid Magnetic Valve for Control of Air), approval of.

APPEARANCES—
For Applicant: E. W. Brockman.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (74-45-SM)

WHEREAS, Magnatrol Valve Corporation, owner, filed on February 16, 1945, an application with the Board of Standards and Appeals for approval of the material known as Magnatrol Valve (Solenoid Magnetic Valve for Control of Air); and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 74-45-SM.

Subject: Magnatrol Valve (Solenoid Magnetic Valve for Control of Air), approval of.

The Magnatrol Valve Corporation of New York City, owner, filed an application with the Board of Standards and Appeals for approval of the Magnatrol Valve (Solenoid Magnetic Valve) for automatic interlocking of paint spray gun and ventilating equipment when used as shown in Fig. 1 for clearing the atmosphere of paint spray fumes as required by Rule 3.2 of the Rules governing the use of equipment for spray-

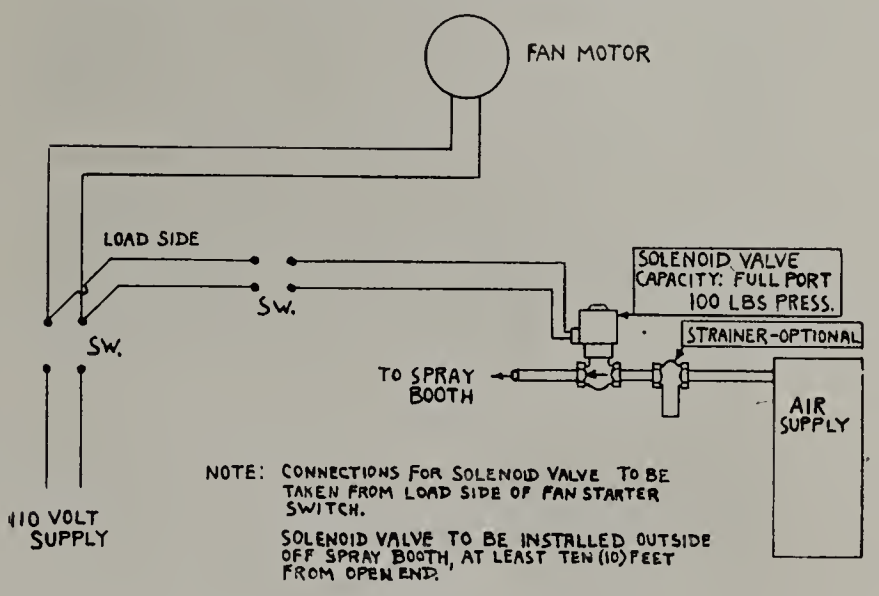
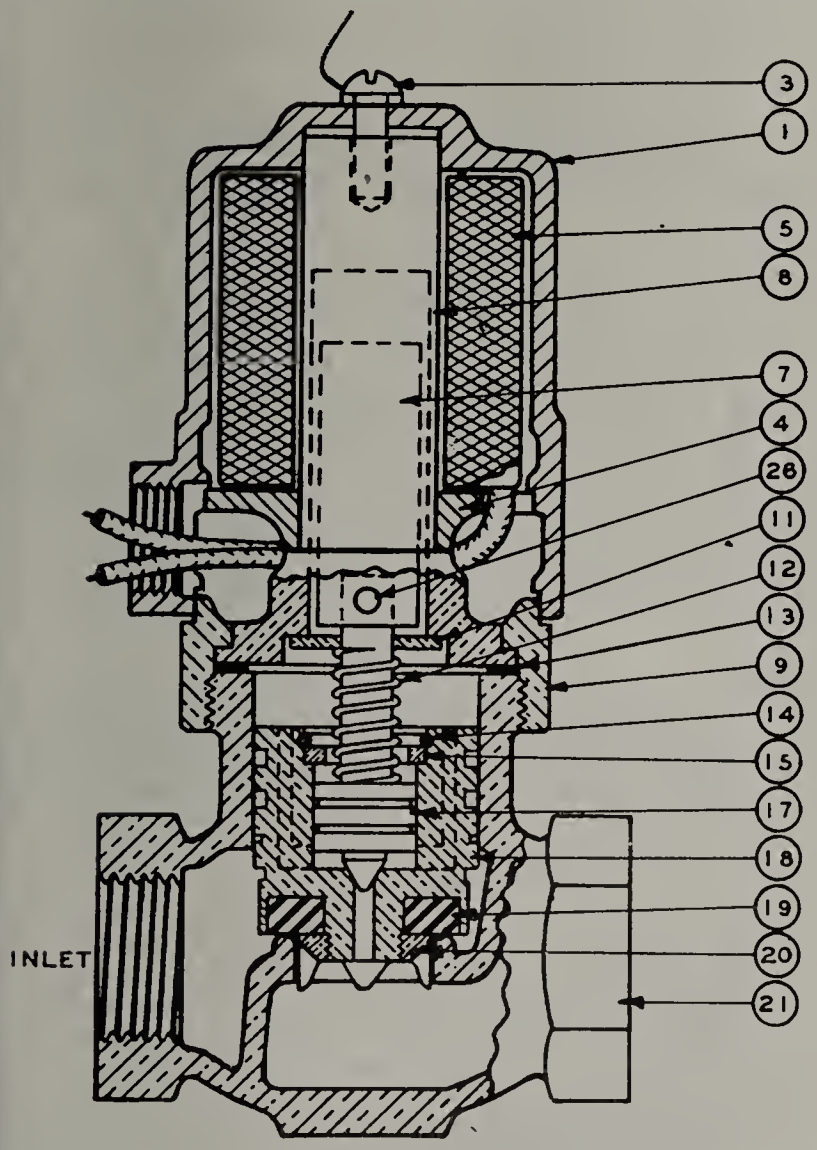


Fig. 1



List of Parts

1		SOLENOID CUP	
3		LOCK SCREW & WASHER	
4		SOLENOID BASE	
5		COIL 110-220--60	
7	+	PLUNGER	
8		BONNET	
9		BONNET RING	
11	+	SPRING DISC	
12	+	VALVE SPRING	
13		GASKET	
14	+	CLAMPING SPRING	
15	+	STOP COLLAR	
17	+	PILOT VALVE	
18	+	PISTON	
19	+	VALVE DISC C.W.	
20	+	DISC NUT	
21		VALVE BODY	
22		NAME PLATE & SCREWS	
26	+	STEM PIN	
	+	PISTON ASSEMBLY COMPLETE	

Fig. 2

ing and drying of paints, varnishes, lacquers and other flammable surface coatings and storage of such material adopted under Cal. 353-30-SR.

DESCRIPTION

Applicant's solenoid valves (Fig. 2) are furnished in sizes from ½" up to 3 in. and for handling air at 100 lbs pressure. Valves have no packing boxes or external moving parts, and are fully enclosed. Valves offer very little resistance to the air flow, having globe design body with valve port equal pipe size. Body and trim are bronze. Valve disc is the renewable Jenkins type, standard dimensions.

The method of connecting applicant's solenoid valves is shown on Fig. 1. Applicant requests consideration of their valve for installation outside the spray booth ten feet or more from the open end of booth or space where the spraying is being performed. Sample valve has been submitted to the Board for inspection.

The arrangement of equipment for automatic control is by means of a solenoid operated valve connected in the air supply line of the spray booth. Solenoid valve closes upon current failure. The magnet coil is connected to a double pole, single throw switch which is wired to the load side of the exhaust fan motor switch, so that solenoid valve can be energized only when fan motor is running. Therefore, before spray painting can start, it is necessary to close the fan switch and the valve switch, to provide a supply of air, and it is impossible to provide this supply of air without ventilating fan. When spray painting has been ended, the pulling of the valve switch first will permit additional exhausting of spray booth fumes before fan motor is stopped.

These valves are listed in the various sizes from ½" to 3" diameter.

INSPECTION AND TEST

A model of this valve in operation was inspected and tested at 745 Broadway, New York City, in the presence of the Committee on Tests, a representative of the Division of Combustibles of the Fire Department and representative of the manufacturer on October 10, 1945, and the valve was formed to function as designed and to actuate the spray gun and the fuse when switch was cut off at a distance of 10 ft.

RECOMMENDATION

On the basis of the inspection and test, the Committee recommends the approval of the Magnatrol Valve (Solenoid Valve) for control of air, in sizes from one-half inch to three inches, for uses in New York City, when connected in the manner shown on Fig. 1, be approved for use in New York City, under the Board's powers granted by the Charter of the City of New York, Section 661, Subdivisions 1 and 2, for use under Rule 3.2 of the Spray Rules (Calendar 353-30-SR) provided that when the valves are to be located within 10 ft. of the spray booth, only such valves as are approved for use in explosive atmospheres be installed and that explosion proof conduit be provided on the explosion proof valve for making electric connections to incoming power sources.

The Committee on Tests further recommends that all layouts, including the subject valves when submitted to the authorities having jurisdiction, shall comply with Fig. 1 and that the valves shall have a label reading: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. 74-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Magnatrol Valve (Solenoid Magnetic Valve for Control of Air), *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

486-45-SM

APPLICANT—Henry Spen & Co., owner.

SUBJECT—Henry Spen 275 Gallon Obround Fuel Oil Tank, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (486-45-SM)

WHEREAS, Henry Spen and Company, owner, filed on August 1, 1945, an application with the Board of Standards and Appeals for approval of the material known as the Henry Spen 275 Gallon Obround Fuel Oil Tank; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 486-45-SM October 10, 1945.

Subject: Henry Spen 275 Gallon Obround Fuel Oil Tank, Approval of.

Henry Spen and Company of New York City filed an application with the Board of Standards and Appeals for approval of the Henry Spen 275 Gallon Obround Fuel Oil Tank for use under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

Henry Spen 275 Gallon Fuel Oil Tanks are obround, made of Commercial grade hot rolled sheet steel #10 U. S. gauge heads and shell, complying with the Oil Burner Rules of the Board, in size 66 in. by 42 in. by 26 in. dished head, formed with extension rims to form a welding surface; flange seams and pipe connections are hand electric arc welded. The tanks are provided with standard pressed steel pipe support lugs and weigh 395 lbs. each with all fittings and lugs. The tank is equipped with four 2" threaded welded pipe connections at top and one 2" pipe connection at bottom of head. A ¾ inch connection is provided in bottom of shell.

TEST

A sample tank was tested at the yard of the Department of Water Supply, Gas and Electricity in the presence of the Committee on Tests and of the manufacturer and successfully met the requirements of Rule 10.3.1 of the Oil Burner Rules.

RECOMMENDATION

On the basis of the foregoing data, it is recommended that the Henry Spen 275 Gallon Obround Fuel Oil Tank be approved for use in New York City, when constructed in accordance with the report and with the drawings filed with the application, but nothing herein shall be deemed to waive any requirement of the Oil Burner Rules of the Board as amended July 1, 1941.

It is further recommended that the permanently affixed plate, as required by Rule 5.3.2, shall have in addition to the wording thereon required, the following addi-

tional wording: "Approved by the Board of Standards and Appeals under Cal. 486-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Henry Spen 275 Gallon Obround Fuel Oil Tank, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 11:15 A. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING,

TUESDAY AFTERNOON, NOVEMBER 13, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

APPEALS FROM ADMINISTRATIVE DECISIONS

561-45-A

APPLICANT—A Gordon Lorimer, for Department of Public Works, City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—34-28 21st street, west side, from 34th to 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Abraham Prober.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Commissioners Savage and Blum and Deputy Chief Gunn 3
Negative 0
Absent: Chairman Murdock 1

THE RESOLUTION (561-45-A)

WHEREAS, A Gordon Lorimer, for Department of Public Works, City of New York, owner, filed September 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 34-28 21st street, west side, from 34th to 35th avenues (Block 525, Lot 16), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1006-45, dated September 12, 1945, reads:

"1. Entire building is required to be of fireproof construction. Existing portion is not of Class 1 construction. Proposed increase in area of building is contrary to Sec. 4.2.1 Building Code."

and

WHEREAS, the applicant states that the existing building is one story and mezzanine (28 ft.) in height, 361 ft. by 105 ft., irregular in area, erected in 1930; located in an unrestricted use, B area, Class 1½ height district; of Class 3 construction; proposed to be altered and extended by replacing existing nonfireproof area 40 ft. by 100 ft. in area on 35th avenue front, with fireproof construction and the erection of a new fireproof extension 105 ft. by 96 ft., irregular in area, entire building to be used as a garage for more than five motor vehicles, office, lockers and toilet rooms, 230 persons; and

WHEREAS, the applicant contends that although the entire area of the building is in excess of that permitted by Section 4.2.1, the new addition being of fireproof construction, will in no way increase the hazard of the existing building; it is therefore requested that approval be granted, to erect the construction as proposed, as it is adjunct to the existing building; that denial of this appeal would mean frustration of the city's desire to provide adequate service to the people, as it is deemed necessary by the Department of Sanitation.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1006-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a deluge system, equipped with approved rate of rise detectors, all as shown on plans filed with this appeal marked "Received November 9, 1945", shall be provided and maintained; that in all other respects, the construction and occupancy shall meet the requirements of all laws, rules and regulations applicable thereto.

575-45-A

APPLICANT—John J. Gilmartin, for Fagel Realty Corp., owner.
SUBJECT—Appeal from an order and decision of the fire commissioner.
PREMISES AFFECTED—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: Peter Maher, Fire Dep't.
ACTION OF BOARD—Laid over to November 20, 1945, at 2 P. M., for an inspection by a committee of the Board and for further consideration.

579-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945, at 2 P. M., for an inspection by a committee of the Board.

580-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 20, 1945, at 2 P. M., for an inspection by a committee of the Board.

MINUTES

607-45-A

APPLICANT—RCA Communications, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1,) Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Dorsey.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945 at 2 P. M., for an inspection by a committee of the Board.

656-45-A

APPLICANT—Christian J. Wolfe, for Rockwood and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings, 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Christian J. Wolfe and Howard J. Cameron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945, at 2 P. M., for an inspection by a committee of the Board.

ZONING APPLICATIONS

617-24-BZ

APPLICANT—S. J. Glaberson, for Lantic Corporation, owner.

SUBJECT—Application for consideration—reopening and and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under sections 7c and 21 of the zoning resolution, permitting the alteration and conversion of occupancy of a building used as a factory, stable and garage, located partly in a business use district and partly in an unrestricted use district, to a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—41-57 Third avenue and 522-528 Atlantic avenue, southeast corner (Block 186, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel J. Glaberson and Lester J. Goldman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RFESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (617-24-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use district and partly in an unrestricted use district, the alteration and converson of occupancy of a building used as a factory, stable and garage, to a garage for the storage of more than five motor vehicles, affecting premises 41-57 Third avenue and 522-528 Atlantic avenue, southeast corner (Block 186, Lot 1), Borough of Brooklyn, was granted by the Board on July 1, 1924, on certain conditions; and

WHEREAS, the resolution was amended from time to time, the last amendment having been made on May 28, 1940; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 1, 1924, as amended May 28, 1940, by adding thereto:

"* * * that in the event the owner desires to enclose the space at the corner of Atlantic and Third avenues for showroom purposes, as indicated on plans filed with the borough superintendent under Alt. Applic. 3047-45, copy of which was received by the Board marked 'Received October 27, 1945', such enclosure of showroom may be constructed as proposed, *on condition* that the resolution of the Board as amended May 28, 1940, shall be complied with in all other respects."

331-32-BZ

APPLICANT—Falk and Orleans, for Elijane Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a term of two years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Boston road and Astor avenue (Block 4343, Lot 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (331-32-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district for a term of two years, the erection and maintenance of a gasoline service station, affecting premises southeast corner of Boston road and Astor avenue (Block 4343, Lot 30), Borough of The Bronx, was granted by the Board on September 23, 1932, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been made on November 23, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 23, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a term of five (5) years from the date of this *amended* resolution, *on condition* . . . that other than as herein *amended,* the conditions of the resolution of November 23, 1943, shall be complied with, and that a certificate of occupancy shall be obtained."

535-32-BZ

APPLICANT—McCombs and Ryan, for W. Parsons Todd, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a term of two years.

MINUTES

PREMISES AFFECTED—2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block 4346, Lot 5), Borough of The Bronx.

APPEARANCES—
For Applicant: Frederick F. Ryan.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (535-32-BZ)

WHEREAS, this application under section 7f of the zoning resolution, permitting in a business use district for a term of two years, the erection and maintenance of a gasoline service station, affecting premises 2300-2310 Boston road, and 701-709 Astor avenue, northeast corner (Block 4346, Lot 5), Borough of The Bronx, was granted by the Board on November 16, 1937 on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been made on June 20, 1944 and expiring on November 16, 1945; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 21, 1939, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7f for a term of five (5) years from the date of this *amended* resolution, *on condition* . . . that other than as herein *amended,* the conditions of the resolution of November 21, 1939, shall be complied with, and that a certificate of occupancy shall be obtained."

361-37-BZ

APPLICANT—Samuels & Samuels, for Katherine S. Robertson, et al and Jennie Cohen, owners (Joseph D. Donohue, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91-01 to 91-19 Roosevelt avenue, north side, from 91st to 92nd streets, 37-59 to 37-67 91st street and 37-62 to 37-70 92nd street (Block 1479, Lots 38, 45 and 48), Jackson Heights, Borough of Queens.

APPEARANCES—
For Applicant: Archie H. Samuels.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative 0

THE RESOLUTION (361-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 91-01 to 91-19 Roosevelt avenue, north side, from 91st street to 92nd street, 37-59 to 37-67 91st street and 37-62 to 37-70 92nd street (Block 1479, Lots 38, 45 and 48), Jackson Heights, Borough of Queens was granted by the Board on November 12, 1941, on certain conditions; and

WHEREAS, the permit was extended on November 30, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 12, 1941, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein amended, the conditions of the resolution of November 12, 1941, shall be complied with, and that a certificate of occupancy shall be obtained (Misc. applic. 10471-40)"

480-37-BZ

APPLICANT—John R. Davies, for Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—21-25 Union Square West, west side, 52 ft. north of East 15th street (Block 843, Lots 22 and 25), Borough of Manhattan.

APPEARANCES—
For Applicant: James P. Callenden and Ira Levin.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (480-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block 843, Lots 22 and 25), Borough of Manhattan, was granted by the Board on June 14, 1938, on certain conditions; and

WHEREAS, the permit was extended on June 11, 1940, January 19, 1943, and February 6, 1945; and

WHEREAS, the applicant requested on amendment to the resolution, to permit an entrance to Union Square West.

Resolved that the request to reopen be and it hereby is *denied.*

866-38-BZ

APPLICANT—Ralph A. Santoro, for The Lafayette National Bank of Brooklyn, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block 831, Lots 20 to 24, inclusive), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: Ralph A. Santoro.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (866-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block 831, Lots 20 to 24, inclusive), Astoria, Borough of Queens, was granted by the Board April 18, 1939, on certain conditions; and

WHEREAS, the permit was extended on April 15, 1941, and September 14, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 18, 1939, as amended through September 14, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the plot to be used for the parking and storage of more than five motor vehicles, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of April 18, 1939, shall be complied with, and that a certificate of occupancy shall be obtained (N.B. 7764-38)."

1308-39-BZ

APPLICANT—Louis Tiseo (lessee), for Manufacturers Trust Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—32-14 31st street, west side, 130 ft. south of Broadway (Block 587, Lot 43), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: Alfred Ekelman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (1308-39-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 32-14 31st street, west side, 130 ft. south of Broadway (Block 587, Lot 43), Astoria, Borough of Queens, was granted by the Board on December 2, 1941, on certain conditions; and

WHEREAS, the resolution was amended on October 14, 1942, and the permit was extended on November 30, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 2, 1941, as amended through November 30, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 7h for a term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* . . . that other than as herein amended, the conditions of the resolution of December 2, 1941, as amended on October 14, 1942, shall be complied with and that a certificate of occupancy shall be obtained (Misc. applic. 4250-41)."

284-42-BZ

APPLICANT—Lama and Proskauer, for North American Oil Corporation, owner (Matt David, lessee).

SUBJECT—Application for consideration—reopening and amendment as to rearrangement—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, for a term of ten (10) years, the erection and maintenance of a garage for more than five motor vehicles, lubritorium, dressing rooms and offices, upon a plot occupied as a gasoline service station with individual garages.

PREMISES AFFECTED—1672-1680 86th street, southeast corner of Bay 14th street (Block 6365, part of Lot 33), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (284-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district for a term of ten years, the erection and maintenance of a garage for more than five motor vehicles, lubritorium, dressing rooms and offices, upon a plot occupied as a gasoline service station with individual garages, affecting premises 1672-1680 86th street, southeast corner of Bay 14th street (Block 6365, part of Lot 33), Borough of Brooklyn, was granted by the Board on April 6, 1943, on certain conditions; and

WHEREAS, time to complete the work extended on March 28, 1944 and March 27, 1945; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 6, 1943, by adding thereto:

". . . that in view of decision by the borough superintendent acting on N.B. Applic. 1-1942, objection dated October 5, 1945, that revised plans marked "Received October 13, 1945", may be accepted in lieu of plans previously approved marked "Received April 7, 1942", *on condition* that in all other respects, the resolution adopted April 6, 1943, shall be complied with; that the gasoline pumps shall be located substantially as shown, except located 15 ft. from the building line of 86th street."

(Remaining minutes of the meeting of November 13, 1945 will be printed in the Bulletin of November 20, 1945.)

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman
BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-5600.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Continuation of Minutes of Regular Meeting of November 13, 1945, Affecting Calendar Numbers 399-40-BZ, 410-40-BZ, 1025-39-BZ, 289-40-BZ and 389-42-BZ.

Minutes of Regular Meeting of Tuesday Morning, November 20, 1945, Affecting Calendar Numbers 612-45-BZ, 212-35-BZ, 375-40-BZ, 293-45-BZ, 296-45-BZ, 322-45-BZ, 675-45-A, 691-45-A, 103-45-SA, 558-45-SA and 1464-39-GR.

Minutes of Regular Meeting of Tuesday Afternoon, November 20, 1945, Affecting Calendar Numbers 554-45-A, 575-45-A, 579-45-A, 580-45-A, 600-45-A, 607-45-A, 608-45-A, 613-45-A, 632-45-A, 637-45-A, 653-45-A, 656-45-A, 657-45-A, 680-45-A, 671-45-A, 696-45-A, 1333-22-BZ, 77-33-BZ, 569-37-BZ, 276-43-BZ, 599-44-BZ, 263-19-BZ, 336-37-BZ, 58-39-BZ, 297-39-BZ, 389-42-BZ, 116-44-BZ, 166-38-SA and 1345-39-SM.

Correction Affecting Calendar Numbers 509-45-A and 449-44-BZ.

Rules governing the use of equipment for spraying and drying of paints, varnishes, lacquers and other flammable surface coatings and storage of such materials.

COURT DECISION

Matter of McDowell vs. Murdock:—On September 14, 1943, the Board denied an appeal to declare a building used as a riding stable as a lawfully existing non-conforming use, established prior to July 25, 1916; Cal. 346-43-A; premises 87-86 188th Street, west side, 100 ft. north of Hillside Ave., Hollis, Borough of Queens. Upon Court review, Mr. Justice Johnson referred the matter to an official referee to take testimony and report findings to the court as to the establishment of the use and its continuance. (N.Y. Law Journal, October 24, 1945).

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 20, 1945.

Cal. No. Dept. Premises Affected

700-45-SM—General Bronze Corp., Aluminum Windows, types Permatite and Alwintite, manufactured by General Bronze Corp., Material.

701-45-BZ—H.B.Bx—700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx, Alt. 663-45.

702-45-BZ—H.B.Q.—182-70 Union Turnpike, southwest corner of Chevy Chase road (Block 7248, Lot 39), Jamaica, Borough of Queens, N.B. 1303-45.

703-45-SA—Watson Electro-Mechanical Interlock, Type 5-B, Appliance.

704-45-A—F.D.—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn, 747-LC.

705-45-SM—Egan 275 Gallon Fuel Oil Storage Tank, manufactured by James Egan, Material.

706-45-SM—Flexicore Floor and Roof Slabs, manufactured by Flexicore Co., Inc., Material.

707-45-SM—Akweld Obround 275 Gallon Fuel Oil Tank, manufactured by Akweld Construction Corp., Material.

708-45-BZ—H.B.B.—2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn, B.N. 1417-45.

709-45-SM—Eronel Antoxol and Eronel Firefoil (fireproofing solution), manufactured by Eronel Services, Material.

710-45-A—F.D.—84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn, Decision re 601-LC.

711-45-SA—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, WPH and LPH, Appliance.

712-45-A—H.B.Bx—5440 Independence avenue, east side, 315.46 ft. north of West 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx, Amendment to Alt. 227-45.

713-45-A—H.B.M.—56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan, Alt. 1852-45.

714-45-A—H.B.M.—Block bounded by East 14th street, north side to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Stuyvesant Town Houses); (Blocks 946-951 inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1), Borough of Manhattan, Amendment to N.B. 11-45 to N.B. 45-45, inclusive.

715-45-A—H.B.M.—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (proposed 5th floor); (Block 920, Lot 56), Borough of Manhattan, Alt. 1694-45.

716-45-A—F.D.—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn, Decision re 98342-LC.

717-45-A—H.B.M.—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan, Amendment to Alt. 1377-45.

718-45-A—F.D.—58-66 Sedgwick street, south side, 125 ft. east of Van Brunt street (1st floor); (Block 318, Lot 10), Borough of Brooklyn, 15361-LF and Decision.

719-45-SM—O'Brien Brothers Sand and Gravel Corp., Washed Sand for concrete aggregate, manufactured by O'Brien Brothers Sand and Gravel Corp., Material.

720-45-SM—O'Brien Brothers Sand and Gravel Corp., Gravel and Grit for concrete aggregate, manufactured by O'Brien Brothers Sand and Gravel Corp., Material.

721-45-A—F.D.—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan, 35788-LF and Decision.

Restored to Calendar

58-39-BZ—H.B.Bx—1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx, N.B. 1346-27.

336-37-BZ—H.B.M.—322-328 West 57th street, south side, 275 ft. west of 8th avenue (Block 1047, Lots 44 and 46), Borough of Manhattan, Applic. 18-36.

116-44-BZ—H.B.B.—337-339 Roebling street, east side, 61.9 ft. north of Division avenue (Block 2149, Lot 1), Borough of Brooklyn, Alt. 175-44.

166-38-SA—Josam Grease Interceptor, Appliance.

1345-39-SM—Cinder Concrete Masonry Units, manufactured by Concrete Units, Inc., Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules....Dec.	28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form ....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules....July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of....Dec.	28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime).. Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules ....Mar.	3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings....Dec.	28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)....June	15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on ....June	19, 1945—Vol. 30, No. 25
Factory Exit Rules ....Sept.	12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)....Dec.	28, 1943—Vol. 28, No. 52A
Fire Drill Rules ....Aug.	28, 1945—Vol. 30, No. 35

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	Last Publication in Bulletin
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Oct. 30, 1945—Vol. 30, No. 44
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	Nov. 27, 1945—Vol. 30, No. 48
Platform Trucks, Specifications for..	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C..	Nov. 13, 1945—Vol. 30, No. 46
Smoking in Factories, Rules for...	Nov. 6, 1945—Vol. 30, No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

NOVEMBER 27, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November* 27, 1945, at 10 o'clock in Room 1013 Municipal Building, Manhattan, on the following matters:

Zoning Applications.

480-45-BZ—Application, July 27, 1945, under section 21 of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Frank J. Quigan, Inc., owner, to permit in a C area district, the construction of a one story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; premises 58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

225-45-BZ—Application, April 13, 1945, under sections 7e and 21 of the zoning resolution, of Abram Shlefstein, applicant, on behalf of 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee), to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles; premises 239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

423-45-BZ—Application, July 2, 1945, under sections 7 (b), 7(c) and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mt. Eden Construction Corp., owner, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in B area; premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

344-45-BZ—Application, June 5, 1945, under sections 7c and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Antonio Sicuro, owner, to permit in a retail and business use district, the extension of an existing building; premises 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

616-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Vode Realty Corp., owner, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling to showrooms which does not comply with B area requirements of zoning resolution; premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

Appeals from Administrative Decisions

710-45-A—84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn.

631-45-A—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

617-45-A—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

General Resolution.

1464-39-GR.—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR. addition of the inspection agency, Alfred T. Holl of Canton, Ohio.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 27, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November* 27, 1945, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

591-45-A—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.

628-45-A—1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

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565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

696-45-A—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 45½), Borough of Manhattan.

717-45-A—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.

713-45-A—56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan.

655-45-A—43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 90), Borough of Brooklyn.

723-45-A—58-50 and 58-56 214th street, northwest corner of Horace Harding boulevard (Block 7464, Lot 27), Bayside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 4, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

708-45-BZ—Application, November 15, 1945, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Sears, Roebuck & Co., owners, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; premises 2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

691-45-A—34-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Materials for Approval.

536-45-SM—Silbraz Joints, Walseal, Flaggseal, Craneseal and Faircoseal.

615-45-SM—Port Obround 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 4, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

699-45-A—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

594-45-A—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan.

686-45-A—300 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

694-45-A—North side, of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx.

715-45-A—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 11, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

336-37-BZ—Aplication of Stewart and Shearer, applicants, on behalf of The New York Public Library, Astor, Lenox and Tilden Foundations, owners, reopened November 20, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, the parking

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and storage of more than five motor vehicles, for a temporary period; premises 322-328 West 57th street, south side, 275 ft. west of 8th avenue (Block 1047, Lots 44 and 46), Borough of Manhattan.

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

619-45-BZ—Application, October 18, 1945, under section 7a of the zoning resolution, of James Whitford, applicant, on behalf of William J. Couch, owner, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop; premises 977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

234-36-BZ—Application of Joseph Brill, applicant, on behalf of Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee), reopened September 25, 1945, under section 21 of the zoning resolution, to permit in a retail 1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school; premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

597-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

137-45-A—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn (reopened and restored to the calendar October 16, 1945; previously withdrawn).

444-45-A—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3 to 15), Long Island City, Borough of Queens.

754-45-A—Re Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in conformity with Administrative Code requirements covering Tank Trucks).

695-45-A—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliance for Approval.

538-45-SA—Cyclotherm Steel Generator (Oil Burner).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER, 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 11, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

686-45-A—330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

643-45-A—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Edgemere, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 49th street).

625-45-A—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond.

677-45-A—509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn.

692-45-A—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

714-45-A—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

58-39-BZ—Application of Anfred Realty Corp., applicant and owner, reopened November 20, 1945, for consideration as to extension of permits—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as

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a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

704-45-A—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn (reopened and restored to calendar December 4, 1945; previously withdrawn).

728-45-A—1155 Manhattan avenue, northwest corner of Commercial street (Block 2476, part of Lot 60), (Building No. 4, 4th floor); Borough of Brooklyn.

741-45-A—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

734-45-A—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn.

Appliance and Materials for Approval.

711-45-SA—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH.

678-45-SM—Klaff and Sons, 275 Gallon Fuel Oil Tanks Obround with Flanged and Dished Heads.

304-44-SM—Cemesto Board (Asbestos Cement Clad Insulation Board).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 18, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

689-45-A—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn.

721-45-A—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan (reopened and restored to Calendar October 2, 1945; previously dismissed for lack of prosecution).

742-45-A—100-02 Rockaway boulevard, southwest corner of 101st street (basement); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

751-45-A—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

757-45-A—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx.

758-45-A—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

756-45-A—2460-2478 2nd avenue, east side, from East 126th street to East 127th street and from 1st to 2nd avenues (Block 1803, Lot 1), Borough of Manhattan.

752-45-A—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan.

750-45-A—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn.

CALENDAR

727-45-A—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn.

731-45-A—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

135-45-A—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn (reopened and restored to calendar July 17, 1945; previously withdrawn).

733-45-A—39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens.

753-45-A—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx (reopened October 9, 1945; previously denied).

760-45-A—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx.

775-45-A—97-05 Queens boulevard and 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday morning, January* 3, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

593-45-BZ—Application, October 1, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Home Life Insurance Co., owner, to permit in a business use, D area, the erection of a garage and laundry to occupy the entire lot; premises 104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens.

51-30-BZ—Application of T. H. Engelhardt, applicant, on behalf of Cord Meyer Development Co., owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence, business and retail use district, the extension of the kitchen facilities into the garage area (garage previously granted by the Board); premises 112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 73 and 79), Forest Hills, Borough of Queens.

556-45-BZ—Application, September 13, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of Newspaper Realty Corp., owner, to permit in a retail use district, B area, the erection of a six story fireproof addition to existing five-story factory building fronting West 34th street; to connect the two buildings at each floor with fireproof horizontal exit; to replace present wood stairway with lawful fireproof enclosed stairway, to install subdividing partitions and an elevator; premises 410-412 West 34th street, south side, 120 ft. west of 9th avenue, and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan.

738-45-BZ—Application, November 20, 1945, under section 7g of the zoning resolution, of James Whitford, applicant, on behalf of Philip F. Harling, owner, to permit in a residence and business use district, the parking of more than five motor vehicles for patrons of proposed drive-in theatre; premises 2865 Richmond avenue, and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 8, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

559-45-BZ—Application, September 20, 1945, under section 21 of the zoning resolution, of Koch and Wagner, applicants, on behalf of Fresh Pond Holding Co., Inc., owner, to permit in a business use, C area, the erection of a one story and cellar building, to occupy more than 60% of the area of the lot; premises 1589-1591 Broadway, north side, 17 ft. east of Halsey street (Block 3408, Lots 8 and 9), Borough of Brooklyn.

460-45-BZ—Application, July 20, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Harry Winkler, owner, to permit in a business use district, the erection of a new building to house an office, lubritorium and laundry; to enlarge site and relocate and add to present number of storage tanks; premises 2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6, 7, 8, 9, 10 and 109), Borough of Brooklyn.

1205-40-BZ—Application, of Jack Z. Cohen, applicant, on behalf of Geno Arditi, owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence and unrestricted district, the change of occupancy from public garage for more than five motor vehicles, to storage garage for more than five motor vehicles, in conjunction with auto service, sale of new and used cars, service and motor vehicle repair shop; premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

313-19-BZ—Application, of Frank Randazzo, applicant, on behalf of Roswin Realty Corp., owner (Anthony F. Mayo and Harry Sharp, lessees), reopened September 11, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of display and sale of more than five motor vehicles in a garage and gasoline service station (previously granted by the Board); premises 1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

759-45-BZ—Application, December 7, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Sackett Realty Corp., owner, to permit in a business use, C area, the erection of an extension in the rear of existing building to cover more than the permitted area; premises 1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557A, Lots 60 and 61), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

(Continuation of the minutes of the meeting of November 13, 1945.)

399-40-BZ

APPLICANT—Marie Braun, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, for a term of five years, permitting in an F area residence use district, the erection of a dwelling set back from the building line less than the required 15 ft. and with side yards less than the required widths and occupying a greater area of the lot than permitted.

PREMISES AFFECTED—942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block 3659, Lot 21), Borough of The Bronx.

APPEARANCES—
For Applicant: Frank C. Braun.
For Administration: Fred Dahlem, Dep't of Housing and Buildings and Harold Klorfein, Dep't. of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (399-40-BZ)

WHEREAS, this application under section 21 of the Zoning Resolution, permitting in an F area residence use district, the erection of a dwelling set back from the building line less than the required 15 ft., to be provided with side yards less than the required widths and to occupy a greater area of the lot than permitted, affecting premises 942 Metcalf avenue, east side, 151 ft. 4 in. south of Eastern boulevard (Block 3659, Lot 21), Borough of The Bronx, was granted by the Board on November 19, 1940, for a term of five (5) years, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 19, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under Section 21 for a term of five (5) years from the date of this *amended* resolution, *on condition* . . . and that other than as herein *amended,* the conditions of the resolution of November 19, 1940, shall be complied with."

401-40-BZ

APPLICANT—Marie Bráun, owner.

SUBJECT—Application for consideration—reopening and extension of permit re application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, for a term of five years, permitting in an F area, residence use district, the erection of a dwelling set back from the building line less than the required 15 ft. and with side yards 1 in. less than width required.

PREMISES AFFECTED—946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block 3659, Lot 23), Borough of The Bronx.

APPEARANCES—
For Applicant: Frank C. Braun.
For Administration: Fred Dahlem, Dept. of Housing and Buildings and Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (401-40-BZ)

WHEREAS, this application under section 21 of the Zoning Resolution, permitting in a F area residence use district the erection of a dwelling to be set back from the building line less than the required 15 ft. and to be provided with side yards 1 in. less than the width required, affecting premises 946 Metcalf avenue, east side, 94.42 ft. south of Eastern boulevard (Block 3659, Lot 23), Borough of The Bronx, was granted by the Board on November 19, 1940, for a term of five (5) years, on certain conditions; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 19, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*Granted* under section 21 for a term of five (5) years from the date of this *amended* resolution, *on condition* . . . and that other as herein *amended,* the conditions of the resolution of November 19, 1940 shall be complied with."

1025-39-BZ

APPLICANT—Cosgrove & Hefferman, for Mill Road Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of variance—re Application (decision of borough superintendent) denied on December 12, 1939, reopened January 3, 1940, and granted on condition under section 7f of the zoning resolution, permitting in a business district, the maintenance of a gasoline service station.

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block 4221, Lot 67), New Dorp, Borough of Richmond.

APPEARANCES—
For Applicant: Thomas F. Cosgrove.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

289-40-BZ

APPLICANT—Irving M. Fenichel, for Martha Adler & Lerad Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business district, the extension in height of an existing milk bottling and distributing station.

PREMISES AFFECTED—447-457 East 133rd street, north side, 195 ft. west of Brown place (Block 2278, Lots 64 to 69, incl.) Borough of The Bronx.

APPEARANCES—
For Applicant: Irving M. Fenichel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on December 11, 1945, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

389-42-BZ

APPLICANT—Emanuel H. Jerabek, for Dominick Carl Carena, owner.

SUBJECT—Application reopened October 16, 1945 for consideration as to amendment of resolution—Application (decision of the borough superintendent), previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station.

PREMISES AFFECTED—82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 20, 1945, at 2 P. M. for an inspection by a committee of the Board.

Adjourned: 3:30 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on September 11, 1945, as they appeared in Bulletin No. 38, Vol. 30, are hereby corrected to read as follows:

509-45-A

APPLICANT—R. Rappaport, for Twisted Button Novelty Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reuben Rappaport and Arthur Cherici.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (509-45-A)

WHEREAS, R. Rappaport, for Twisted Button Novelty Company, owner, filed August 30, 1945, an appeal from a decision of the borough superintendent, affecting premises 101-103 Clay street, north side, 225 ft. west of Oakland street (Block 2483, Lot 48), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 21, 1945, on Sprinkler Applic. 2092-45, reads:

"1. Water supply to a sprinkler system for which nitro-cellulose products are manufactured, stored or kept shall consist of gravity tank and pressure tank or two gravity tanks. C26-1375.0 Adm. Code."

and

WHEREAS, the applicant states that the building is one story (16 ft.) in height, 50 ft. by 100 ft. in area, of class 3 construction, erected in 1924, located in an unrestricted use, A area and class 2 height district and used and occupied since 1925, as a garage and proposed to be used and occupied for the manufacture of celluloid products—30 persons; and

WHEREAS, the applicant contends that the building is constructed of brick and concrete walls, concrete floor and roof construction of steel girders, wood joists; that steel girders and joists are bottom flush and the underside of roof beams covered with ½ in. plasterboards; that a vault for the storage of over 500 lbs. of celluloid is proposed, as shown on Alt. Plan 2169-45; that it is proposed to install a sprinkler system throughout the building; that the system will be fed from a 6 in. connection to the present 6 in. main on Clay street, which is fed two ways; that the main on Clay street is fed from a 12 in. main on Manhattan avenue and a 16 in. main on Oakland street; that the pressure in front of the building is 46 lb.; that it is proposed to run 2½ in. main to supply heads in the storage vault, which will be equipped with 12 heads with baffles, directly connected to the 6 in. riser before any supply is taken off for the sprinkler system in the balance of the building; that the sprinkler system will be connected to central office by water flow alarm.

Resolved, that the decision of the borough superintendent, acting on Sprinkler Applic. 2092-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be in accordance with the plans filed with and as approved by the Fire Insurance Exchange, Sprinkler Division, which approval appears on the blueprint from which these photostats were printed, as filed at this meeting marked "A-2"; that the building shall not be increased in height or area; that the storage vault for films shall be located substantially as shown on plans filed with this appeal marked "Received August 30, 1945", and shall meet all the requirements therefor; that the total amount of celluloid stored on the premises shall at no time exceed 500 lbs.; that such celluloid shall at all times be stored within the vault except for not more than 10 lbs. in process in the building; that all handling and processing of celluloid shall be carried on in the front portion of this building and not farther back from the front wall than 65 ft.; that such water containers for nitro cellulose scrap and portable fire fighting appliances shall be maintained in connection with the manufacture of celluloid products, as the fire commissioner shall direct; that the paint dipping room shall be located substantially in the location shown and shall comply with the requirements of the Building Code therefor, and paint dipping shall be conducted in accordance with the Paint Spraying Rules of the Board; that there shall be installed toward the rear, a stair enclosed in material as approved for one hour construction, leading to a roof bulkhead for access to the roof and as an additional escape in case of fire; that the two exits at the front of the building shall be maintained; that the boiler room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the sprinkler shall be fed as proposed with a 6 in. street main, fed two ways and the sprinkler system shall be connected to fire headquarters through a central office as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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* Correction—The word "incombustible" deleted in line 66 of the resolution and the word "the" changed to "a" in line 67 of the resolution.

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 20, 1945 at 10 A.M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, October 23, 1945, were approved as printed in Bulletin No. 44, Volume 30.

MINUTES

ZONING APPLICATIONS

612-45-BZ

APPLICANT—Sidney L. Strauss, for Henry J. Pfistner, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles.

PREMISES AFFECTED—94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss, Harry Berger, Henry J. Pfistner and John R. McMullen.

For Opposition: William Nurge, Anton Felber and Mrs. Mary Kohout.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 18, 1945 at 10 a. m., for an inspection by a committee of the Board and for further consideration. Applicant to file corrected plans and submit supplemental statement.

212-35-BZ

APPLICANT—Jack Z. Cohen, for Estate of Edwin J. Long (Loleta A. Long, temporary administratrix) owner.

SUBJECT—Application reopened October 30, 1945 for consideration as to extension of variance (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles for a temporary term.

PREMISES AFFECTED—6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Z. Cohen.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (212-35-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the occupancy of a plot for sale and display (parking and storage) of more than five motor vehicles, affecting premises 6501-6507 Fort Hamilton parkway and 948-950 65th street, southeast corner (Block 5750, Lot 42), Borough of Brooklyn, was granted by the Board on September 15, 1936, on certain conditions; and

WHEREAS, the permit was extended on May 12, 1942 and the applicant requested a further extension of the permit, which permit had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on October 30, 1945, restored to the calendar and set for hearing on November 20, 1945 at 10 a. m.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 15, 1936, as amended May 12, 1942, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *Granted* under Section 7h for a term of five (5) years from the date of this *amended* resolution, *on condition* that the resolution as adopted September 15, 1936 shall be complied with in all other respects and that a certificate of occupancy shall be obtained."

375-40-BZ

APPLICANT—Walter A. Beaudel, owner.

SUBJECT—Application reopened October 23, 1945 for consideration as to extension of time to obtain permits and complete work—Application (decision of the borough superintendent), previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, southwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (375-40-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting in a residence use district, the alteration and reconstruction of an existing gasoline service station, affecting premises 144-12 Springfield boulevard, northwest corner of North Conduit avenue and 186-08 144th street, southwest corner of Springfield boulevard (Block 3816, Lot 76 and part of Lot 63), Springfield Gardens, Borough of Queens, was granted by the Board December 3, 1940, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on November 5, 1941 and March 30, 1943; and

WHEREAS, the applicant requested a further extension of time for such similar purpose; and

WHEREAS, the last extension of time granted by the Board on March 30, 1943, had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on October 23, 1945, restored to the calendar and set for hearing on November 20, 1945 at 10 a. m.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent dated October 25, 1945, re N.B. Applic. 1468-40, reads:

"1. Resolution of Board of Standards and Appeals, Cal. 375-40-BZ has not been complied with. Time limit has expired.

Plans and application not further considered."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1940, as amended through March 30, 1943, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed, in accordance with plans approved under date of December 2, 1942, within one (1) year from the date of the *amended* resolution (N.B. 1468-40)."

MINUTES

293-45-BZ

APPLICANT—Lama and Proskauer, for Harry Pollack, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and the inclusion of a motor vehicle repair shop within 200 feet of a hospital entrance.

PREMISES AFFECTED—739-747 Albany avenue and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (293-45-BZ)

WHEREAS, Lama and Proskauer, for Harry Pollack, owner, filed May 16, 1945, an application under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of an existing gasoline service station and the inclusion of a motor vehicle repair shop within 200 feet of a hospital entrance, affecting premises 739-747 Albany avenue and 600-610 Clarkson avenue, southeast corner (Block 4846, Lot 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Clarkson avenue is in a business use, D area and Class 1 height district and Albany avenue is in a business use and residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 2, 1945, re N.B. Applic. 122-45, reads:

"1. Proposed extension of gasoline service station with minor repairs, violates Art. II, Sec. 4a-46, Zoning Resolution.

2. Proposed extension also violates Art. II, Sec. 21-A, Zoning Resolution, since a hospital entrance is located within 200 ft. of premises."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage by 92 ft. 1½ in. in depth, on which is located a gasoline service station, 2 family dwelling, auto laundry, 4-car garage and grease pits; that all buildings are of concrete block, except the dwelling, which is frame and stucco; that it is proposed to remove all the structures except the dwelling and construct a new building on the southerly portion of the plot, to house office and accessories, lubritorium, minor repairs and auto laundry; and

WHEREAS, the applicant contends that premises have a frontage of 105 ft. on Albany avenue, 100 ft. on Clarkson avenue, 105 ft. on easterly lot line and 100 ft. on southerly lot line; that 12.88 ft. will be removed from subject premises for the new widening of Clarkson avenue, leaving a frontage of 92.12 ft. on Albany avenue; that the premises are improved with an office 20 ft. by 25 ft. 9½ in., two open grease pits, four one-car garages, an auto laundry and a 2-story dwelling, 20 ft. by 43 ft. at the easterly portion of the plot, gasoline storage tanks and pumps; that the gasoline service station was established prior to 1925; that it is the owners' intention to remove all structures, except the dwelling and construct a new building on the southerly portion of the plot, 73 ft. front by 28 ft. in depth for office and accessories, lubritorium, auto laundry, and minor repairs with hand tools only; that it is proposed to reset the pumps 10 ft. back from all building lines and to repave the entire area with tarvia or concrete; that the gasoline service station was established prior to the enactment of the law prohibiting a service station located within 200 feet of a hospital; that the plot under appeal has been continuously under one ownership since 1893; that in view of the fact that the gasoline service has existed since prior to 1925 and the proposed extension will greatly improve the location and in no way affect the general surroundings, the granting of this application is respectfully requested; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c, to permit the gasoline service station, legally existing on the front portion of the plot, to be extended and altered, so as to occupy the entire plot as indicated on revised plans marked "Received October 31, 1945" as corrected November 20, 1945, *on condition* that the accessory building shall be constructed toward the rear of the premises as indicated and that from the accessory building to Clarkson avenue, there shall be constructed a new brick and iron picket fence in accordance with the detailed construction, as indicated, except as to the material of fence, continuously to the new proposed building line of Clarkson avenue, at a distance from the building on the easterly portion of the plot of not less than the distance shown, namely 4 ft. 4 in.; that the space between such fence and the building shall be planted, as indicated; that the balance of the plot shall be surfaced with concrete or tarvia and graded substantially to the grade of surrounding streets; that all existing buildings and pumps on the portion of plot proposed for enlarged gasoline station, shall be completely removed and only such buildings and pumps shall be installed as are indicated on plan marked "Received October 31, 1945" as corrected; that curb cuts shall be restricted to two, each 35 ft. in width to Clarkson avenue and two each 22 ft. in width to Albany avenue, located as shown on such corrected plan; that the accessory building shall be arranged for office, boiler room, lubritorium and auto laundry as proposed; that no repair work shall be carried on; that the greasing racks shall be of the pneumatic type; that there shall be no windows in the rear lot line wall; that the building shall be of a design as indicated on plans marked "Received October 31, 1945" as corrected November 20, 1945; that the exterior building shall be of face brick and otherwise shall comply with the requirements of the Building Code therefor; that the roof shall be surfaced with natural slate; that no signs shall be erected, except a permanent sign attached to the accessory building and the illuminated globes of bulbs and excluding all temporary signs and roof signs, but permitting the erection of a post standard within the building line near the intersection of the two streets, for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that a block of concrete not less than 12 in. in height and segmental in shape, shall be erected at the intersection within the building line as indicated on such plan; that any pumps erected shall be located substantially as shown and not nearer than 10 ft. to either street building line and in the case of Clarkson avenue, not nearer than 10 ft. from the proposed building line; that gasoline storage tanks shall be limited to four, each 550 gallons as shown; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall require; that all permits shall be obtained and all work completed within one year from the date of this resolution.

MINUTES

296-45-BZ

APPLICANT—Lama & Proskauer, for Ida Gottfried, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction and extension of gasoline service station (previously granted by the Board).

PREMISES AFFECTED—1769-1779 Coney Island avenue, east side, 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (296-45-BZ)

WHEREAS, Lama and Proskauer for Ida Gottfried, owner, filed May 14, 1945, an application under section 7c of the zoning resolution, to permit in a business use district, the reconstruction and extension of a gasoline service station (previously granted by the Board), affecting premises: 1769-1779 Coney Island avenue, east side 315 ft. south of Avenue N (Block 6749, Lots 78 and 81), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Coney Island avenue is in a business use, C area and Class 1¼ height district and Avenue N is in a residence and business use, C area and Class 1¾ height district; and

WHEREAS, the decision of the borough superintendent, dated May 1, 1945, re Alt. Applic. 1044-45, reads:

> "1. The reconstruction of a gasoline service station, lubritorium, automobile repairs shop and office and the extension of the gasoline station use in a business use district is contrary to the Zoning Resolution. Sect. 4 and Sect. 6."

and

WHEREAS, the applicant states that the premises consist of a plot, 160 ft. frontage by 100 ft. in depth, on which is located a building 50 ft. front by 100 ft. in depth (irregular), one story, 14 ft. high, of Class 3 construction; that it is proposed to remove present one-story office, reset the pumps, remove the open air lifts and install the same in the building; that it is also proposed to cut away part of the building and erect a new office and to open a new door at the rear of the building; and

WHEREAS, the applicant contends that the subject premises have a frontage of 100 ft. on Coney Island avenue, 100 ft. in depth and 100 ft. on rear lot line; that it is presently improved with a gasoline service station on Lot 81, which occupies an area of 50 ft. by 100 ft. and with a one-story office, five one-car garages and two lifts in the open; that this gasoline service station was granted by the Board of Standards and Appeals under Cal. 1021-25-BZ; that the adjoining plot, Lot 78, is improved with a one-story masonry building used for automobile repairs and lubritorium, and which was granted by the Board under Cal. 167-34-BZ for a temporary term of five years, expiring September 16, 1946; that it is now the intention of the owners to remove the present one-story office, reset the pumps, remove open air lifts and install the same in the building and also to cut away part of the building on Lot 78, creating a new office and to open a new door from the rear of the building, which will open into the gasoline service station area; that inasmuch as these uses are existing and that the proposed alteration will improve the site, it is requested that the application be granted; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c, to permit the premises as described and as indicated on revised plans filed with this application, marked "Received September 7, 1945" to be altered, rearranged and used substantially as proposed, *on condition* that the existing buildings shall not be increased in height or area; that in all other respects, the construction of the buildings shall comply with all laws, rules and regulations applicable thereto; that the accessory building, greasing lifts, gasoline pumps now erected on Lot 81 shall be removed; that new gasoline pumps may be erected as indicated, not nearer than 10 ft. to the street building line; that the premises, where not covered by existing garages, buildings and gasoline pumps, shall be levelled substantially to the grade of Coney Island avenue and shall be paved with concrete or tarvia; that existing curb cuts shall be removed and new curb cuts installed, as shown: that where curb cuts are not to be constructed, the curbs shall be restored and the sidewalks shall be resurfaced the entire length of the premises; that there shall be erected along the northerly interior lot line, a substantial fence erected on a cement concrete base as shown, except that such fence shall be of the iron-picket type and of a height not less than 5 ft. above grade; that signs on the building shall be restricted to permanent signs attached to the building and the illuminated globes of the gasoline pumps, excluding all roof signs and all temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the uses on these premises shall be restricted to the gasoline service station as proposed and the five car garage in the rear; that greasing and washing as accessory uses within the building, and also automobile repairing which shall be by hand tools only as permitted under Cal. 167-34-BZ; that the conditions of the resolutions as adopted under such calendar number shall be complied with; that this resolution shall supersede resolution adopted by the Board under Cal. 1021-25-BZ, as applying to that portion of the premises at that time described as Lot 81; that all existing uses in connection with the premises now carried on adjoining Lots 83, 86 and 89 and any signs erected on such lots relating to the premises involving this application, shall be immediately discontinued; that such portable fire fighting appliances shall be installed and maintained as the Fire Commissioner shall direct; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

322-45-BZ

APPLICANT—Henry Nordheim, for Israel Fleiss, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7e, 7i and 21 of the zoning resolution, to permit in a partly residence and business use district, the change of occupancy from stores to motor vehicle repair shops.

PREMISES AFFECTED—2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx.

MINUTES

APPEARANCES—
For Applicant: Henry Nordheim.
For Opposition: Alfred C. Pelizzari and Cristino Pelizzari.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Gunn..... 3

THE RESOLUTION (322-45-BZ)

WHEREAS, Henry Nordheim, for Israel Fleiss, owner, filed May 29, 1945, an application under section 7e, 7i and 21 of the zoning resolution, to permit partly in a residence and business use district, the change in occupancy from stores to motor vehicle repair shops, affecting premises 2243-2259 White Plains road, west side, 65 ft. north of Thwaites place (Block 4342, Lot 39), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 20, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that White Plains road is in a business use, C area and Class 1¼ height district; Boston road is in a business use, C area and Class 1¼ height district and Olinville avenue is in a residence use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated May 10, 1945, re Alt. Applic. 231-45, reads:

"1. The proposed change of use to motor vehicle repair shop in a business and residence district, is contrary to Article 2, Sections 3 and 4 of the zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 103.57 ft. frontage by 93.31 ft. in depth, on which are buildings (stores), 103.57 ft. front by 60 ft. in depth, one story (16 ft.) in height of Class 3 construction and that it is proposed to change stores located at 2249 and 2259 White Plains road to motor vehicle repairing; and

WHEREAS, the applicant contends that this is an application for a variation from the provisions of the zoning resolution so as to permit the occupancy of two stores for motor vehicle repairing; that these stores are numbers 2249 and 2259 White Plains road, where such use has existed for quite some time before the Department of Housing and Buildings filed a violation, doing so finally on March 8, 1945; that there is a considerable amount of traffic at this junction and it is natural that a trade of this kind would thrive and it is quite a necessity and a convenience to this traffic; that this type of occupancy is not out of step with neighborhood conditions, for within the affected area of the 400 ft. frontage either way, there are four gasoline service stations; that during the period before the war, the three lots adjoining this site were occupied for the sale of used cars; that the little frame office shanty is still there as may be noted on Photograph Nos. 1 and 2; that stores proved a failure in this building, as a marketing proposition, due to its isolation from residential occupancies, with the result that manufacturing trades had to be accepted; that this building has also the disadvantage of the elevated railroad structure to darken its frontage; that in 1942 to 1943, this property was assessed at $33,000, in 1943 to 1944 it was assessed at $31,500 and later reduced to $30,000, in 1944 to 1945, it was assessed at $28,000 and later reduced to $26,000 on protest; that in each case the protests were only reviewed by the tax officials, who adjusted the claim and it was not necessary to appeal to the courts; it is therefore requested that the Board grant relief under sections 7e, for 2 years, or under sections 7i and 21, allowing a permanent grant, under such restrictive conditions as the Board sees fit to impose; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under sections 7e and 7i of the zoning resolution, and that the applicant failed to substantiate a basis of appeal under section 21 thereof and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 231-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

675-45-A

APPLICANT—Isidore Klein, lessee, for Charles Polivy, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.
APPEARANCES—
For Applicant: Robert H. Berger and Isidore Klein.
For Administration: Insp. E. Meyer, Fire Dep't.
ACTION OF BOARD—Laid over to December 18, 1945 at 10 A.M. for an inspection by a committee of the Board and for decision without further discussion.

691-45-A

APPLICANT—Marx Realty & Improvement Co., Inc., for Unibra Realties, Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.
APPEARANCES—
For Applicant: None.
For Administration: Insp. E. Meyer, Fire Dep't.
ACTION OF BOARD—Referred to the Engineer of the Board.

APPLIANCES SUBMITTED FOR APPROVAL

103-45-SA

APPLICANT—S. K. Steiner, for Chicago Pump Co., owner.
SUBJECT—Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector, approval of.
APPEARANCES—
For Applicant: S. K. Steiner.
ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (103-45-SA)

WHEREAS, S. K. Steiner, for Chicago Pump Co., owner, filed on March 2, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector; and

WHEREAS, the report of the Committee on Tests reads:

MINUTES

REPORT OF COMMITTEE ON TESTS

Re: Cal. 103-45-SA.

Subject: The Chicago Non Clog Sewage Ejector and Flush-Kleen Sewage Ejector, approval of.

The Chicago Pump Company filed an application with the Board of Standards and Appeals, under the requirements of C26-178.0.b. and C26-1315.0 of the Administrative Code for the approval of the Chicago Non Clog Sewage Ejector and the Flush-Kleen Sewage Ejector for use in New York City.

DESCRIPTION AND PROCESSING.

The Chicago Non Clog Sewage Ejector consists of figure 1, which is a centrifugal pump, consisting of an impeller especially designed to pass large solids. The Impeller is keyed and held in place with a set screw to the shaft and rotates in a casing arranged with inlet and discharge ports. The pump shaft is supported by a radial ball thrust bearing and is guided by ball or sleeve bearing and driven by an electric motor connected to the pump shaft by a flexible coupling.

The pump is made in several styles as follows:

(a) Vertical enclosed shaft for operation submerged in sewage.

(b) Vertical open shaft for operation outside of sewage receiver.

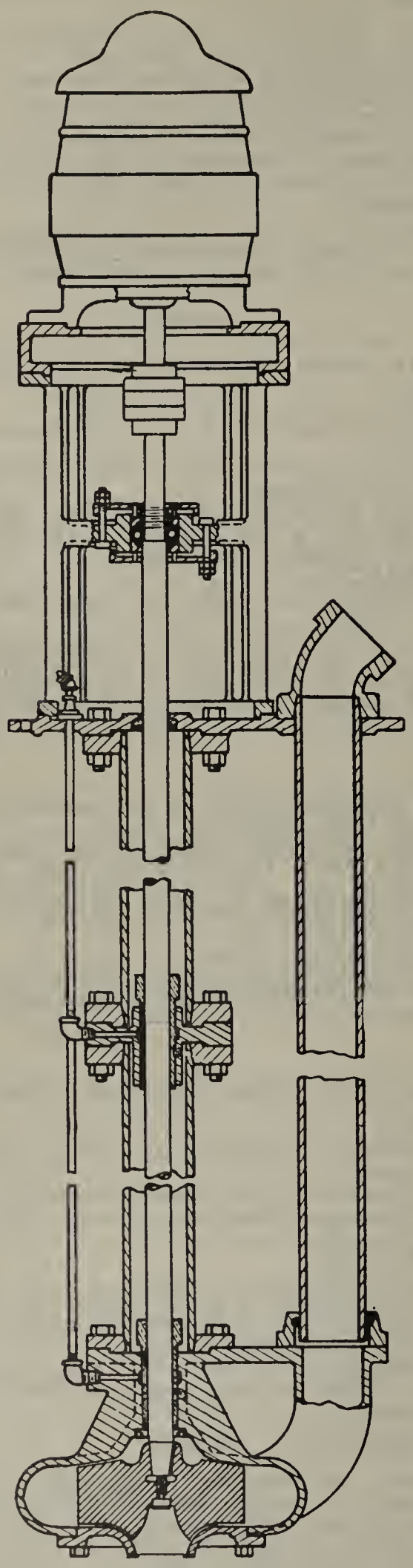

Figure 1.

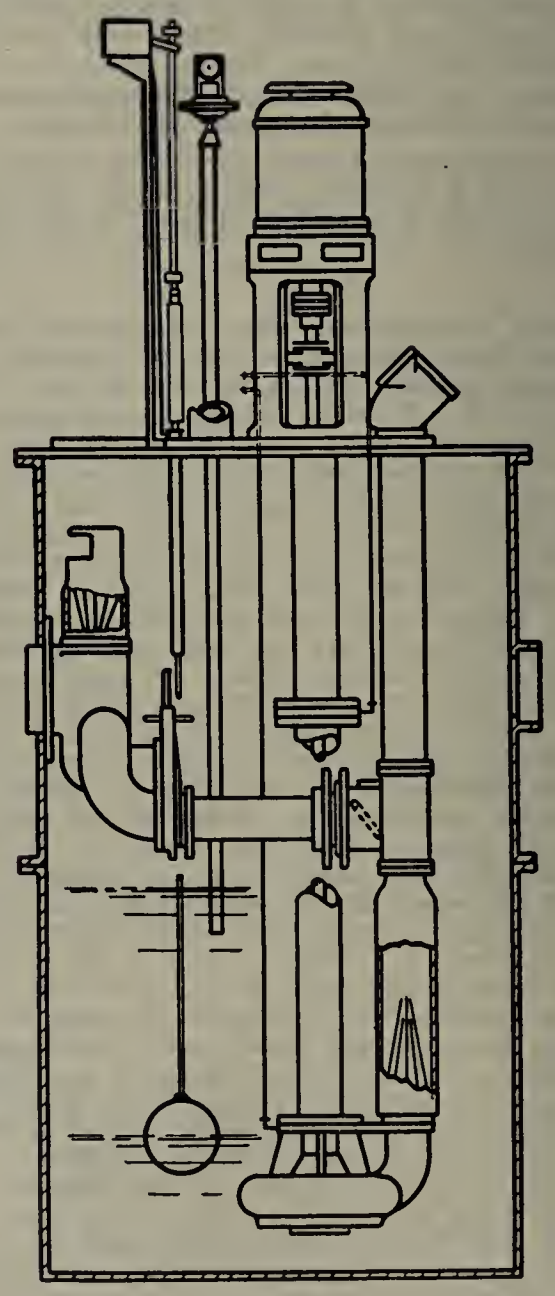

Figure 2.

MINUTES

FLUSH KLEEN SEWAGE EJECTOR.

The Flush Kleen Sewage Ejector, figure 2, employs use of vertical enclosed shaft, vertical open shaft or vertical pedestal mounted centrifugal sewage pumps and Flush-Kleen fittings.

The sewage flows from the building fixtures through special fittings into Flush-Keen strainers located in the discharge piping of the unit. Solids in the sewage are caught and retained by the strainers but the water passes through the strainer and through the pump into the sewage receiver. When the pump starts the solids in the strainers are flushed out and discharged to the sewer with the water.

Vertical Enclosed Shaft Flush-Kleen Ejectors

The pump is suspended from the plate and operates in the sewage receiver. The support plate rests upon the cover of the sewage receiver. A gas-tight installation is made by: (a) use of furnace cement or similar material between support plate and cover of sewage receiver; (b) or use of stuffing box where float rod passes through float switch support stand; (c) or use of flanged vent connections on cover of sewage receiver. (Installer pipes from vent connection to stock.)

Vertical Open Shaft Flush-Kleen Ejectors
Vertical Pedestal Mounted Flush-Kleen Ejectors

The pump is placed adjacent to and is connected to sewage receiver by piping. A gas-tight installation is made by: (a) use of stuffing box where float rod passes through float switch supporting stand; (b) or use of flanged vent connection on cover of sewage receiver (Installer pipes from vent connection to stack) head of water on suction pipe between receiver and pump.

DESCRIPTION AND TESTS

Tests on this equipment were made by Professor G. F. Gebhardt of the Armour Institute with details and results as follows:

EJECTOR UNIT

The ejector unit consists of a standard 48″ diameter x 7′ 0″ deep cast iron sewage ejector basin, in which are installed, a duplex set of two 4″ electric motor driven centrifugal sewage pumps, each driven by a 3 horse power, vertical type, 220 volt, 3 phase, 60 cycle, Alternating Current, squirrel cage motor.

AUTOMATIC CONTROL

These pumps are automatically controlled by two enclosed float switches which are initially actuated by individual copper floats. These floats rise and fall with the water level in the ejector basin, and have extended rods which extend up through pipe guides and stuffing boxes, to the float switches which are mounted on cast iron pedestals above the basin cover. The float rods extend through the eyes of the float switch levers, and are fitted with adjustable start-and-stop buttons.

AUTOMATIC ALTERNATOR

One of the float rods is also fitted with a simple, mechanical device called an automatic alternator. This device automatically alternates the operation of the pumps, causing number one pump to be in service during the first operation, number two pump during the second operation, number one pump during the third operation, number two pump during the fourth operation and so on as long as the pumps are in normal service. If water enters the ejector basin at a higher rate than the quantity discharged by one pump, the other pump will automatically start and continue to operate until normal conditions are restored, at which time the pumps automatically resume their alternate operation.

OPERATION

The Water and Sewage pass through a check valve valve from the sewage inlet of the ejector basin into the discharge lines of the pumps at a point approximately 48 inches above the basin bottom. A copper sewage strainer is interposed between this point in each pump discharge line and the pump casings. These sewage strainers are cylindrical in shape, open at the tops and perforated with ½″ holes over the entire area of their sides and bottoms. Sewage and insoluble material is intercepted by these strainers, while the water passes through the ½″ holes and continues on down through the pump castings into the ejector basin. When the water in the basin reaches high level, one of the pumps is automatically started by its float and float switch mechanism, and the water from the ejector basin is pumped at high velocity through the sewage strainer and discharge pipe of the pump, carrying with it, the sewage and insoluble matter. Therefore, the pump impellers handle only relatively clear water, the solids and other matter being ejected entirely by the velocity and force of the water discharged by the pump impellers.

For test purposes an open tank was mounted beside the ejector basin just above the high-water level. The 4″ discharge lines of the pump were placed so that the water from them was discharged into this tank. Wire baskets having 1″ square mesh were suspended in the open tank in such manner that the water discharged by the pumps passed through them as it entered the open tank. A 6″ pipe line connecting the bottom of this tank to the sewage inlet opening of the ejector basin, allows the water to flow from the open tank back into the ejectors. The first part of the test was for the purpose of determining the ability of the equipment to handle large objects of various kinds. The objects were thrown into the open tank and permitted to pass down into the ejectors. The objects were then discharged by the automatic operation of the pumps, and were caught in the wire baskets as they were entering the open tank, after being discharged by the pumps. The following tests were made:

Test No. 1—Wood Balls

3⅝″ diameter wooden balls were thrown into the open tank, and observation made of the number of balls discharged in a given period time. The results were as follows:

Number of Balls Discharged	50
Duration of Tests, in minutes	5
Number of Pump Operations	10
Diameter of Balls, in inches	3⅝
Average Weight of Balls, each, in ounces	13½

Test No. 2—Towels

A similar test was made with 17″ x 29″ medium weight cotton towels, with the following results:

Number of Towels Discharged	22
Duration of Test, in minutes	5
Number of Pump Operations	10
Size of Towels, in inches	17 x 29

Test No. 3—Crushed Rock

Crushed Rock "2 inch screenings" were thrown into the open tank with the following results:

Total Weight of Rock Discharged, in pounds	41.5
Duration of Test, in minutes	14
Size of Rock Used	2″ screenings
Range of Weight, each, in ounces	1½-5¾

Test No. 4—More Crushed Rock

In the above test, the rock discharged appeared to be limited by the difficulty of flushing it through the inlet lines into the ejectors, rather than by the ability of the pumps to discharge rock, of this size. In view of this, a special test was made to demonstrate the ability of the pumps to discharge larger quantities of heavy material, in event such material should be flushed into the sewage strainers. Accordingly, 2" crushed rock screenings were placed directly into the sewage strainer of one of the pumps. This was done by removing a handhole plate from the discharge fitting above the sewage strainer, which permitted pouring the rock directly into the strainer. The following results were obtained from this test:

Total Weight of Rock Discharged, in pounds	10
Duration of Test, in seconds	82
Size of Rock Used	2" screenings
Range of weight, each, in ounces	1½-5¾

Test No. 5—Heavy Sheeting

A piece of heavy weight sheeting measuring 48" x 48" was run through each pump several times with no indication of clogging either the inlet lines, sewage strainers, or discharge lines of the equipment.

Test No. 6—Men's Overalls

A pair of men's overalls, size 38, were also run through each pump repeatedly with no indication whatever of clogging. The ability of the equipment to handle such material as outlined in the foregoing tests was definitely established.

The second part of the test was to determine the rate of discharge, and the current consumption of the electric motors. For this purpose a General Electric flow meter was installed in the discharge line of one of the pumps, while carefully calibrated wattmeters, voltmeters and ammeters were connected in the current supply lines to the motors. For this part of the test only clear water was pumped. The results were as follows:

Discharge Rate, in gals.; per minute	199
Voltage	223
Current, in amperes	6.25
Power Factor, in per cent	52
Power Input, in kilowatts	1.250
Motor Output, in horsepower	1.305*
Assumed Cost of Power per K.W. hour, in cents	6
Cost of Pumping Water per Thousand Gallons, Sixty-three One Hundredths of One Cent.	

* Calculated from characteristic curves furnished by motor manufacturer.

GENERAL

All installations are equipped with 4" vents which may be reduced to 3". All sumps for both types of ejectors are fully closed and gas tight. All collecting receptacles are either of ⅞" ct. shell or ⅜" welded steel. In Flush Kleen sewage ejector all solids for one period of operation are collected at the strainer, there discharged and collected for next cycle. The system is identified as an open system when the shaft of pumps is of the open type, in all cases the sumps are gas tight.

GENERAL DATA

Type of Motors	Howell "Red Band" SCBB Induction Motor—3 phase
Rated Horse Power	3
Rated Speed, in R.P.M.	1200
Character of Current	A.C., 220 volt, 60 cycle
Average Discharge Head, in Feet, (Friction Not Included)	7
Size of Discharge Pipe, in Inches	4
Horizontal Run of Discharge Pipe, Feet	6
Fittings in Each Discharge Line	2 Standard 45° Threaded Ells and 2 Long Sweep 90° Threaded Ells

Additional performance test data is submitted by the applicant as follows:

PUMP TEST DATA

Pump Frame VOSLMC4 Size Discharge 4", Size Suction 4" Impeller No. P11521 Impeller Dia 7½" A—231442

Test Motor Name U.S. B—219849 R.P.M. 1150 H.P. 2 Phase 3 Cycles 60; Volts 220

Electrical Meter 1882 Discharge Gage #1 Flow Meter 4 x 2¾

A PUMP

Gage Suction Head	Gage Discharge Head	Velocity Head Diff.	Total Dynamic Head	Capacity	Mercury U-Tube Diff.	Speed	Watt Meter Reading	Watt Meter Reading x 4	Pump Input	Pump Output	Pump Efficiency
3.3	31.2	0	27.9	0	0	1180	223	892	.86	0	0
3.0	22.6	0.2	19.8	200	1.37	1160	370	1480	1.47	1.00	68.
2.7	18.1	0.5	15.9	301	3.10	1160	422	1688	1.67	1.21	72.3
2.7	18.7	0.5	16.5	288	2.85	1160	415	1660	1.65	1.20	72.6
2.7	19.3	0.5	17.1	278	2.65	1160	410	1640	1.63	1.20	69.9
2.6	16.5	0.6	14.5	328.6	3.70	1160	435	1740	1.725	1.20	69.9
2.2	10.2	1.0	9.0	415	5.90	1150	458	1832	1.82	0.94	51.8
						B PUMP					
3.3	32.4	0	29.1	0	0	1160 R.P.M. MOTOR	218	872	0.84	0	0
3.0	22.7	0.2	19.9	200	1.37		351	1404	1.39	1.01	72.4
2.7	19.3	0.5	17.1	286	2.80		410	1640	1.63	1.23	75.7
2.6	18.6	0.5	16.5	298	3.05		415	1660	1.65	1.24	75.3
2.5	16.5	0.7	14.7	339	3.95		438	1752	1.74	1.26	72.4
2.1	10.7	1.0	9.6	425.6	6.20		468	1872	1.86	1.03	55.5

MINUTES

PUMP TEST DATA

S.O. 64660

PUMP FRAME 1090SC8 Size Discharge 8"

TEST MOTOR NAME U.S. No. 245521 R.P.M. 870 H.P. 15

Gage Discharge Head	Velocity Head Diff.	Total Dynamic Head	Capacity	Mercury U-Tube Diff.	Speed	7½ Dia. Coupl'g	Watt Meter Read'g	Watt Meter Read'g x 20	Motor Input	Pump Input
Ft.	Ft.	Ft.	G.P.M.	In. Ng.	RPM			Watts	H.P.	H.P.
53.3		53.3	0		890	1683	470	9400		10.95
30.3	1.1	31.4	1300	3.75	889	1680	570	11400		13.3
28.1	1.2	29.3	1400	4.35	889	1680	582	11640		13.6
26	1.4	27.4	1500	4.98	887	1677	592	11840	15.9	13.8
23.8	1.6	25.4	1602	5.70	887	1677	600	12000		14
21.3	1.8	23.1	1698	6.4	887	1677	610	12300		14.2
32.1	0.9	33	1200	3.2	889	1680	558	11160		13.
15.8	2.3	18.1	1940	8.35	887	1677	625	12500		14.6

RECOMMENDATIONS

On the basis of the foregoing data and inspection, the Committee on Tests recommends the approval under C26-191.0.a of the Chicago Non Clog Sewage Ejector, figure 1, and the Flush-Kleen Sewage Ejector, figure 2, as having met the requirements of C26-1315.0, provided that all materials used shall comply with the requirements herein, that all motors shall have suitable controls and characteristics for the load required and that all wiring shall meet the requirements of the Department of Water Supply, Gas and Electricity, City of New York.

Control equipment shall be enclosed and floor mounted, including two fused motor switches, two ample current automatic starters providing overload and low voltage protection, two butt contact float switches and an automatic alternator. This alternator shall automatically transfer the operation from one pump to the other, also start the second pump in event the first pump does not handle the load. Float switches shall be actuated by individual copper floats having extended rods fitted with stuffing boxes. High water alarm shall be floatless type, complete with adjustable mountings, 4 inch gong, dry batteries and an enclosing cabinet.

It is further recommended that each unit shall bear a label of metal, reading as follows: "Approved for use in New York City by the Board of Standards and Appeals, under Cal. 103-45-SA."

(Sgd). BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Chicago Pump Company's Non-Clog Sewage Ejector and Flush-Kleen Sewage Ejector, *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

558-45-SA

APPLICANT—Peerless Manufacturing Corp., owner.

SUBJECT—Peerless DeLuxe Lowboy Vented Gas Circulators, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (558-45-SA)

WHEREAS, the Peerless Manufacturing Corp., owner, filed on September 19, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as the Peerless De Luxe Lowboy Vented Gas Circulators; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

October 23, 1945.

Re: Cal. 558-45-SA.

Subject: Peerless DeLuxe Lowboy Vented Gas Circulators

The Peerless Manufacturing Corporation, owner, filed an application with the Board of Standards and Appeals for approval under the provisions of C26-178.0, b for use under C26-690.0 and C26-697.0 of the Administrative Building Code of the Peerless Gas Vented Cabinet Heater.

DESCRIPTION

Burner:—A 23½ in. long cast iron burner with a 21¾ in. head having 216 ports No. 34 DMS on ⅛ in. high bosses for both natural and manufactured gases. Burner has a 1⅛ in. dia. throat in a 9¼ in. injecting tube 3 in. from the mixer face. Ports are ⅜ in below bottom of radiants and 7¾ in. above the floor.

Radiants: Five fireclay radiants 6¾ in. high having outside dimensions of 3⅛ by 2¾ in. at the bottom, 3⅛ by 17/16 in. at the top, and inside dimensions of 2⅝ by 2¼ in. at the bottom, and 2 5/6 by 1 in. at the top, with irregularly spaced ¼ in. high cones in front, and 73—5/16 in. high cones in back. Distance from bottom of radiants to first cones is 1⅝ in. in front and 1½ in. in back.

Combustion Chamber: A 19¾ by 23⅝ by 3⅞ in. sheet steel drum having 3— 4 in. diam. flueways whose centerlines are 13½ in. above the ports. Chamber contains the burner and radiants.

Heating Elements: Two 15½ by 23⅝ by 2 in. sheet metal drums 2 in. apart; first drum has two 4 in. dia. flueways with centerlines 13½ in. above ports and two 4 in. dia. flueways with centerlines 4¼ in. above ports which pass into rear drum. Rear drum has two 4 in. dia. flueways whose centerlines are 4¼ in. above ports which empty into the draft hood.

Draft Hood: A 17 by 10 by 4½ in. box type sheet steel draft head with a 4 in. dia. vertical outlet and with bottom of skirt 8¾ in. above floor.

Jacket: A 26¼ by 29¼ by 18¼ in. maximum dimensions sheet steel jacket with an 18⅛ by 8⅜ in., cast iron front grill and with 112 louvres 3⅛ by ½ in. in the top.

Floor Pan: A two pan assembly 2¼ in. above floor with two 5 by 23¾ in. sheet metal pans side by side.

Venting: Secondary air reaches ports through ¼ in. openings along the front and back sides of the burner between burner head and radiant support. Combustion products pass up through radiants, through 3—4 in. dia. flueways into first heating element, through four 4 in. dia. flueways into rear heating elements, through two 4 in. dia. flueways into draft hood.

Accessories: A No. 271-95 straight plug Schoenberger gas burner valve and a separate hood fitting. Also approved with General Controls MR-2 safety pilot and B60-4 automatic main control valve.

TEST

Inspection and test of this burner were made at 592 9th Avenue, Manhattan, by the Committee on Tests of the Board in the presence of representatives of the manufacturer. The burner was found to operate satisfactorily. The burner has been approved by the American Gas Association, Inc., certificate #2-670.511.

RECOMMENDATION

On the basis of the inspection and test and the approval of the American Gas Association, Inc., the Committee on Tests recommends that the Peerless Gas Vented Cabinet Heater (Vented Circulator Type Gas Space Heater) be approved for use in New York City under the Board's authority as provided in C26-191.0, a in other than garages or places having explosive atmosphere, provided that the unit be installed in accordance with this report and with the requirements of Art. 12, subart. 1, Administrative Code; that the unit is connected to a flue, conforming to the requirements of Art. 12, and provided also that the unit shall bear a label permanently affixed reading, "Approved by the Board of Standards & Appeals for use in New York City in other than garages and places with explosive atmosphere, under Cal. 558-45-SA."

(Sgd). BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Peerless DeLuxe Lowboy Vented Gas Circulator *on condition* that the appliance be manufactured, installed, used and labelled in accordance with the above report.

GENERAL RESOLUTION

1464-39-GR

APPLICANT—The James H. Herron Co.

SUBJECT—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR addition of the inspection agency, The James H. Herron Co. of Cleveland, Ohio.

APPEARANCES—
For Applicant: Harry C. Fritz.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (1464-39-GR)

WHEREAS, this general resolution, approving certain applicants as approved inspection agencies, was adopted by the Board December 18, 1939, amended April 16, 1940, July 2, 1940, November 6, 1940, December 17, 1940, February 4, 1941, April 1, 1941; and

WHEREAS, the James H. Herron Company requested reopening of the resolution and consideration by the Board as an approved inspection agency; and

WHEREAS, the report of the Committee on Tests, reads:

REPORT OF COMMITTEE ON TESTS

October 26, 1945.

Re: Cal. 1464-39-GR

Subject: Opening Protective Assembly Inspection Agencies—Addition to the List of the Testing Laboratory of the James H. Herron Company.

The James H. Herron Company of Cleveland, Ohio, filed a request with the Board for consideration as an approved testing laboratory for the purposes of performing the inspections required under the Board's rules for the Inspection of Opening Protective Assemblies. The Committee on Tests has reviewed the qualification, facilities, equipment and experience record of this testing laboratory and on the basis of such review, recommends that the testing laboratory of the James H. Herron Company be approved as an inspection agency under the provisions of the Rules of the Board of Standards and Appeals, covering the inspection of opening protective assemblies, Cal. 1139-39-SR, and that such approval shall remain in force until rescinded by the Board; that all inspections made under this laboratory's jurisdiction shall be made under the direction and supervision of one of their many licensed professional engineers, who shall be responsible for such inspections and the inspection work may be delegated to his assistants, Messrs. Frank J. Kriz and Harry C. Fritz. Upon inspection should any variations of the Board's approval be found, such discrepancies shall be brought to the attention of the Board, giving the calendar number of the opening protective assembly in question.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended approval of this applicant as an approved inspection agency.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1939, as last amended April 1, 1941, so as to include approval of the James H. Herron Company of Cleveland, Ohio as an approved inspection agency, in accordance with above report.

Adjourned: 12:05 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

MINUTES

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 20, 1945,

at 2 P.M.

Present: Chairman Murdock, Commissioners Savage and Blum, and Deputy Chief Gunn.

APPEALS FROM ADMINSTRATIVE DECISIONS

554-45-A

APPLICANT—Irving M. Fenichel, for Vanity Cleaners, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48-02 25th avenue, south side, from 48th street to 49th street (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (554-45-A)

WHEREAS, Irving M. Fenichel, for Vanity Cleaners, Inc., owner, filed September 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 48-02 25th avenue, south side, from 48th to 49th streets (Block 744, Lots 40-47, inclusive), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 14, 1945, re Misc. Applic. 3167-45, reads:

"4. This sprinkler, as required by Alt. 259-45 to comply with Art. 4.2.1, should consist of a system having two approved automatic sources or one approved automatic source and a fire pump. Art. 15.36."

and

WHEREAS, the applicant states the building is 1 and 2 stories (14 ft. and 24 ft.) in height, 200 ft. by 146 ft., irregular in area at first floor, 59 ft. 4 in. by 50 ft., irregular in area at typical floor; Class 3 construction; located in an unrestricted use, A area and Class 1½ height district; erected under N.B. 9146-27 and used since 1936 as follows: Cellar, storage, 1st floor, technical establishment and laundry, 65 persons; proposed to be used; cellar, same; 1st floor, same; 2nd floor, offices and locker-room, 30 persons; and

WHEREAS, Certificate of Occupancy 2453 issued December 11, 1935, permits the use of the present building for dyeing or dry cleaning establishment; and

WHEREAS, the applicant states that the building in question, the construction of which is virtually completed, is located on a plot having an area of 25,700 sq. ft. and faces on three streets; that it is divided into three fire areas, separated by brick fire walls, constructed as required by the Administrative Building Code, as indicated on plot plan; that Area 1 has an area of 3,438 sq. ft.; that Area 2 has an area of 333 sq. ft.; that Area 3 has an area of 16,250 sq. ft. and has a second floor, the area of which is 2,650 sq. ft. (16⅓% of the first floor), used as offices and locker rooms only; that a sprinkler system is required by the Department of Housing and Buildings only because Area 3 is considered as facing on two streets and therefore, 1,750 sq. ft. in excess of the 14,500 sq. ft. maximum established in Section C26-254.0, Article 5, subdivision (4.2.1) of the Administrative Building Code; that Area 3, which faces on 25th avenue and 48th street, is only 16 ft. 8 in. from 49th street at 25th avenue and opens upon the rear, irregular, vacant portion of the plot which connects with 49th street; that Area 3, the area in question, is relatively only slightly larger than permitted by the Administrative Building Code for areas facing on two streets, without a sprinkler system; and

WHEREAS, the applicant contends that Area 3 is accessible to the third street (49th street), through the vacant portion of the plot; that Area 3 has a second floor area of only 2,650 sq. ft. in lieu of 14,500 sq. ft. permitted by the Code when facing on two streets; that this second floor can be used for commercial use without a sprinkler system; that Area 3 will be used for shipping, receiving, pressing, laundering and similar work and not for cleaning, which will be confined to Area 1, having an incombustible roof of precast concrete and the only solvent used in cleaning will have a flashpoint in excess of 100 degrees F.; that for efficient operation, it has been found necessary to extend the deterging and chemical room to 25th avenue, otherwise Area 3 would have been extended to 49th street and a sprinkler system would not be required; that the sprinkler system will comply with all requirements, except that it will have only one source of supply; it is therefore requested that the Board grant this appeal, in view of the prevailing conditions and in view of the fact that the proposed sprinkler system will afford a degree of safety equal to that required by the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Misc. App. 3167-45, objection 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the one-source sprinkler system as proposed, shall comply with all laws, rules and regulations applicable thereto; that the water line shall be taken from 48th street instead of 25th avenue, as shown; and, *granted* only so long as the premises are used substantially as proposed and divided as indicated on plans filed marked "Received September 13, 1945"; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

575-45-A

APPLICANT—John J. Gilmartin, for Fagel Realty Corp., owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (575-45-A)

WHEREAS, John J. Gilmartin, for Fagel Realty Corp., owner, filed September 28, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 60 Pearl street, south side, 84 ft. 3 in. east of Broad street (Block 7, Lot 38), Borough of Manhattan; and

WHEREAS, Order 19321-LF issued by the Fire Commissioner, on October 25, 1944, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner, throughout the building. C19-161.0 Adm. Code."

and

WHEREAS, the decision of the Fire Commissioner, dated September 11, 1945, reads:

"In reply to your request for reconsideration, on item 1 of Order 19321-LF, a reinspection has been made and in view of the large amount of combustible

material stored in the building, your request must be denied."

and

WHEREAS, the applicant states the building is five stories (47 ft.) in height, 28 ft. 5 in. by 50 ft. in area; Class 3 construction; erected prior to 1893; located in an unrestricted use, B area and Class 2½ height district; used and occupied: cellar, vacant; 1st floor, storage and repair office furniture, 3 persons; 2nd to 5th floors, inclusive, storage of office furniture, no persons; that no change in use or occupancy is proposed; that the building is equipped with one interior open wood stairs, 32 in. wide, leading from the roof to the street and one fire escape at the front, leading to the roof by stairs and to the street by a drop ladder; that windows on the course thereof are not fireproof, self-closing; and

WHEREAS, the applicant contends that the building has been used for many years for the storage of office furniture on all floors except the cellar; that the cellar is cut off from the upper floors; that the ceilings are tight tongue and groove construction, serving as partial fire-retarding; that the furniture repairs are carried out on the first floor by 3 persons; that the upper floors are visited only for removing and adding to the stock; that a 3 ft. passageway is provided on all floors and water buckets are provided and additional portable fire-extinguishing equipment will be installed as directed; that the building is unheated, thus making the installation of a sprinkler system costly and difficult; in view of the small area of the building, the fact it is accessible in case of fire and that the material stored cannot be considered inflammable, it is requested that the order for the installation of the sprinkler system be waived; and

WHEREAS, the premises were inspected by a committee of the Board and the Committee (noted that the cellar, which it had been stated by applicant was vacant, was filled with rubbish and flammable material, and therefore) recommended that the appeal be denied.

Resolved, that the order 19321-LF of the Fire Commissioner and his decision dated September 11, 1945, be and they hereby are *affirmed* and that the appeal be and it hereby is *denied.*

579-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (579-45-A)

WHEREAS, Lama and Proskauer for Congregation Shaare Torah, owner, filed October 2, 1945, an appeal from a decision of the borough superintendent, affecting premises 2250 (2256 displayed) Bedford avenue, west side, 122 ft. 7 in. north of Snyder avenue (Block 5103, Lot 81), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 21, 1945, re Alt. Applic. 1277-45, reads:

"1. Proposed change of occupancy to school in a frame structure over one story high violates Sec. 4.2.1 Building Code.

"2. 60# min. liveload capacity required for classroom—Sec. 7.3.2.2.3 Building Code—40# liveload capacity not acceptable.

"3. Use of 2nd floor with access by stair designated as vacant is not acceptable."

and

WHEREAS, the applicant states that the building is two stories (17 ft. 6 in.) in height, 21 ft. 2 in. by 30 ft. 2 in. in area; Class 4 construction; located in a residence use, C area and Class 1 height district; erected about 1900; used and occupied since 1944: Cellar, ordinary; 1st floor, classroom and coat room, 20 persons; 2nd floor, storage and bathroom; that no change in use or occupancy is proposed; that the building is equipped with one 2 ft. 8 in. wide wood stairs, enclosed in partitions of studs and plaster, equipped with wood doors, which are not self-closing and lead from the 2nd floor to the street; that there is no ladder or scuttle to the roof; and

WHEREAS, Violation 617-44 was issued for occupying the first floor as a religious school for twenty children, without a certificate of occupancy; and

WHEREAS, the applicant contends that the 2nd floor will not be used except for present bathroom and that permission is requested for the use of the building for a school as a temporary use, as it is the plan of the Congregation to construct a modern fireproof building within the next several years; that there are two doors leading to the outside, one at the rear and one at the front; and

WHEREAS, the committee of the Board which inspected the premises (from cellar to attic and noted the construction and that the cellar has a hot air furnace for heating purposes and there is no protection in the cellar; also that the second floor is at least partially occupied), was of the opinion that this building is not suitable for the use proposed and recommended the appeal should not be granted; and

WHEREAS, the Board deemed that if the owners desire a temporary use, they should tear the building down and erect a small inexpensive building of concrete block.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1277-45, objections 1, 2 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

580-45-A

APPLICANT—Lama & Proskauer, for Congregation Shaare Torah, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (580-45-A)

WHEREAS, Lama and Proskauer for Congregation Shaare Torah, owner, filed October 2, 1945, an appeal from a decision of the borough superintendent, affecting premises 2252 (2258 displayed) Bedford avenue, west side, 97 ft. 7 in. north of Snyder avenue (Block 5103, Lot 82), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 21, 1945, on Alt. Applic. 1276-45, reads:

"Previous ob. pending (restated below)

1. Proposed change of occupancy to school in a frame structure over one story high violates Sec. 4.2.1 Bldg. Code.

2. 60 lbs. min. liveload capacity req'd for classroom Sec. 7.3.2.2.3 Bldg Code—40 lbs. liveload not acceptable.

3. Use of 2nd floor with access by stair, designated as vacant is not acceptable."

and

WHEREAS, the applicant states that the building is two stories (14 ft.) in height, 20 ft. 2 in. by 27 ft. 2 in. in area, Class 4 construction; located in a residence use, C area and Class 1 height district; erected in 1900; used and occupied since 1944: Cellar, ordinary; 1st floor, class room and coat room, 20 persons; 2nd floor, storage and bathroom; that no change in use or occupancy is proposed; that the building is equipped with one 2 ft. 8 in. wide wood stairs, enclosed with plaster and studs, equipped with wood doors which are not self-closing, and leading directly to the street; that no ladder or scuttle to roof is provided; and

WHEREAS, the applicant contends that the 2nd floor will not be used except for present bath room; that permission is requested for use of the building as a school for temporary use, as it is the plan of the Congregation to construct a modern fireproof building within the next several years; that there are two doors leading to the outside, one at the rear and one at the front.

WHEREAS, a committee of the Board which inspected the premises (from cellar to attic and noted the construction and that the cellar has a hot air furnace for heating purposes and there is no fire protection in the cellar; also that the second floor is at least partially occupied), was of the opinion that this building is not suitable for the use proposed and recommended the appeal should not be granted; and

WHEREAS, the Board deemed that if the owners desire a temporary use, they should tear the building down and erect a small inexpensive building of concrete block.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1276-45, objections 1, 2 and 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

600-45-A

APPLICANT—Joseph B. Klein, for Charles H. Gerhards, owner (Marcia Schliffer, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Klein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Dora Feldman, Health Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (600-45-A)

WHEREAS, Joseph B. Klein, for Charles H. Gerhards, owner (Marcia Schliffer, lessee), filed October 9, 1945, an appeal from a decision of the borough superintendent, affecting premises 2522 Barker avenue, east side, 225 ft. north of Mace avenue (Block 4428, Lot 17), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 589-44, dated September 19, 1945, reads:

"1. Change of occupancy to public use in a frame (Class 4) structure is not permitted. Section C26-254.0. Reconsideration denied."

and

WHEREAS, the applicant states that the building is one story (13 ft.) in height; 25 ft. 9 in. by 54 ft. in area; of Class 4 construction; erected approximately 1925; located in a residence use, D area and Class 1 height district, and used and occupied since 1943 as day care agency for children, 15 persons, and proposed to be occupied, same, 25 persons; that the building is equipped with one interior wood stairs, 2 ft. 6 in. wide, enclosed in studs and sheet rock, extending to the roof by a scuttle; and

WHEREAS, the applicant contends that the building is a one story frame structure, the exterior walls being covered with metal lath and stucco, and the roof being covered with asphalt shingles; that all sides of the building are exposed, affording ample exit facilities, and in addition, all window sills are within 5 ft. of the ground; that the building has no cellar, thus eliminating a possible hazard; that the recreational facilities, both indoors and in the large playground, are a healthful asset to the children; it is therefore respectfully requested that the Board give the matter favorable consideration; and

WHEREAS, on March 7, 1944, a communication was addressed to the Borough Superintendent by the lessee, requesting approval of the occupancy of the building as a nursery school; on March 8, 1944, the Borough Superintendent replied to this request, advising the applicant "it will be necessary to file an application with the Department of Health for the proposed use before any action could be taken by the Department of Housing and Buildings;" and

WHEREAS, on March 23, 1944, a communication was received by the Borough Superintendent from the Department of Health, requesting to be informed if the Borough Superintendent had any objections to the conduct of a day care agency for fifteen children on these premises; and

WHEREAS, this request from the Department of Health was the subject of a Special Report No. 1950-44, dated April 10, 1944, accepted by the Acting Borough Superintendent April 11, 1944, wherein it was stated that the premises complied with the rules and regulations of the Department for use as a day care agency for fifteen children and there were no objections to the issuance of the permit for not more than fifteen children on the first floor; and

WHEREAS, on April 11, 1944, communication addressed to the Department of Health by the Borough Superintendent advised that "the premises comply with all the requirements of the laws and ordinances under the jurisdiction of the Borough Superintendent and all the rules and regulations of the Department of Housing and Buildings for the proposed use as a day care agency for 15 children on the first floor. On Sept. 22, 1944, a request from the Bureau of Child Hygiene of the Department of Health was addressed to the Department of Housing and Buildings for an inspection of the day care agency on the premises in question for the occupancy by 25 children throughout the entire building from 2 to 6 years of age and stating that the occupancy existed. This request was disapproved by the Borough Superintendent October 31, 1944, on the grounds that a 1½ story frame building in a residence district was previously approved as a day care agency for 15 children and recommended that a certificate of occupancy be required before the number of children is increased to 25. A similar request for inspection dated December 27, 1944, addressed to the Department of Housing and Buildings by the Bureau of Child Hygiene resulted in a report by the Borough Superintendent approving the ocupancy of fifteen children on the first floor and disapproving the use for twenty-five children, as no certificate of occupancy has been obtained for use as a day care agency and recommending that a plan be filed with the Department for approval and a certificate of occupancy be obtained; and

WHEREAS, under date of June 8, 1945, a communication was addressed by the Borough Superintendent to the Department of Health, stating that the record relating to 2522 Barker avenue was investigated and that the record indicated that "the building is 1½ story frame—about 1900 sq. ft. in area, and that Section 4.2.1 of the Administrative Code prohibits the use of a frame building over 600 sq.ft. in area as a day care agency for children," and stated that Alt. Applic. 589-44 was disapproved for that reason. In this communication the Borough Superintendent also stated that if the applicant took steps to make an appeal to the Board,

he would, pending the disposition of the appeal, permit temporary use of the building as a day care agency for 25 children; and

WHEREAS, under date of September 22, 1944, the Fire Department approved the use of the premises for twenty-five children and stated on such approval that "Inspection shows no objection to day nursery within the jurisdiction of this Department"; and

WHEREAS, the premises was inspected by a committee of the Board; and

WHEREAS, the Department of Health approves the increase proposed to a total of 25 children.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 589-44, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the number of children in the day care agency or day nursery shall at no time exceed twenty-five (25); that while the agency is being conducted, there shall be not less than three qualified persons in complete charge of the premises, supervising the welfare of the children; that these premises shall be maintained to the satisfaction of the Department of Health and the Division of Day Care of said department; that the heating system shall be maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained within the building as the fire commissioner shall direct; that around the space occupied by the heater, there shall be installed three sprinkler heads, approximately 4 feet therefrom and in the kitchen space adjacent to the cooking range, there shall be at least two sprinkler heads; that such sprinkler heads shall be 120 deg. heads, ½ inch in size and may be connected to the domestic water supply in the building; that a door shall be cut in the wall between the space marked "office", between office and kitchen and also a door leading from the solarium to the yard, directly opposite the main entrance to the room marked "music room"; as indicated on plans filed with this appeal marked "Received October 9, 1945"; that all doors serving as means of exit, shall be made to swing outwardly; that the existing exit doors shall be maintained openable at all times while the nursery is in use; that the attic space shall be cut off and not occupied for any use.

607-45-A

APPLICANT—RCA Communications, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—64-68 Broad street and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan.

APPEARANCES—
For Applicant: John J. Dorsey
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (607-45-A)

WHEREAS, RCA Communications, Inc., owner, filed October 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 64-68 Broad street, and 31 Beaver street, northwest corner (Block 24, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on E.S. Applic. 232-45, dated July 31, 1945, reads:

> "Proposed sign is contrary to Art. II, Sec. 4a, subdiv. 49a of the Zoning Resolution, as same projects more than 18" beyond building line and premises is in a business use district."

and

WHEREAS, the applicant states that the building is 10 stories (130 ft.) in height, 98 ft. 8 in. by 69 ft. 3 in., irregular in area, of class 1 construction, erected in 1891, located in a business use, B area and class 2½ height district; used and occupied since erection: cellar—5 persons; basement—storage and mechanical equipment—10 persons; 1st floor—office, restaurant and bar—172 persons; 2nd to 10th floors—offices—119 persons on the 2nd floor, 98 persons on the 3rd floor, 110 persons on the 4th floor, 32 persons on the 5th floor, 37 persons on the 6th floor, 34 persons on the 7th floor, 100 persons on the 8th floor, 40 persons and the 9th floor and 30 persons on the 10th floor; that no change in use or occupancy is proposed; that the building is equipped with a two source sprinkler system, an approved standpipe system, one interior stairs on the northwest side of building, extending to the roof bulkhead and leading directly to the street, 4 ft. in width, of steel, slate or terrazzo construction, equipped with kalamein doors at the roof and one door at the roof is self-closing; that the building is also equipped with one fire escape on south court wall, extending to the roof by stair and to the court by stair, with egress through the adjoining building; that window and door openings on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant contends that the nature of the applicant's business is solely in the interest of the public and the building is open for use of the public 24 hours per day, so that they may send and receive radiograms from all parts of the world; that under section 4a, subd. 49, par. c, such signs may be erected on public buildings; and

WHEREAS, the applicant states that this is an application for interpretation of section 4a, subdivision 49(a) of the Zoning Resolution and not an application for a variance; and

WHEREAS, the premises were inspected by a committee of the Board, which made the following report:

REPORT OF COMMITTEE

November 16, 1945.

Re: Cal. 607-45-A
Premises 64-68 Broad Street,
31 Beaver Street, Manhattan.

This is an appeal for interpretation of the law relating to an electric sign proposed to be erected over the building line at the corner of the building. It is proposed to extend beyond the building line for a distance of eight feet.

A business sign, under the Zoning Resolution—Article II, Section 4a, subdivision 49, cannot be erected in a business use district, in which this building is located, to project more than 18 inches. The applicant claims that this limitation is not applicable to this building as the building is "essentially of a public nature where such signs are permitted". The sign would advertise radiogram service.

After inspection of the occupancies of the building, which is an office building, the Committee cannot agree that the sign proposed is other than a "business sign" and should comply with the requirements of the Zoning Resolution, unless, under a proper application to this Board, a zoning variance is granted for an electric sign exceeding the distance from the building line permitted under the law.

The law provides, a remedy where an owner desires to be relieved of the requirements, and this is the course that should be followed rather than the device, too frequently employed, of asking the Board to 'interpret" the law so as to make an exception as to a condition which should properly be the subject of an application for a zoning variance.

(Sgd). HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
JOHN E. GUNN,
Committee.

Resolved, that the decision of the borough superintendent, acting on E.S. Applic. 232-45, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

608-45-A

APPLICANT—Raymond Irrera, for Fred C. Dick and Augusta Dick, owners (Steinway Lumber Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40-16 31st avenue, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Raymond Irrera.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

THE RESOLUTION (608-45-A)

WHEREAS, Raymond Irrera, for Fred C. Dick and Augusta Dick, owners (Steinway Lumber Co., lessee), filed October 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 40-16 31st avenue, south side, 25 ft. west of 41st street (1st floor); (Block 678, Lot 44), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 3, 1945, re Alt. App. 964-45, reads:

"3. As power driven saws are to be used on premises, the proposed use of premises is contrary to Article 2, Section 4, sub-section 31 of B.Z.R."

and

WHEREAS, the applicant states that the building is one story (12 ft.) in height, 20 ft. by 80 ft. in area; Class 5 construction; erected in 1920; located in a business use, B area and Class 1½ height district; used from erection, under N.B. App. 3582-20, as follows: 1st floor, garage and battery service station; used since August 1944 for present use, i.e., woodworking shop, with an occupancy of 2 persons; that no certificate of occupancy was obtained for either use; that Violation 1676-45 was issued September 18, 1945 for using premises as a woodworking factory, without a certificate of occupancy; and

WHEREAS, the applicant contends that the premises, operated as a woodworking shop, is used by owner and a helper and the power-driven equipment consists of one 8 in. circular saw and one band saw, each operated by a ½ horsepower electric motor; that the major part of work performed consists of making and assembling wood cabinets, shelving, standing closets, radiator covers, storm and window sash, etc.; that at no time are these saws in continuous operation; that these saws do not constitute a saw mill as defined in Art. 2, Sec. 4, subdivision 31, of the Zoning Resolution; and

WHEREAS, the applicant further contends that a saw mill in his opinion and as intended by the zoning law, is a plant where lumber and timber are made from original logs, requiring large and powerful saws or where sawing is a major and continuous operation; that the saws used in this shop are necessary equipment used solely for expediting work and as labor saving devices and may be comparable to the electric machinery used in a shoe repairing shop or other permitted uses in a business district, where machinery is used in performance of the work; that the applicant believes, therefore, that no violation of the zoning law exists and respectfully request this appeal be acted upon as an "A" case, for the purpose of clarifying whether or not this type of business should be considered a saw mill and further requests that this woodworking shop, which is permitted in a business use district, be permitted to have these saws as accessory equipment; and

WHEREAS, the applicant further states that this appeal is made for the purpose of interpretation of the law and not for a variance of the zoning resolution; and

WHEREAS, the lessee was served with a summons to appear in the City Magistrates Court and sentence was suspended on August 29, 1945; and

WHEREAS, the premises were inspected by a committee of the Board and also the motor driven saws in question were inspected and the records of the Building Department examined, which indicated the premises were formerly used as a metal garage; and

WHEREAS, as in other cases where such saws were used, the Board has uniformly determined that they are precluded under Article 2, Section 4, Subdiv. 31 of the Zoning Resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. App. 964-45, objection 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

613-45-A

APPLICANT—George P. Ames, for Albert and Freida Happel, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—29-55 Bell boulevard, east side, 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens. (Under section 35, General City law re bed of mapped street—32nd avenue.)

APPEARANCES—
For Applicant: George P. Ames.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (613-45-A)

WHEREAS, George P. Ames, for Albert and Freida Happel, owners, filed October 15, 1945, an application pursuant to section 35 of the General City Law, to permit the encroachment of an existing building within the bed of a mapped street (32nd avenue) affecting premises 29-55 Bell boulevard, east side 525 ft. south of 29th avenue (Block 6054, Lot 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated October 8, 1945, on Alt. Applic. 1699-45, reads:

"1. The approval of the building shown on the bed of the mapped street (32 Ave.) must be secured from the Board of Standards and Appeals, as per Art. 3 sect. 35, of General City Law."

and

WHEREAS, the applicant states that the building is 1½ stories (22 ft.) in height, 33 ft. 4 in. by 38 ft. 8 in. in area, of class 4 construction, erected in 1939, located in a business use, D area and Class 1 height district, used and occupied as a one family dwelling pursuant to Certificate of Occupancy Q8104 issued November 17, 1939, on N.B. Applic. 1654-39; and

WHEREAS, the applicant contends that plans were filed for the dwelling in question in 1939 and permit to build issued without objection and subsequently the Certificate of Occupancy was issued; that granting of the permit to build and issuance of the certificate of occupancy precluded an appeal to the Board; that it is believed that the Building Department at that time was operating under an opinion by the Corporation Counsel that approval of the Board was unnecessary; that the owner now desiring to sell, finds title not marketable, as title companies will not insure on the basis of the decision of the Court of Appeals in Petterson vs. Radspi 290 N.Y. 645; that the owner desiring a marketable title, requests the Board to grant permission to main-

tain the building in the bed of a mapped street; and

WHEREAS, it appears that a report from the Topographical Bureau dated April 25, 1939, called the Department of Housing and Buildings attention to the mapped street; and

WHEREAS, the permit apparently was issued by the borough superintendent, based on an opinion of the Corporation Counsel and the building was erected thereunder, although the opinion of the Corporation Counsel has since been changed, as evidenced by the several court cases which have occurred since 1930.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1699-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, *on condition* that the building shall not be increased in height or area and that in the event a portion of the premises is taken by the city for street purposes, no claim shall be made in condemnation for value of the building beyond the cost at the time the building was erected in 1939 as may be determined by the court and for the fair value of the land so taken, as determined by the court.

632-45-A

APPLICANT—Judson E. Schnall, for Schnall and Blaufeux, for Rabbi Mayer Rosenblum, owner.

SUBJECT—Appeal from decision of the borough superintendent.

PREMISES AFFECTED—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Judson E. Schnall.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (632-45-A)

WHEREAS, Judson E. Schnall, for Rabbi Mayer Rosenblum, owner, filed October 19, 1945, an appeal from decisions of the borough superintendent, affecting premises 1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (Block 6568, Lots 21 and 22), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 24, 1945, on Alt. 2875-45 and Alt. 2876-45, reads:

"1. Changing occupancy from residence to public use in a class No. 3 building over 20 ft. in height, is contrary to sections 2.1.3.5 and 4.2.1 of Building Code."

and

WHEREAS, the applicant states that each building is two stories (26 ft.) in height, 20 ft. 4 in. by 68 ft. in area at street floor, 20 ft. 4 in. by 60 ft. in area at typical floor, of class 3 construction, erected in 1922, located in a residence use, C area and Class 1½ height district, used and occupied since erection: cellar, play room and boiler room; 1st and 2nd floors, 1 family each; proposed to be used and occupied: cellar, recreation room, prayer room and boiler room, 40 persons; 1st floor, 8 bed rooms, kitchen and office, 28 persons; 2nd floor, 12 bed rooms, 36 persons; that the building as altered will be equipped with one interior stairs at the front of the building, 3 ft. 8 in. wide, of wood construction, with fire-retarded one hour enclosure, leading directly to the street, and equipped with fireproof, self-closing doors; and

WHEREAS, the applicant contends that all the enclosure walls are of brick construction and it is now proposed to combine 1326 with 1330 Ocean parkway, to be occupied as a convalescent home; that it is proposed to remove portions of the party walls on 1st floor and 2nd floor, to combine the buildings for a conjunctive occupancy, to alter the front entrance steps to combine as one entrance, to enclose interior cellar stairs with a fireproof 3-inch gypsum block partition and fireproof, self-closing one hour test door at the bottom, to remove the present stairs leading to 2nd floor and install a 3 ft. 8 in. wide stairs, enclosed in one hour rating fire-retarded partitions; that the building is 26 ft. in height and 2,765 sq. ft. in area, of brick construction, set back 30 ft. from the building line, completely detached, equipped with oil burning heating units and only two stories high; that existing garages on the rear of lot will be used only in conformity with the zoning resolution, as accessory to the principal use on the premises.

Resolved, that the decision of the borough superintendent, acting on Alt. Applics. 2875-45 and 2876-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

637-45-A

APPLICANT—Lama and Proskauer, for Archie Snyder, owner, (Lon Fong, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (637-45-A)

WHEREAS, Lama and Proskauer, for Archie Snyder, owner (Lon Fong, lessee), filed on October 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 1586-1588 Pitkin avenue, south side, 65 ft. west of Amboy street (2nd floor); (Block 3517, Lot 35), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 19, 1945, on B.N. Applic. 1259-45, reads:

"1. Proposed marquee is contrary to Section 2.4.1.4.8 of the Building Code."

and

WHEREAS, the applicant states the building is two stories (25 ft.) in height; 35 ft. by 90 ft. 5 in. in area; of Class 3 construction; erected 1930; located in a business use, C area and Class 1½ height district, and used and occupied since 1945, cellar, ordinary; 1st floor, store; 2nd floor, restaurant, 210 persons; that no change in use or occupancy is proposed; that the building is equipped with two 3 ft. 8 in. wide iron stairs, enclosed in partitions of studs and ¾ in. portland cement mortar, equipped with fireproof, self-closing doors and leading directly to the street; that a ladder and scuttle to the roof is provided; that there is also a fire escape in the rear, leading to the roof by a ladder and to the yard by iron stairs; and

WHEREAS, the applicant contends it is proposed to remove and reset a marquee presently located at 1625 Pitkin avenue, the premises previously occupied by the Chinese restaurant, to the building in question; that the operators of the restaurant were compelled to move to the building in question because the old location could not be made to comply with Local Law 29; that the erection of this sign is important to this particular type of business; that Pitkin avenue has many marquees and the erection of this one will not affect the appearance of the avenue; and

WHEREAS, a committee of the Board inspected the so-called marquee at 1625 Pitkin avenue and also the proposed new location at 1586-1588 Pitkin avenue and determined that

the construction in question is actually more a sign, than a marquee and recommended that the appeal should not be granted, to transfer the existing sign to the new location as proposed, contrary to the requirements of the Zoning Resolution.

Resolved, that the decision of the borough superintendent acting on B.N. Applic. 1259-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

653-45-A

APPLICANT—Antonin Raymond, for Baltimore and Ohio Railroad, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Riklin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (653-45-A)

WHEREAS, Antonin Raymond, for Baltimore and Ohio Railroad, owner, filed October 30, 1945, an appeal from a decision of the borough superintendent, affecting premises 630-636 West 26th street, south side, 136.43 ft. east of 12th avenue (Block 670, Lot 66), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 29, 1945, on amendment to N.B. Applic. 250-45, reads:

"1. A marquee projecting beyond bldg. line is not permitted, as per Sec. 2.4.1.4.3 Building Code."

and

WHEREAS, the applicant states the proposed building will be 2 stories (31 ft.) in height; 103 ft. 9 in. by 35 ft. 7½ in. in area, of Class 3 construction; located on a lot 593 ft. by 98 ft. in area, in an unrestricted use, A area and Class 2 height district, and used and occupied as follows: 1st floor, storage of general merchandise, 10 persons; 2nd floor, storage of general merchandise, 8 persons; that the building will be equipped with one 3 ft. 8 in. wide fireproof stairs from the 2nd floor to the street and provided with a ladder and scuttle to the roof; and

WHEREAS, the applicant contends that the proposed building will be an extension to an existing warehouse which is nine stories in height, 353 ft. in length; erected in 1913, and now equipped with a loading platform for the full length of the building; that the proposed two story steel frame and brick building which will be added, will have a total width of 103 ft. 9 in. and will line up with the existing building; that the floor plan of the existing building and the location of the existing railroad tracks do not permit the placing of an additional building in any other way except as proposed; it is essential that there be an extension of the existing loading platform and canopy, in order to provide cover over the large doors at which trucks are to be loaded and unloaded; it is therefore requested that the Board permit the erection of the loading platform and canopy as indicated on plans filed with this appeal; and

WHEREAS, the applicant stated that the proposed new building will be separated from the existing building by a fire wall with approved fire doors therein; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on amendment to N.B. Applic. 250-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the proposed canopy (marquee) on the West 26th street side, as indicated on plans marked "Received October 30, 1945," *on condition* that the shipping and receiving at such new building shall be mainly from the easterly end thereof, as proposed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

656-45-A

APPLICANT—Christian J. Wolfe, for Rockwood and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Christian J. Wolfe and Howard J. Cameron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (656-45-A)

WHEREAS, Christian J. Wolfe, for Rockwood and Company, owner, filed October 24, 1945, an appeal from a decision of the borough superintendent, affecting premises 21-37 Waverly avenue, east side, 177 ft. 2 in. north of Park avenue and 54-58 Washington avenue, west side, 172 ft. 2 in. south of Flushing avenue (Buildings 10, 11, 12, 13 and 17, 4th floor); (Block 1874, Lots 1, 38 and 40), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 2255-45, dated October 18, 1945, reads:

"1. Commercial buildings over 50 ft. in height is contrary to Sec. 4.2.1 of Building Code.

"2. All exit doors to swing in line of egress and to be 3 ft. 8 in. in width.

"3. All stairways to comply with Sec. 270 of Labor Law.

"4. Fire walls to comply with Sec. 265 of Labor Law and openings in fire walls shall be protected with fire doors as specified in Sect. 10.8.1 of Bldg. Code."

and

WHEREAS, the applicant states that the buildings will be 4 stories (62 to 64½ ft.) in height; 181 ft. 2 in. by 100 ft. in area on the Waverly avenue front; 75 ft. by 100 ft. in area on the Washington avenue front; of Class 3 construction; and erected as follows: Building No. 12 in 1919; Buildings 10, 11 and 13 in 1920 and Building 17 in 1933; located in an unrestricted use, A area and Class 1½ height district and used and occupied since 1924 as follows: 1st floor, storage, 29 persons; 2nd floor, storage, 20 persons; 3rd floor, storage and manufacturing of chocolates; and proposed to be used and occupied as follows: 1st, 2nd and 3rd floors, same; 4th floor, storage and manufacturing, 55 persons; that the building is equipped with an approved two source sprinkler system and four interior stairs, 44 in. to 48 in. wide, three of which are of wood, and one of steel construction, enclosed in 12 in. brick walls; and

WHEREAS, the applicant contends as to Objection 1, that the 1st floor is fireproof and directly on the ground; that it conforms with Sec. 4.2.1 of the Code, as it is only four stories; that all five buildings adjoin each other, with 2nd 3rd and 4th floors level, and are divided by fire walls and self-closing fire doors; that the floor loads are supported on piers with 12 in. non-bearing curtain walls between, and on interior wood or steel columns; that the only exceptions are the front and rear bearing walls of Bldg. No. 13, where

wall thicknesses are increased below the 2nd story as required; that all five buildings are equipped with an approved two source sprinkler system, including the 4th story; that the new roof deck will be supported on Lally columns, steel columns and brick piers and will be fire-protected with 1¾ in. Porex slabs ¼ in. cement top finish with slag roofing and the ceiling and girders encased with metal lath and ¾ in. cement plaster; and contends as to Objection 2, that all exit doors comply with the requirement for a minimum width of 3 ft. 8 in. and swing in line of egress, with the exception of the 54 in. 58 in. and 60 in. wide openings in the fire walls between Buildings 10, 11 and 13, which have self-closing sliding doors on both sides of the wall; that if necessary additional 44 in. single swing and slide doors will be installed in the two fire walls; and contends as to Objection 3, that these buildings were erected after October 1, 1913 and were approved as warehouses; that the upper floors are now to be partly used for factory purposes; that Stairways 1, 2 and 4 are of wood, enclosed by 12 in. brick walls, but will be constructed of incombustible materials if the Board so desires; as to Objection 4, that the 12 in. walls enclosing stairs, which are in line with the dividing fire walls, have exits leading to stairs Nos. 1, 2 and 4; that this portion of the wall could be considered as stair enclosure and not as a fire wall between buildings, so that a single door swinging in the line of egress would suffice; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2255-45, objections 1, 2, 3 and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the buildings, as proposed to be extended to four stories in height, shall not exceed a total height of 65 feet; that the existing wooden stairways within the stair enclosures shall be removed and steel stairs complying with the Building Code, substituted therefor; that all doors opening to such stair enclosures shall comply with the Code requirements; that the existing doors in fire walls other than doors to stairways may be continued, provided such openings in fire walls serving as a second means of exit from any section of the building shall be equipped with one sliding and one hinged fire door, meeting the requirements therefor; that the two-source sprinkler system shall be extended and maintained throughout the premises; that the buildings shall not be further increased in height or area; and granted only so long as the building is occupied in compliance with the requirements of this resolution and for the use proposed; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

657-45-A

APPLICANT—Robert D. Kohn and John J. Knight, for R. H. Macy and Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 441-459 7th avenue and 108-166 West 35th street (Block 810, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Knight.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (657-45-A)

WHEREAS, Robert D. Kohn and John J. Knight, for R. H. Macy and Co., Inc., owner, filed October 25, 1945, an appeal from a decision of the borough superintendent, affecting premises 1317-1329 Broadway, west side, from West 34th to West 35th streets, 105-173 West 34th street, 441-459 7th avenue, and 108-166 West 35th street (Block 810, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1724-45, dated October 18, 1945, reads:

> "1. Not more than two adjoining stories in any structure may be connected by an open well, unenclosed stairway, or escalator, C26-292.0-c."

and

WHEREAS, the applicant states that the building is 10 and 19 stories and pent house (286 ft. 9 in.) in height; 595 ft. by 197 ft. in area; of Class 1 construction; located in a business use, B area and Class 2 height district; erected 1898, 1921, 1928 and 1930 and used and occupied as a department store; that the building is equipped with a two source sprinkler system, standpipe system, interior fire alarm system and that fire drills are maintained; that there are nine (9) interior stairs and one fire tower enclosed in terra cotta, equipped with metal covered, self-closing doors and leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends the building is subdivided into three fire areas, equipped with a 100% supervised two source sprinkler system, a standpipe system, and central station fire alarm and that a watchmen's service is maintained; that the enclosures for the existing escalators are constructed of metal and 6 in. terra cotta block with sidelights and double acting doors held open by means of fusible links and chains; that sash, side lights and doors are glazed with quarter inch polished wire glass; that it is proposed to remove existing enclosures and replace same by means of fireproof balustrading, finished with plaster on two sides, the well opening to be provided with a rolling shutter in a horizontal position at top of balustrading, manually operated; that the well opening below shall be protected by a steel or cement flame baffle 24 in. below general ceiling level and additionally protected by means of an automatic sprinkler water curtain with heads 4 ft. on centers around the perimeter of the well opening; that an automatic electrical device will be installed, to stop the operation of the escalator upon the closing action of the shutter; and

WHEREAS, the applicant contends that the protection, proposed to be afforded by the alterations, is equal or superior to that of the existing construction; and

WHEREAS, under Cal. 227-38-A, the Board modified a decision of the borough superintendent, permitting the removal of the existing kiosks previously installed in connection with the existing escalators on the 2nd floor adjacent to column 54 on the 4th and 8th floors on up and down escalators between columns 145 and 146, and columns 155 and 156, and substituting therefor, fireproof balustrades with a steel roller shutter at each opening, so arranged to be operated by hand by means of a chain secured by heavy rings to the bottom rail of the shutter, etc., and requiring a two inch reinforced concrete baffle extending downwardly around each floor opening and within 2 ft. thereof and the provision of sprinkler heads spaced 4 ft. apart, within 2 ft. of such baffles; and

WHEREAS, under Cal. 1048-40-A, the Board modified a decision of the borough superintendent acting on Alt. Applic. 3227-40, permitting the installation of one new escalator from 1st to 2nd story, to replace existing escalator and to permit the removal of kiosks on such existing escalator at column 57, on condition that the new escalator be installed in accordance with the requirements of the resolution adopted by the Board under Cal. 227-38-A.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1724-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the alteration shall be completed substantially as indicated on plans filed with this appeal marked "Received October 25, 1945," (floor plan) and marked "Received November 14, 1945," two sheets, (details); that the requirements similar to those required by the Board under Cal. 227-38-A adopted May 17, 1938 as printed in Bulletin 9, Vol. 24 and under Cal. 1048-40-A adopted November 13, 1940, as printed in Bulletin 47, Vol. 25, shall be complied with.

MINUTES

680-45-A

APPLICANT—Charles A. Duncker, for Louis and Mary Tomczak, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—279 Heberton avenue, east side, 119.17 ft. north of Albion place (Block 1031, Lot 24), West Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Charles A. Duncker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

671-45-A

APPLICANT—Joseph Levy, Jr., for Brooklyn Jewish Center, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—916-918 Lincoln place (910-912 displayed), south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr. and Samuel Lemberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 18, 1945 at 2 P. M. for an inspection by a committee of the Board and for decision without further discussion.

696-45-A

APPLICANT—Tolbert, Ewen & Patterson & John J. McNamara, for Nielk Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th, and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 46½), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. McNamara and Bertram F. Bongard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 27, 1945 at 2 P.M.

ZONING APPLICATIONS

1333-22-BZ

APPLICANT—J. David Rickover, for Fred, Katherine and Margaret Nienstedt, owners.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7i of the zoning resolution, for a term of two years, permitting in a business use and extending into a residence use district, the change of occupancy of a business building to a motor vehicle repair shop.

PREMISES AFFECTED—662 East Fordham road, south side, 50.96 ft. west of Cambreling avenue (Block 3091, Lot 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Joel D. Rickover.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (1333-22-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a business building, affecting premises 662 East Fordham road, south side, 50.96 ft. west of Cambreling avenue (Block 3091, Lot 22), Borough of The Bronx, was granted by the Board on January 26, 1923, on certain conditions; and

WHEREAS, on November 23, 1943, the resolution was amended, to permit under section 7i, the change of occupancy of a business building, to a motor vehicle repair shop, for a term of two years; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 23, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

> "*Granted* for a term of two (2) years under section 7i, *on condition* . . . that other than as herein *amended,* the provisions of the resolution of January 26. 1923, as amended through November 23, 1943, shall be complied with and that a certificate of occupancy shall be obtained."

77-33-BZ

APPLICANT—Charles M. Spindler, for Matilda Kessel, Executrix for Estate of Grace Repaci, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain a certificate of occupancy—re Application (decision of the superintendent of buildings) previously granted on condition, under section 7f, of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a term of five years.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block 3083, Lot 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (77-33-BZ)

WHEREAS, this application, permitting in a business use district for a term of five years, the erection and maintenance of a gasoline service station, affecting premises southeast corner of New York boulevard and Linden boulevard (Block 3083, Lot 21), Cedar Manor, Borough of Queens, was granted by the Board on March 13, 1934, on certain conditions; and

WHEREAS, on November 14, 1939, the permit was extended for an additional term of five (5) years; and

WHEREAS, on October 17, 1944, the permit was further extended, under section 7f of the zoning resolution, for an additional term of five (5) years; and

WHEREAS, the applicant requested an extension of time to obtain a certificate of occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 13, 1934, as amended

through October 17, 1944, only in so far as it has reference to obtaining a certificate of occupancy, so that as amended, this portion of the resolution shall read:

"in view of the statement by the applicant that all work has been completed and additional time is desired so as to obtain a certificate of occupancy, that such certificate shall be obtained within three (3) months from the date of this *amended* resolution (N.B. 224-33)."

569-37-BZ

APPLICANT—Flatbush Coal and Coke Co., owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain a certificate of occupancy—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting on a plot partly in an unrestricted use and partly in a residence use district, the use of that part of the lot located in the residence use district for the operation of coal pockets, coal storage, truck driveway and railroad siding (previously granted by the Board).

PREMISES AFFECTED—2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block 6680, Lots 23, 124 and 125), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Galamback.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

THE RESOLUTION (569-37-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the operation of coal pockets, coal storage, truck driveway and railroad siding, affecting premises 2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S, and 49-57 Lake street (Block 6680, Lots 23, 124, and 125), Borough of Brooklyn, was granted by the Board on February 15, 1939, on certain conditions; and

WHEREAS, the applicant did not comply with the terms of the Board's resolution as to obtaining permits and completion of work; and

WHEREAS, Lama and Proskauer for Bengal Realty Company, Incorporated, owner, (Flatbush Coal and Coke Corporation, lessee), filed an application under section 7c of the zoning resolution, to permit upon a plot located partly in an unrestricted use district and partly in a residence use district, the use of that part of the lot, which is located in the residence use district, for the operation of coal pockets, coal storage, truck driveway and railroad siding; and

WHEREAS, this case was reopened by vote of the Board on February 23, 1944, subject to usual procedure; and

WHEREAS, on May 9, 1944, this application was granted on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain a certificate of occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amended* the resolution of May 9, 1944 only in so far as it has reference to obtaining a certificate of occupancy, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the owner that all work has been completed and an extension of time is required to obtain a certificate of occupancy from the borough superintendent, that such certificate shall be completed within three (3) months from the date of this *amended* resolution."

276-43-BZ

APPLICANT—Santini Building Corp., lessee; Rosian Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time to obtain a certificate of occupancy—re Application (decision of the borough superintendent) previously granted on condition, under section 21, permitting in a residence use district, the conversion of occupancy of an existing public garage to a storage warehouse (household goods).

PREMISES AFFECTED—3441 Kingsbridge avenue, west side, 169.64 ft. south of West 236th street (Block 3406G, Lot 441), Borough of The Bronx.

APPEARANCES—

For Applicant: Carlo Carighi.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (276-43-BZ)

WHEREAS, this application under section 21, of the resolution, permitting in a residence use district, the conversion of occupancy of an existing public garage to a storage warehouse (household goods), affecting premises 3441 Kingsbridge avenue, west side, 169.64 ft. south of West 236th street (Block 3406G, Lot 441), Borough of The Bronx, was granted by the Board on January 18, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain a certificate of occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 18, 1944, only in so far as it has reference to obtaining a certifiacte of occupancy, so that as amended, this portion of the resolution shall read:

"in view of the statement by the owner that all work has been completed, as required by this resolution and that additional time is necessary for obtaining a certificate of occupancy, that such certificate shall be obtained within three (3) months from the date of this *amended* resolution."

599-44-BZ

APPLICANT—Paul Friedman, for Isser Einhorn, owner (Adelphi Paint and Color Works, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two story paint factory.

PREMISES AFFECTED—85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

MINUTES

THE RESOLUTION (599-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a residence use district, the addition of a 2nd story on an existing paint storage building and its connection to an existing two-story paint factory, affecting premises 85-20 to 85-26 and 86-02 to 86-08 135th (Dumont) avenue, south side, 441.83 ft. east of 84th street (Block 11396, Lots 25 and 32), Ozone Park, Borough of Queens, was granted by the Board on January 30, 1945, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 30, 1945, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution (Alt. Applic. 1219-44)."

263-19-BZ

APPLICANT—Reginald S. Hardy, for Hayson Corporation, owner (Randall Cadillac Corporation, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting for a term of two years, in a residence use district, the inclusion of a lubritorium, motor vehicle repair shop, stock room and offices, in an existing garage (previously granted by the Board).

PREMISES AFFECTED—564-592 (formerly 722-746) St. Johns place, south side, 333 ft. 8 in. east of Classon avenue (Block 1178, Lot 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn, after discussion.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

336-37-BZ

APPLICANT—Stewart & Shearer, for The New York Public Library, owner (Garage Realty Corp., tenant and Sun Industries, sub-tenant).

SUBJECT—Application for consideration—reopening and extension of permit—expired by limitation 3/3/44 —re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a retail use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—322-328 West 57th street, south side, 275 ft. west of Eighth avenue (Block 1047, Lots 44 and 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Clarence Kempner and T. J. Pruden.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on December 11, 1945 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4

Negative 0

58-39-BZ

APPLICANT—Anfred Realty Corp., owner.

SUBJECT—Application for consideration—reopening and extension of permit—lapsed by limitation 6/27/44 —re Application (decision of the borough superintendent) previously granted on condition, under section 21, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop.

PREMISES AFFECTED—1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

APPEARANCES—

For Applicant: Fred Schwartz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on December 18, 1945, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

297-39-BZ

APPLICANT—Erwin Palmer, for Wilson & Company, owner. (H. Chazen, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition under section 7i of the zoning resolution, permitting in a business use district, the extension of a motor vehicle repair shop into a portion of the adjoining premises (previously granted by Board).

PREMISES AFFECTED—838-842 1st avenue and 400 East 47th street, southeast corner (Block 1358, part of Lot 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Palmer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn, after discussion.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

389-42-BZ

APPLICANT—Emanuel H. Jerabek, for Dominick Carl Carena, owner.

SUBJECT—Application reopened October 16, 1945, for consideration as to amendment of resolution—Application (decision of the borough superintendent), previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the alteration and extension of a gasoline service station.

PREMISES AFFECTED—82-16 to 82-20 Astoria boulevard and 24-08 to 24-12 83rd street, southwest corner (Block 1094, Lot 6), Jackson Heights, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Emanuel M. Jerabek.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application withdrawn on request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

116-44-BZ

APPLICANT—Herman Kron, for Bessie Deutch, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the inclusion of a motor vehicle repair shop in a building used as a garage for more than five motor vehicles and show rooms (previously withdrawn).
PREMISES AFFECTED—337-339 Roebling street, east side, 61.9 ft. north of Division avenue (Block 2149, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

APPLIANCE AND MATERIAL SUBMITTED FOR APPROVAL

166-38-SA

APPLICANT—Josam Manufacturing Company, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution as to sizes—re Approval of Josam Grease Interceptor (Plumbing Device) previously approved on condition.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee on Tests.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

1345-39-SM

APPLICANT—Concrete Units, Inc., owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of Cinder Lightweight Concrete Units (Non-load-bearing) and Cinder Building Units (Load-bearing); (previously granted on condition).
APPEARANCES—
For Applicant: Louis Gelbman.
ACTION OF BOARD—Application reopened, restored to the calendar and referred to the Committee on Tests.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

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* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on September 25, 1945, as they appeared in Bulletin No. 40, Vol. 30, are hereby corrected to read as follows:

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles.
PREMISES AFFECTED—238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn.
APPEARANCES—
For Applicant: Peter J. Hartmann.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (449-44-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles, affecting premises 238-242 Vanderbilt avenue, west side, 208 ft. 7 in. north of DeKalb avenue (Block 2092, Lots 53, 54 and 55), Borough of Brooklyn, was granted by the Board, on January 9, 1945 on certain conditions; and

WHEREAS, the applicant has requested under date of July 13, 1945, that one condition of the resolution adopted January 9, 1945, be amended in relation to the requirement that no windows shall be constructed in the side line or rear walls, inasmuch as the windows have been constructed in such walls without authorization; and

WHEREAS, the Board required that the applicant file consents from adjoining owners as to such windows and such consents have been filed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 9, 1945, by adding thereto:

". . . that the above requirement as to the omission of windows in the side line or rear walls may be waived. *in view of* consents filed with the Board, of owners of property adjacent at the side and rear and that other than as above *amended*, the conditions of the resolution of January 9, 1945, shall be complied with (Alt. Applic. 1634-44)."

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* Correction—The word "provided" deleted in line 26 of the resolution and the words "*in view of*" inserted therefor, and the alteration number inserted in the last line of the resolution.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING AND DRYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS AND STORAGE OF SUCH MATERIALS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED JULY 16, 1937, EFFECTIVE AUGUST 16, 1937 AND AMENDED JULY 25, 1944, EFFECTIVE AUGUST 21, 1944.

(353-30-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

1.1 No person, firm or corporation shall spray, dip or immerse any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying, dipping or immersing materials used in a day does not exceed two quarts, except for spraying as performed under Rule 5.13, and the total amount of material stored does not exceed twenty gallons, these rules shall not apply.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned materials shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, an application shall be filed with and approved by the Borough Superintendent before a permit is issued by the Fire Commissioner.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a class A or B multiple dwelling or a dwelling for one or two-families, except where a location is provided which is separated by fireproof construction from the residential occupancy and ventilated as provided in Rule 3.

1.3.2 Which is occupied as a place of public assembly except trade schools where the buildings are of Class I or Class II construction and spraying, dipping or immersing are demonstrated for instruction purposes only.

1.3.3 Which is artificially lighted by any means other than electricity.

1.3.4 Which is heated by other than the use of steam or hot water circulating systems and the boiler is located outside the space where spraying, dipping or immersing is carried on.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE" "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides of incombustible materials over a substantial metal frame and equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed ventilated room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed ventilated room approved for such use in which any article or thing is dipped, or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures, or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof assemblies.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed ventilated room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an individual to supervise and to process spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100′) linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. For requirements of ventilation of storage rooms see Rule 4.4.1.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying, mixing or dipping. Exhaust fan control shall be interconnected with spray gun so as to operate simultaneously. Exhaust fans shall, in addition, be arranged to operate independently of spray gun. Ventilation Equipment shall be kept in operation for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth, dip space or drying room. Air admitted to the spraying, dipping, immersing drying spaces or storage rooms shall be fresh air taken from the outside of the building.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, Drying Equipment and Material Storage Rooms.

4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction. Ventilation and lighting for spray booths, spray rooms, dipping rooms, drying rooms and storage rooms shall comply with the requirements of these rules.

4.1. Spray, dip and immersing rooms shall be enclosed on all sides with partitions constructed of incombustible materials with floors in such rooms of concrete. Where such rooms are located over wooden floors, such wooden floors shall be surfaced with 1″ of grout adequately reinforced or a mixture of Portland cement, asphalt and sand similarly reinforced. Ceilings over such rooms shall be protected by 5/8″ unsanded gypsum plaster or 7/8″ of cement or sanded gypsum plaster on approved 3.0 lb. metal lath or other equivalent fire-resisting ceiling protection. Ventilation, lighting and heating for these rooms shall comply with the requirements of these rules. Where additional fire fighting equipment is necessary, such equipment shall be furnished in accordance with the direction of the Fire Commissioner. Floor drains leading to the house draining system or the public sewer, shall not be permitted. All dip tanks shall be provided with hinged metal covers held open by a fusible link, such covers to be equipped with an opening to permit automatic flooding of the tank with fire extinguishing media of a type and so located as the Fire Commissioner shall direct.

4.1.2 Panels of polished wired glass or plate-glass at least one-quarter (1/4) of an inch thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48″) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof opening protective assemblies. Windows opening on a street may be used to provide ventilation but no window on a lot line or less than 20 ft. from any opening in a wall of an adjacent building shall be permitted except when the subject room is more than 20 ft., in the horizontal plane, above an adjoining building.

4.1.5 Ferrous metals used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that at least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing the material being processed.

4.2 STORAGE ROOMS.

4.2.1 Storage rooms shall be constructed of fireproof or fire resisting material and shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvers or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be of incombustible non-ferrous materials. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-opening.

The lighting equipment shall comply with rule 4.5.2.2 and shall have an electric switch located outside the room. Immediately adjacent to such room shall be provided such portable fire extinguishing equipment for use within the storage room as the fire commissioner shall direct.

4.3 DRYING EQUIPMENT.

4.3.1 Gas Fired Drying Ovens. Gas fired drying ovens shall be of a type as approved by the Board. Such ovens shall be constructed of metal and incombustible materials so designed as to preclude the direct application of flame to the material in process. The exhausts from both the heating compartment and the drying compartment shall be individually equipped with adequate fans and exhaust piping connected directly to the outer air. The controls for the fans shall be so interlocked with the

gas supply line that when the gas is flowing the fans are in operation. An extra switch shall be provided to permit the operation of the fans when the gas supply is off. Each oven shall be equipped with approved gas burning equipment with electrical controls so arranged as to shut off the gas valve when ignition fails or the gas supply pressure drops to 2 inches of water.

The use of a continuous gas pilot light is prohibited unless an automatic gas shut off valve is provided, which will shut the gas off at the pilot light when the flame is extinguished or the supply of gas cut off. Electrical pilot ignition shall be of the continuous type, or equal in performance, designed for use in high temperatures, with controls so interlocked as to shut off the gas supply when current is interrupted. An auxiliary manually operated gas shut off valve shall be located not nearer than 25 feet from the oven so as to control the gas supply in the event of an emergency. Such ovens shall be adequately insulated on all sides, including the base, which shall have the equivalent of a double thickness of such insulation, unless the floor is protected by a 3 in. mat of reinforced concrete placed over and bonded into the existing concrete floor and projecting not less than 6 inches outside the projected area of the equipment, or unless an unenclosed clear air space not less than 4 inches above the floor is maintained between the floor and the underside of the oven.

4.3.1.1 Gas fired drying ovens shall not be located nearer than 25 feet from spraying or dipping spaces unless such oven is approved for use in explosive atmospheres.

4.3.2 Electric Infra Red Ray Drying Ovens.

4.3.2.1 Electric Infra Red Ray Drying Ovens shall be of a type as approved by the Board. Such ovens shall be constructed of electric equipment installed in accordance with the National Electric Code and the requirements of the Department of Water Supply, Gas and Electricity. Ovens when erected shall be placed on concrete floors without any additional protection, provided that at least 12 inches of clear space above the floor is provided to permit adequate ventilation.

4.3.2.1.1 In drying processed material, involving the evaporation of considerable amounts of flammable solvents by infra-red lamps, such installations shall not be confined in small rooms unless such rooms are thoroughly ventilated by a power driven ventilation system of sufficient capacity to provide 100 linear feet of air per minute; the controls of the ventilation system to be so interlocked with the Infra-Red Ray System that the latter cannot function unless the ventilating system is in operation. When equipped with duct ventilating system, the Infra-Red Ray Oven shall be adequately secured so as to prevent moving.

4.3.2.1.2 Where the evaporation of a considerable amount of flammable vapors are involved, ventilated hoods located as near to the floor as practicable or enclosures shall be provided at the initial stage of the process with adequate exhaust system to discharge the primary evaporation from the solvents to the outer air, so that when the processed material progresses through the lamp drying tunnels only a comparatively small amount of solvent is left for evaporation. A space between such ventilating section and the drying section shall be maintained.

4.3.2.1.3 Lamps and other electrical equipment shall be kept free from flammable deposits and adequate cleaning shall be maintained.

4.3.2.1.4 Lamp drying units shall be separated from spraying and dipping processes complying with these rules, by a distance of at least 15 feet or shall be installed in a separate fireproof room.

4.3.2.1.5 Controls shall be arranged so that the lamps in the tunnels will be shut off automatically if and when the conveyor stops.

4.3.2.1.6 Where there are no conveyors and the material being processed is left stationary in the dryer, there shall be an excessive temperature switch to shut off the lamps to avoid overheating the material being processed if it is not removed from the dryer in time.

4.3.2.1.7 Material to be processed on the conveyors shall be rigidly supported so as not to be liable to displacement and cause lamp breakage and short circuits. Where there are no conveyors, materials should be fixed on dollies running on tracks or other equivalent method to accomplish the same result.

4.3.3 The use of these processes shall be limited to metal or other incombustible material requiring paint processing.

4.3.4 Such fire fighting equipment suitable for electrical and solvent vapor fires shall be provided as the fire commissioner may direct.

4.4. SPECIFICATIONS FOR DUCTS, PIPES AND FANS

4.4.1 All ducts used for ventilating spray, dip or immersing spaces shall be constructed of approved incombustible materials or metal of not less than the following gauges of metal.

Ducts twenty-four (24″) inches or less in diameter No. 22 gauge.
Ducts over twenty-four (24″) inches and not over thirty-six (36″) inches in diameter No. 20 gauge.
Ducts exceeding thirty-six (36″) inches in diamteer No. 18 gauge.

4.4.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.4.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼″) inch.

4.4.4 Where a duct passes through a non-fireproof floor or roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1″) inch between the sleeve and pipe protected from the woodwork by at least a 1″ blanket of asbestos, compressed rockwool or glasswool, or equivalent fire-resistive material extending through the entire depth of the ceiling construction and adequately secured to the outer pipe. The outer pipe shall be not less than two (2″) inches from any woodwork and such woodwork shall be covered with at least 26 gauge metal or other incombustible material.

4.4.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or within twenty (20) feet of any exit or any opening in an adjoining building.

4.4.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray, or dip space, except approved explosion-proof motor and non-ferrous blade fans which, however, are not to be located where residues of spraying material may collect on such equipment.

4.4.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.4.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact, with spraying fumes, need not comply with this requirement.

4.4.9 Adequate access doors or panels made tight fitting by means of screw bolts, clamps or springs shall be provided, to permit inspection and cleaning.

4.5 ELECTRICAL EQUIPMENT AND LIGHTING FIXTURES.

4.5.1 No motors, switches, rheostats, lamps, fluorescent light or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10′) feet of the open end of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmosphere and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10′) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction. No open flame shall be used within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction, except as provided in Rule 4.3.1. Gas Fired Drying Ovens and 4.3.2.1.4 Electric Infra Red Dry Ovens.

4.5.2. Lighting Fixtures.

4.5.2.1 Artificial lighting shall be only by means of electricity.

4.5.2.2 When lighting fixtures are located within 10 feet of a spray booth, spraying space, dipping space or within a storage room they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vapor proof globes. Where exposed to breakage, globes shall be adequately protected by substantial metal guards or equivalent means. Fluorescent tube type lighting fixtures when used in spray booths or in spray and dip spaces or in storage rooms or rooms containing inflammable vapors, shall be of a type approved for use in explosive atmospheres. The auxiliaries of mercury vapor lamps shall be offset at least ten (10) feet from spray booth, spray or dip spaces unless enclosed in explosion-proof protection.

4.5.2.3 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.2.4 No pin plug receptacles shall be used except when the use of receptacles and attachment plugs become necessary they shall be so connected to form a part of a unit device with explosion-proof interlocking switch precluding the removal of the plug when the switch is in the "on" position or by an approved explosion-proof enclosure which can seal the arc when the current is interrupted. Such receptacles and plugs shall be of the polarized type providing a connection for the grounding wire of the portable cords.

4.5.2.5 All electric wiring shall be enclosed in rigid standard weight metallic conduits with explosion proof joints and fittings. Joints in metallic conduit having threaded couplings shall not have less than five (5) fully en-

gaged threads. Where flexible connections are required a flexible fitting approved for explosive atmospheres shall be used.

4.5.2.6 The use of portable cords or trailer lights are prohibited, except when flexible cord approved for hard usage containing one (1) extra insulated conductor properly connected to form a grounding connection for metal lamp guards, motor frames and all other exposed metal portions of such portable lamps and devices may be used. When portable lamps are used they shall be enclosed in a manner approved for explosive atmospheres and with substantial guards of metal to prevent breakage. Sockets shall be of the keyless moulded composition type with no exposed metal parts.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space comply with the rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules while the work is in process. A copy of these rules shall be available near the space where these rules apply.

5.2 Smoking or the carrying of lighted cigars, cigarettes, matches or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dip or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper may be fastened before any operation and after said operation all waste material shall immediately be removed from the premises.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 When a motor vehicle is taken into a spray space, the batteries shall be disconnected before the process of spraying is begun.

5.13 Before spraying is performed on elevator cars all electric power operating all elevators enclosed in a common shaft, shall be turned off. While such work is in progress portable fire extinguishers shall be provided and maintained adjacent to the work as the fire commissioner shall direct. Such shafts shall be well ventilated of fumes before starting elevators.

5.14 Inflammable solvents used for cleaning equipment or for any other purpose shall not be discharged into the house drain.

Rule 6. Material Storage and Mixing.

6.1 Main supplies of spray coating and dipping materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 100 gallons may be stored in single walled metal cabinets ventilated to the outer air. Such cabinet to be metal covered on all sides, including the doors and arranged for ventilation at top and bottom.

6.1.2 Spraying materials not in excess of 200 gallons may be stored in double-walled metal cabinets ventilated to the outer air or wood cabinets metal covered on all sides, including the door, and arranged for ventilation at top and bottom, to the outer air.

6.1.3 Spraying materials in excess of 200 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in Rule 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of four when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Stand-

ards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

6.2 Storage of Materials where nitro cellulose products are manufactured.

6.2.1 Storage of spraying, dipping and immersing materials shall be as provided in Rule 6.1.1 through Rule 6.1.3, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinklers.

6.3.1 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply, provided the size of the house water supply line is adequate for the number of sprinkler heads.

6.4 Maintenance of Sprinkler Heads.

6.4.1 Sprinkler heads in spraying, dipping and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 *or by imprisonment not exceeding* 6 *months, or by both such fine and imprisonment."*

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accummulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted at entrances to and in all spray rooms and paint storage rooms or building.

(b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.

(c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

(d) Adequate mechanical or natural ventilation shall be provided.

(e) No open flames or devices creating open flames or arcs shall be maintained within 25 feet of the spray or dipping process.

(f) The premises where painting, dipping or immersing is performed shall be kept clear of empty paint cans, rubbish, paint accumulations and other combustible material.

Rule 8. Existing Spray Booths and Installations.

8.1 These rules shall be retroactive in the following respects:

Rule 1.3.4 Heating of Rooms.

Rule 3.1 Air Exhaust System.
3.2 Air Supply and Mixing.

Rule 4.0 Specifications for Spray Booths, Spray Rooms, Dip and Immersing Rooms, New Drying Equipment, and Material Storage Rooms.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of metal in Booths.
4.3.2 Maintenance of Ducts.
4.4.6 Method of Induced Draft.
4.5.1 Electrical Equipment.
4.5.2 Electrical Lighting.

Rule 5.1 Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
5.13 Spraying Elevator Cabs.

Rule 6. **Material**, Storage and Mixing.

Rule 7. General Requirements.

Rule 8.1 Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Permits and Plans.

Before a permit is issued by the fire commissioner, plans shall be filed with the borough superintendent, stating name, address, floor and space where the painting, dipping or spraying processes or storage room are to be installed. Such plan shall include a complete layout of the proposed installation and shall clearly indicate the location of all exterior wall openings, in premises and adjacent buildings, exits, chimneys, vent openings and proposed processes.

Plans shall be filed with the borough superintendent for storage and mixing rooms. Such plans shall show the complete floor plan of the proposed equipment and the location of the proposed equipment with respect to the storage and mixing rooms, exterior wall openings, in premises and adjacent buildings, exits and all chimneys within 20 feet of storage rooms and vent openings.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 27, 1945.

Cal. No. Dept. Premises Affected

722-45-A—F.D.—207-217 West 25th street, north side, 102 ft. west of 7th avenue (11th floor); (Block 775, Lot 28), Borough of Manhattan, 42907-LC and Decision.

723-45-A—H.B.Q.—58-50 to 58-56 214th street, northwest corner of Horace Harding boulevard (Block 7464, Lot 27), Bayside, Borough of Queens, N.B. 1866-45 and 1868-45.

724-45-A—F.D.—161-165 West 12th street, north side, 184 ft. west of 7th avenue and 144-148 West 13th street, south side, 200.6 ft. west of 7th avenue (Block 608, Lot 70), Borough of Manhattan, 36151-LF.

725-45-SM—Lone Star Air-Entraining Portland Cement, manufactured by Lone Star Cement Corp., Material.

726-45-A—H.B.Q.—36-20 to 36-46 33rd street (Washington avenue), northwest corner of 37th (Webster) avenue (basement); (Block 601, Lot 1), Long Island City, Borough of Queens, Misc. 4364-45.

727-45-A—H.B.B.—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn, Alt. 3142-45.

728-45-A—F.D.—1155 Manhattan avenue, northwest corner of Commercial street (4th floor); (Block 2476, part of Lot 60, Building 4), Borough of Brooklyn, 99986-LC and Decision.

729-45-A—H.B.M—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan, Amendment to Alt. 1547-45.

730-45-A—F.D.—123 Green street, north side, 321 ft. east of Freeman street and 120 Freeman street (2nd to 5th floors, inclusive); (Block 2512, Lot 22), Borough of Brooklyn, Decision re 97857-LC.

731-45-A—H.B.B.—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn, P.A. 187-45.

732-45-BZ—H.B.B.—773 Park avenue, north side, 100 ft. west of Throop avenue (Block 1732, Lot 28), Borough of Brooklyn, Alt. 2954-45.

733-45-A—H.B.Q.—39-40 30th street, northwest corner of 40th avenue (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens, N.B. 1848-45.

734-45-A—F.D.—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn, 14257-LF and Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21. No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Aug. 28, 1945—Vol. 30, No. 35
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30. No. 8
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28. No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 4, 1945—Vol. 30, No. 49
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	Nov. 27, 1945—Vol. 30, No. 48
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Nov. 13, 1945—Vol. 30, No. 46
Smoking in Factories, Rules for	Nov. 6, 1945—Vol. 30. No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28. No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

DECEMBER 4, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 4, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps;

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premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

708-45-BZ—Application, November 15, 1945, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Sears, Roebuck & Co., owners, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; premises 2359-2381 Bedford avenue, east side, 158 ft. 3¼ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

631-45-A—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

691-45-A—34-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

Materials for Approval.

536-45-SM—Silbraz Joints, Walseal, Flaggseal, Craneseal and Faircoseal.

615-45-SM—Port Obround 275 Gallon Fuel Oil Tank.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 4, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 4, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

699-45-A—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

564-45-A—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

565-45-A—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

717-45-A—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.

594-45-A—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan.

686-45-A—300 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

694-45-A—North side, of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx.

715-45-A—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan.

307-45-A—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 11, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

336-37-BZ—Aplication of Stewart and Shearer, applicants, on behalf of The New York Public Library, Astor, Lenox and Tilden Foundations, owners, reopened November 20, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five motor vehicles, for a temporary period; premises 322-328 West 57th street, south side, 275 ft. west of 8th avenue (Block 1047, Lots 44 and 46), Borough of Manhattan.

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

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619-45-BZ—Application, October 18, 1945, under section 7a of the zoning resolution, of James Whitford, applicant, on behalf of William J. Couch, owner, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop; premises 977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

234-36-BZ—Application of Joseph Brill, applicant, on behalf of Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee), reopened September 25, 1945, under section 21 of the zoning resolution, to permit in a retail 1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school; premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

597-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

137-45-A—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn (reopened and restored to the calendar October 16, 1945; previously withdrawn).

444-45-A—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3 to 15), Long Island City, Borough of Queens.

754-45-A—Re Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in conformity with Administrative Code requirements covering Tank Trucks).

695-45-A—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliance for Approval.

538-45-SA—Cyclotherm Steel Generator (Oil Burner).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER, 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 11, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

686-45-A—330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

643-45-A—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Edgemere, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 49th street).

625-45-A—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond.

677-45-A—509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn.

692-45-A—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

714-45-A—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

58-39-BZ—Application of Anfred Realty Corp., applicant and owner, reopened November 20, 1945, for consideration as to extension of permits—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling

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and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

704-45-A—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn (reopened and restored to calendar December 4, 1945; previously withdrawn).

728-45-A—1155 Manhattan avenue, northwest corner of Commercial street (Block 2476, part of Lot 60), (Building No. 4, 4th floor); Borough of Brooklyn.

741-45-A—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

734-45-A—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn.

Appliance and Materials for Approval.

711-45-SA—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, **LPH** and WPH.

678-45-SM—Klaff and Sons, 275 Gallon Fuel Oil Tanks Obround with Flanged and Dished Heads.

304-44-SM—Cemesto Board (Asbestos Cement Clad Insulation Board).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 18, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

689-45-A—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn.

721-45-A—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan (reopened and restored to Calendar October 2, 1945; previously dismissed for lack of prosecution).

742-45-A—100-02 Rockaway boulevard, southwest corner of 101st street (basement); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

751-45-A—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

757-45-A—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx.

758-45-A—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

756-45-A—2460-2478 2nd avenue, east side, from East 126th street to East 127th street and from 1st to 2nd avenues (Block 1803, Lot 1), Borough of Manhattan.

752-45-A—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan.

750-45-A—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn.

727-45-A—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn.

731-45-A—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

135-45-A—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn (reopened and restored to calendar July 17, 1945; previously withdrawn).

733-45-A—39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens.

753-45-A—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx (reopened October 9, 1945; previously denied).

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760-45-A—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx.

775-45-A—97-05 Queens boulevard and 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday morning, January* 3, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

593-45-BZ—Application, October 1, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Home Life Insurance Co., owner, to permit in a business use, D area, the erection of a garage and laundry to occupy the entire lot; premises 104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens.

51-30-BZ—Application of T. H. Engelhardt, applicant, on behalf of Cord Meyer Development Co., owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence, business and retail use district, the extension of the kitchen facilities into the garage area (garage previously granted by the Board); premises 112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 73 and 79), Forest Hills, Borough of Queens.

556-45-BZ—Application, September 13, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of Newspaper Realty Corp., owner, to permit in a retail use district, B area, the erection of a six story fireproof addition to existing five-story factory building fronting West 34th street; to connect the two buildings at each floor with fireproof horizontal exit; to replace present wood stairway with lawful fireproof enclosed stairway, to install subdividing partitions and an elevator; premises 410-412 West 34th street, south side, 120 ft. west of 9th avenue, and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan.

Appeal from Administrative Decision.

722-45-A—207-217 West 25th street, north side, 102 ft. west of 7th avenue (11th floor); (Block 775, Lot 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday afternoon, January* 3, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

718-45-A—58-66 Sedgwick street, south side, 125 ft. east of Van Brunt street (1st floor); (Block 318, Lot 10), Borough of Brooklyn.

764-45-A—North side of East 6th street to south side of East 13th street, from Avenue D to Franklin D. Roosevelt (East River) drive (Block 367, Lot 1 and Block 362, Lots 1 and 100); (Jacob Riis Houses), Borough of Manhattan.

255-43-A—23-53 216th street, north side, 477.32 ft. east of 38th avenue (Block 6019, Lot 1), Bayside, Borough of Queens (reopened February 20, 1945).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 8, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

559-45-BZ—Application, September 20, 1945, under section 21 of the zoning resolution, of Koch and Wagner, applicants, on behalf of Fresh Pond Holding Co., Inc., owner, to permit in a business use, C area, the erection of a one story and cellar building, to occupy more than 60% of the area of the lot; premises 1589-1591 Broadway, north side, 17 ft. east of Halsey street (Block 3408, Lots 8 and 9), Borough of Brooklyn.

460-45-BZ—Application, July 20, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Harry Winkler, owner, to permit in a business use district, the erection of a new building to house an office, lubritorium and laundry; to enlarge site and relocate and add to present number of storage tanks; premises 2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6, 7, 8, 9, 10 and 109), Borough of Brooklyn.

1205-40-BZ—Application, of Jack Z. Cohen, applicant, on behalf of Geno Arditi, owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence and unrestricted district, the change of occupancy from public garage for more than five motor vehicles, to storage garage for more than five motor vehicles, in conjunction with auto service, sale of new and used cars, service and motor vehicle repair shop; premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

313-19-BZ—Application, of Frank Randazzo, applicant, on behalf of Roswin Realty Corp., owner (Anthony F. Mayo and Harry Sharp, lessees), reopened September 11, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of display and sale of more than five motor vehicles in a garage and gasoline service station (previously granted by the Board); premises 1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

759-45-BZ—Application, December 7, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Sackett Realty Corp., owner, to permit in a business use, C area, the erection of an extension in the rear of existing building to cover more than the permitted area; premises 1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557A, Lots 60 and 61), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 8, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Appeals from Administrative Decisions.

581-45-A—938 Fulton street, south side, 64 ft. east of St. James place (Block 2014, Lot 13), Borough of Brooklyn.

672-45-A—1120 Shore boulevard, southwest corner of Jaffrey street (Block 7517, Lot 941), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 15, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

84-45-BZ—Application, February 20, 1945, under section 7h of the zoning resolution, of F. P. Platt & Brother, applicants, on behalf of T. L. & L. Corp., owner, to permit in a partly residence and partly restricted retail use district, the parking of more than five motor vehicles; premises 1-5 Greenwich avenue, southwest corner of Christopher street (Block 593, Lot 13), Borough of Manhattan.

557-45-BZ—Application, July 20, 1945, under sections 7a and 21 of the zoning resolution, of John T. Clancy, applicant, on behalf of Slattery Contracting Co., owner, to permit in a residence and business use district, the extension of garage for more than five trucks for owner's use and repair shop; premises 51-01 72nd place and 72-28 to 72-36 51st road, southeast corner (Block 2465, Lots 1 to 5), Woodside, Borough of Queens.

668-45-BZ—Application, October 31, 1945, under sections 7e and 21 of the zoning resolution, of Max Siegel, applicant, on behalf of Park Web Co., Inc., owner, to permit in a residence district, the change of use from stable to store, first floor, office, showroom and light manufacturing on upper floors; premises 322-324 West 48th street, south side, 250 ft. west of 8th avenue (Block 1038, Lot 43), Borough of Manhattan.

205-42-BZ—Application of Benjamin Antin, applicant, on behalf of 1748 Jerome Avenue Corp., owner, reopened October 30, 1945 under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a non-flashing neon electric sign extending more than eighteen (18) inches beyond the building line; premises 1754 Jerome avenue and 1-7 East 175th street, northeast corner (Block 2850, Lot 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 15, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44, and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening on Richmond terrace).

744-45-A—North and South sides of 67th avenue, from 189th to 192nd streets (Blocks 7118, 7119, 7096 and 7097, Lots 1), Flushing, Borough of Queens (Under section 35, General City Law re bed of mapped street—67th avenue).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 22, 1946, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

635-45-BZ—Application, October 18, 1945, under sections 7a, 7c and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 480 Realty Corp., owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 395 Brook avenue, 477-489 East 143rd street, northwest corner and 482-498 East 144th street (Block 2288, Lot 57), Borough of The Bronx.

745-45-BZ—Application, December 4, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Leasing Corp., owner, to permit in a business use, C area, the extension (in the rear) of an existing building (stores) to cover more than permitted area; premises 95-16 to 95-24 Queens boulevard, south side, 140 ft. east of 63rd avenue (Block 3080, Lot 12), Rego Park, Borough of Queens.

746-45-BZ—Application, December 4, 1945, under sections 7c and 21 of the zoning resolution, of William I. Hohauser, applicant on behalf of Penelope Realty Corp., owner, to permit in a partly residence and partly business use district, the erection of a building (stores) exceeding the area requirements, and, also the omission of the required rear yard; premises 96-52 to 96-68 Queens boulevard, southwest corner of 64th road (Block 3082, Lots 71 and 79), Rego Park, Borough of Queens.

747-45-BZ—Application, December 4, 1945, under section 7c and approval of playground as per Art. 4, Section 13(c) and 14(d) of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Park Estate, Inc., owner, to permit in a partly residence and partly business use district, the extension of stores from a business use into a residential use of proposed stores and the approval of recreational space as suitable; premises 64-41 Saunders street, and 97-02 to 97-22 Queens boulevard, southeast corner of 64th road (Block 3084, Lots 2, 9, 11, 54, 56 and part of 13, 46 and 64), Rego Park, Borough of Queens.

Appliances for Approval.

331-45-SA—Fostoria Even Ray System, Infra Red Heating Equipment.

267-45-SA—Standard 3 Circuit "Surete" Indirect Fuel Oil Heating System (Oil Preheater).

690-45-SA—Atomic Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 22, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Rules.

108-16-SR—Interior Fire Alarm Rules, reopening and amendment.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 27, 1945

Present: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, October 30, 1945, were approved, as printed in Bulletin No. 45, Volume 30.

ZONING APPLICATION

345-36-BZ

APPLICANT—Ira B. Livingston, for John Seinfeld, owner.

SUBJECT—Application reopened July 3, 1945—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores.

PREMISES AFFECTED—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

APPEARANCES—
For Applicant: Marion Wyckoff and Simon N. Alderman.
For Opposition: None.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to December 4, 1945 at 10 A. M. for further consideration.

583-45-BZ

APPLICANT—Jules Lewis, for Cord Trading Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7(b) of the zoning resolution, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution.

PREMISES AFFECTED—388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

APPEARANCES—
For Applicant: Jules Lewis and Charles Guameri.
For Opposition: None.
For Administration: Fred Dahlem, Dept. of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Laid over to December 11, 1945 at 10 A. M. for further consideration.

225-25-BZ

APPLICANT—Abraham Shlefstein, for 248 West 18th Street Corp., owner (Dunewald Printing Corp., lessee).

SUBJECT—Application (decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use, the change of occupancy from garage for more than five motor vehicles, to paper storage for two years, after which time, to revert to a public garage for more than five motor vehicles.

PREMISES AFFECTED—239-243 West 18th street, north side, 256 ft. west of 8th avenue (Block 768, Lot 14), Borough of Manhattan.

APPEARANCES—
For Applicant: None.
For Opposition: None.
For Administration. Fred. Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant, due to change in ownership.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage 1

344-45-BZ

APPLICANT—Lama and Proskauer, for Antonio Sicuro, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence and business use district, the extension of an existing building.

PREMISES AFFECTED—167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: Anna Clementz.
For Administration: Fred. Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (344-45-BZ)

WHEREAS, Lama and Proskauer, for Antonio Sicuro, owner, filed June 5, 1945, an application under sections 7c and 21 of the zoning resolution, to permit in a residence and business use district, the extension of use and area of an existing building affecting premises: 167 Grove street, north side, 80 ft. east of Central avenue (Block 3315, Lot 59), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Grove street is in a residence and business use, C area and Class 1 height district and Central avenue is in a business use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated May 15, 1945, re Alt. App. 940-45, reads:

"M.D.L.2. Premises are in a business and residential use district. Proposed business use of the easterly 20 ft. portion of the lot, is contrary to Art. 2, Section 3, of the Zoning Resolution.

5. Extension at the rear is contrary to Art. 4, Section 13 of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 40 ft., 10 in. frontage by 100 ft. in depth, on which is to be located an extension to the present building 25 ft. by 12 ft. 3 in.; that it is proposed to use unbuilt upon balance of the yard and erect an extension 25 ft. wide by 12 ft. 3 inches deep to be used for the manufacture of whipped butter; and

WHEREAS, the applicant contends that the plot is presently improved with a 3-story frame building and one-story brick garage for the owner's use; that the first floor is occupied as storage space for eggs, cheese and butter; that at the

rear of the first floor is a large refrigerator and a room is used for manufacturing whipped butter; that the 2nd floor is occupied by two families and the 3rd floor by two families; that it is the owner's intention to use the balance of unbuilt upon space on 1st floor which is approximately 12 ft. 3 in. by 25 ft., for the manufacture of whipped butter; that inasmuch as the 1st floor practically occupies 93% of the area, this additional space would in no way affect the adjoining properties; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision c of the zoning resolution as to extension of use and that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution as to extension of area and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the zoning resolution and that the application be and it hereby is *granted* under sections 7c and 21 thereof, to permit extension of use and extension of area, consisting of constructing an intervening unit 12 ft. by 25 ft. in area, between the existing front and rear buildings, as indicated on plans filed with this application marked "Received June 5, 1945," *on condition* that such new unit shall not exceed one story in height as proposed and that the entire rear building shall be altered as proposed, including the reconstruction of the existing walls on the lot line to make same of masonry in place of frame; that the existing fire escape on the rear of the 3-story portion of the building shall have an extension ladder as proposed, reaching to the rear yard of the adjoining lot 4, No. 329 Central avenue, represented as being in the same ownership; that the ceiling of the rear extension shall be fire-retarded throughout; that such portable fire-fighting appliances shall be maintained throughout the premises as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

423-45-BZ

APPLICANT—Henry Nordheim, for Mt. Eden Construction Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7(b), 7(c) and 21 of the zoning resolution, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in a B area district.

PREMISES AFFECTED—101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Israel Schulman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

Absent: Commissioner Savage..... 1

THE RESOLUTION (423-45-BZ)

WHEREAS, Henry Nordheim, for Mt. Eden Construction Corporation, owner, filed July 2, 1945 an application under sections 7b, 7c and 21 of the zoning resolution, to permit in a residence and business use district, the extension of present building and to occupy more than 65% of the area of the lot in a B area district, affecting premises 101-115 East Mt. Eden avenue and 1600-1606 Walton avenue, northeast corner (Block 2838, Lot 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 27, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Mt. Eden avenue is in a business and residence use, B area and Class 1¼ height district and Walton avenue is in a business and residence use, B area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated June 6, 1945, on Alt. Applic. 572-40, reads:

> "10. Delineate business and residence districts on plot plan; rear of plot appears to be in a residence zone, under Building Zone Resolution. Business use in a partly residence and partly business zone is prohibited. Article 2, Section 3.
>
> 15. In a "B" area district, not more than 65% of the area of the lot may be occupied."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 ft. frontage by 100 ft. in depth, on which is located a building 100 ft. frontage by 75 ft. in depth, 1 story (14 ft.) in height, of class 3 construction and that it is proposed to alter the building, by adding an extension at the easterly rear part of the building; and

WHEREAS, the applicant contends that plans were filed for the alteration in 1940, but due to restriction on materials, the work could not be done and now the owner wishes to proceed with the alteration; that the use district boundary line cuts across the property in a diagonal line, starting at the easterly front corner of the lot and at the north line, it is exactly 25 ft. in on the property; that the request does not violate the restriction of extending the use not more than 25 ft. beyond the more restricted area; as to section 7c, the owner will conform the operation to whatever conditions the Board deems best; that the owner could build an extension at the rear within the triangle located in the business area, but it would be so small as to be useless and he is at present deprived of the proper use of land for which the Tax Office collects revenue; that the owner has a prospective tenant to occupy the front store if the proposed rear section is provided; that he cannot use the residential area of the land for residence purposes; that the Tax Department places an assessment of $60,000 on the property and $50,000 of this amount is for the land; that the zoning resolution was amended March 1, 1945, prohibiting greater than 65% occupancy; that this affects his proposition also, since the property is greater than 5000 sq. ft.; that had he been able to proceed with the matter in 1940, this additional hardship would not confront the owner; that this extension will not alter the character of the neighborhood, since it is on the rear of the building having a 100 ft. frontage on Mt. Eden avenue and is directly back of an apartment house located on the corner of the Grand Concourse and Mt. Eden avenue, which building has stores; that all of Mt. Eden avenue from the west side of the Grand Concourse is a lane of stores and the two corner apartment houses also have stores; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivisions b and c as to extension of use and that the applicant failed to substantiate a basis to warrant the exercise of discretion to grant under section 21 as to extension of area of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Alt. Applic. 572-40, objections 10 and 15, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

480-45-BZ

APPLICANT—Lama & Proskauer, for Frank J. Quigan, Inc., owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use and C area district, the construction of a one-story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution.

PREMISES AFFECTED—58-01 to 58-33 Grand avenue, 58-28 58th place, northwest corner and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Apposition: Walter Szachez, Charlotte Kolinsky, Rose Caponigro, Catherine Buckheit, Marie Kossman, Emma Matheis, Anna Johnston, Mary Degen, Paul Romano, Rose Grossitio and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage..... 1

THE RESOLUTION (480-45-BZ)

WHEREAS, Lama and Proskauer, for Frank J. Quigan, Incorporated, owner, filed July 27, 1945, an application under section 21 of the zoning resolution, to permit in an unrestricted use and C area district, the construction of a one-story brick boiler room extension, increasing the area of the lot covered beyond that permitted by the zoning resolution; affecting premises 58-01 to 58-33 Grand avenue, 58-28 58th place and 58-02 to 58-32 58th avenue (Block 2678, Lots 1 and 9), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Grand avenue, 58th place, 58th avenue and Rust street are in an unrestricted use, C area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated July 18, 1945, re Alt. Applic. 1003-45, reads:

> "1. Proposed boiler room extension increases the area of the lot occupied at the curb level, beyond that permitted by Section 13(b) of the Building Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 220.82 ft. frontage by 204.28 ft. in depth, irregular in area, on which is a building 220 ft. 9⅞ in. front by 108 ft. 7 in. deep, one story, 13 ft. high of Class 3 construction and that it is proposed to construct a one-story brick boiler room extension, approximately 16 ft. by 25 ft. irregular in area; and

WHEREAS, the applicant states that the premises in question is improved with a one and two story structure housing a factory, engaged in the manufacture of gun clips; that it is proposed to construct a one story brick boiler room extension approximately 16 ft. by 25 ft., irregular in shape; that due to the various additions added to the factory, it is evident that the boiler room must be enlarged to take care of the additional load required; that inasmuch as the factory covers almost 100% of the area of the plot and as it faces four streets, no one can possibly be affected by its construction, and as the building now exceeds the area as permitted by Sect. 13(b) of the zoning resolution, no possible harm can come by granting this application; and

WHEREAS, it appears that the proposed extension was erected several years ago without an approval of plans or a permit having been obtained; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the extension of the boilerroom already constructed as indicated on plans filed with this application, marked "Received September 7, 1945," *on condition* that in all other respects, the requirements of the zoning resolution and all other laws, rules and regulations applicable to the building and occupancy shall be complied with and that the existing chimney shall be extended either in masonry or steel for an additional height of approximately fifteen (15) feet; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

616-45-BZ

APPLICANT—Boris W. Dorfman, for Vode Realty Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling, to showrooms, which does not comply with B area requirements of zoning resolution.

PREMISES AFFECTED—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Boris W. Dorfman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (616-45-BZ)

WHEREAS, Boris W. Dorfman, for Vode Realty Corporation, owner, filed October 15, 1945, an application under section 21 of the zoning resolution, to permit in retail use district, the alteration, extension in rear of plot and conversion of occupancy from Class "B" multiple dwelling, to showrooms, which does not comply with B area requirements of the zoning resolution; affecting premises: 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 27, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that West 37th street is in a retail use, B area and Class 2 height district and Fifth avenue is in a restricted retail use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated September 13, 1945, on Alt. App. 1529-45, reads:

> "3. Extension of structure front and rear in a retail use and B area district, is contrary to Section 12b Zoning Resolution as structure exceeds 65% of area of lot.
>
> 4. Provide a rear yard to comply with sections 12a and 17a Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 23 ft., 11 in. frontage by 98 ft., 9 in. in depth, on which is located a building 23 ft., 11 in. by 83 ft. 6½ in., 5 stories (60 ft.) in height, of Class 3 construction; and

MINUTES

WHEREAS, the applicant contends as to objection 3 of the borough superintendent's decision, that the excess of 65% of occupied area, caused by the front extension, is dictated by considerations of esthetic character, in that it will eliminate the unsightly rubbish, snow and filth trap and improve the appearance of the building and the street; that the rear extension is necessary, because of conditions created by the special kind of merchandise distributed in this district; that the entire neighborhood is given to the importation and wholesale distribution of ornaments for ladies hats and are made of tulle, feathers, lace and ribbons; that they are packed in large cartons, weigh very little, but are very bulky and require large areas for their display; that without considerable area for such display, the first and second stories are practically unrentable for this purpose and may force the owner to rent the space to other business at a much lower rent; that this will prove a considerable hardship, in that it will not provide a reasonable return on the investment, as the bulk of the income is derived from the lowest two stories; that the majority of buildings in this area cover the entire lot and the building in the rear has no yard at grade; that the building on the east side is erected without a yard at grade and the present wing of this building is within 8 feet of the rear lot line; that the proposed extension of the two lowest stories will, perhaps, improve conditions, as it will reduce the depth of the dark recess; that in view of the aforementioned facts, strict adherence to Section 12.b. will not serve the purpose and intent of the Zoning Law; that the applicant requests the Board to grant this application under Section 21 and permit the front extension to the lot line and the rear extension on 1st and 2nd stories, to within 8 feet from the rear lot line; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the extension in area of the building to the street line and the construction of the addition, two stories high in the rear, substantially as indicated on plans filed with this application marked "Received October 15, 1945," *on condition* that the extension in the rear shall not be beyond the depth of the building on the adjoining lot to the east, #65, as to the second story; that the first story shall not be nearer to the rear line than 8 feet; that the rear yard shall be paved; that the building shall not be further increased in height and area and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 617-45-A; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

631-45-A

APPLICANT—M. Schulgasser, lessee, for Margaret Bruckner, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to December 4, 1945 at 10 A. M., on written request of applicant's attorney.

617-45-A

APPLICANT—Boris W. Dorfman, for Vode Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Boris W. Dorfman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (617-45-A)

WHEREAS, Boris W. Dorfman, for Vode Realty Corporation, owner, filed October 15, 1945 an appeal from a decision of the borough superintendent, affecting premises 28 West 37th street, south side, 396 ft. 1 in. west of 5th avenue (Block 838, Lot 66), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 20, 1945, on Alt. Applic. 1529-45, reads:

"2. Conversion of a non-fireproof residence structure, to a commercial building over 4 stories and 50 ft. in height, is contrary to section 4.2.1 code and requires structure to be fireproof throughout."

and

WHEREAS, the applicant states that the building is 5 stories (60 ft.) in height, 23 ft. 11 in. by 98 ft. 9 in. in area at 1st floor, 23 ft. 11 in. by 83 ft. 6½ in. in area at typical floor, of Class 3 construction, erected in 1892, located in a retail use, B area and Class 1½ height district and used and occupied: cellar—boiler room and storage; basement—dwelling—1 family; 1st floor—doctor's office and furnished room; 2nd floor—reception and club room; 3rd floor—four furnished rooms; 4th floor—five furnished rooms; 5th floor—five furnished rooms; proposed to be used and occupied throughout for showrooms and sales with ten persons on the 1st and 2nd floors combined; 10 persons on each of the 3rd, 4th and 5th stories; that the building is to be equipped with a one source sprinkler system, one 4 ft. wide wood stairs, enclosed in wood and plaster partitions, equipped with wood doors which will be made self-closing and leading to the roof bulkhead and one fire escape to be erected at the rear, leading to the roof by a ladder and to the yard by a drop ladder with egress to the street through the basement; and

WHEREAS, Certificate of Occupancy 24426 issued February 9, 1939, permits the use of the building as a heretofore converted class "B" multiple dwelling; and

WHEREAS, the applicant further states that it is proposed to eliminate every bedroom on the 3rd, 4th and 5th floors, to clear all floors from existing shafts, partitions, store rooms and closets, to provide centrally located iron stairs, enclosed in brick walls and fireproof, self-closing doors and to entirely eliminate the basement story; and

WHEREAS, the applicant contends that even though the building exceeds the height limit permitted, the Code would permit an area of 7500 sq. ft. on each floor or a total of 30,000 sq. ft., whereas the floor area of this entire building is only 9,700 sq. ft. or less than one third of the permissible floor area and it is therefore requested that the Board grant this appeal.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1529-45, objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further extended in height or area and that it shall be occupied only for offices and showrooms, as proposed and for no manufacturing at any time; that the new stairway shall be constructed as indicated on plans filed with this appeal, marked "Received

October 15, 1945"; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. 616-45-BZ and that the requirements of the resolution adopted thereunder, shall be complied with in all respects.

710-45-A

APPLICANT—Carl Weitz Optical Company, lessee, for A. E. Staley Manufacturing Co., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph Gurfield and Louis Jacobson.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (710-45-A)

WHEREAS, Carl Weitz Optical Company, lessee, for A. E. Staley Manufacturing Co., owner, filed November 16, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 84-86 North 6th street and 163-169 Wythe avenue, southeast corner (3rd floor); (Block 2334, Lot 5), Borough of Brooklyn; and

WHEREAS, Order 601-LC, issued by the fire commissioner, October 2, 1945 and repeated in a decision of the fire commissioner, dated November 9, 1945, reads:

"Your application for a permit for the storage of 200 lbs. of nitro-cellulose, is hereby disapproved until the following is done:

1. Install an approved sprinkler system with two approved sources of supply, consisting of an approved pressure tank and an approved gravity tank, or of two approved gravity tanks; provide a minimum working pressure of at least 25 pounds per square inch at the highest line of sprinklers, in accordance with C19-26-1375 of the Administrative Code."

and

WHEREAS, the applicant states that the building is 3 stories (40 ft.) in height, 41 ft. 8 in. and 100 ft. front by 100 ft. in depth, of Class 3 construction, erected in 1925, located in an unrestricted use, B area and Class 2 height district and used and occupied since 1925: cellar, storage and boiler room; 1st floor, storage of food products, 3 persons; 2nd floor, manufacturing table pads, 10 persons; 3rd floor, manufacturing optical frames, 50 persons, for which Certificate of Occupancy 32317 was issued March 25, 1925, permitting the use of the building as follows: cellar and 1st floor, freight storage; 2nd and 3rd floors, light manufacturing, 12 persons; and

WHEREAS, the applicant contends that in 1944, Fire Department permit B235292 was issued, to expire October 9, 1945, for 200 lbs. of material; that having received the permit from the Fire Department, the lessee negotiated a lease for five years and spent 40 thousand dollars to install machinery in the plant, including the necessary installations to meet the requirements of the Fire Department; that the building is equipped with a two source sprinkler system, supplied by a 6 in. direct connection to a 12 in. city main on Wythe avenue and an 8 in. main on North 6th street; that these mains are on 45 lb. pressure; that since the building is 3 stories (40 ft.) in height, there is more than the 25 lb. minimum pressure supplied on the highest line; that the alarm valve and signal system are connected to the central stations through an ADT system thereby affording constant supervision; that there have been no structural changes in the building in question; that to deny this appeal, would compel the applicant to discontinue the business, to lose a considerable part of the original investment, as all the equipment, cabinets, lighting fixtures, etc., would have to be removed and it is therefore requested that the Board grant favorable consideration of this appeal.

Resolved, that Order 601-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to item 1, *on condition* that the building shall not be increased in height or area; that the occupancy, which is the subject of this order, may be continued on the top or third floor; that the amount of nitro-cellulose material stored shall not exceed 200 pounds and that such material, except for small quantities in the process of production, shall be stored within an approved steel cabinet, protected with a sprinkler head, vented to the outside air, as indicated on plans filed with this appeal, marked "Received November 16, 1945"; that the sprinkler system, including the connection to the fire department through the central station, shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that this modification shall continue only so long as the premises are occupied substantially as proposed and in accordance with the requirements of this resolution.

GENERAL RESOLUTION

1464-39-GR

APPLICANT—Alfred T. Holl.

SUBJECT—Reopening and amendment of General Resolution—re Approval of Inspection Agencies under rules adopted by the Board under Calendar 1139-39-GR—addition of the inspection agency, Alfred T. Holl of Canton, Ohio.

APPEARANCES—

For Applicant: Alfred T. Holl.

ACTION OF BOARD—Application reopened and general resolution amended.

THE VOTE TO REOPEN AND AMEND GENERAL RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (1464-39-GR)

WHEREAS, this general resolution, approving certain applicants as approved inspection agencies, was adopted by the Board December 18, 1939, amended April 16, 1940, July 2, 1940, November 6, 1940, December 17, 1940, February 4, 1941, April 1, 1941 and November 20, 1945; and

WHEREAS, Alfred T. Holl, of Canton, Ohio, requested a reopening and amendment of the general resolution, for consideration by the Board, for the inclusion of his name as an approved inspection agency; and

WHEREAS, the report of the Committee on Tests, reads:

REPORT OF COMMITTEE ON TESTS

November 8, 1945.

Re: Cal. 1464-39-GR.

Subject: Opening Protective Assembly Inspection Agencies—an addition to the list of the name of Alfred T. Holl, Registered Professional Engineer.

An application has been filed with the Board by Mr. Alfred T. Holl of Courthouse, Canton, Ohio, for consideration as an approved inspector for the purpose of performing the inspections required under the Board's Rules for the Inspection of Opening Protective Assemblies. The Committee on Tests has reviewed the applicant's qualifications and experience record and on the basis of such review recommends that Alfred T. Holl, Registered Professional Engineer No. 397 of Ohio, be approved as an inspector, under the provisions of the Rules of the Board of Standards and Appeals covering

the Inspection of Opening Protective Assemblies, Cal. No. 1139-39-SR, provided that all inspections made under his jusisdiction be made by him in person and he shall thoroughly examine each assembly being manufactured under the Board's approval and report to this Board any variations or discrepancies that he may find, giving the calendar number of the opening protective assembly in question. The applicant shall comply with all the requirements of this recommendation and shall enforce the provisions of the Board's Rules on the Inspection of Opening Protective Assemblies, Cal. 1139-39-SR and this approval shall remain in force until rescinded by the Board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended approval of this applicant as an approved inspection agency.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1939, as last amended November 20, 1945, so as to include approval of Alfred T. Holl, of Canton, Ohio, as an approved inspection agency, in accordance with above report.

Adjourned: 12:40 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 27, 1945.

Present: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy.

APPEALS FROM ADMINISTRATIVE DECISIONS

591-45-A

APPLICANT—Globe Products Co., Inc., lessee, for 330 Morgan Avenue Corp., owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Wallace G. Storch.
For Administration: Thomas A. Larkin, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUUTION (591-45-A)

WHEREAS, Globe Products Co., Inc., lessee, for 330 Morgan Avenue Corp., owner, filed September 28, 1945, an appeal from a decision of the fire commissioner, affecting premises 330 Morgan avenue, northeast corner of Calhoun street (2nd floor); (Block 2911, Lot 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated August 30, 1945, reads:

"This will acknowledge receipt of your letter of August 23rd, wherein you request a permit for employees to smoke in your factory building situated at the above mentioned premises.

You are advised that your request must be denied for the reason that smoking is prohibited by mandatory provisions of the Labor Law and the Rules of the Board of Standards and Appeals.

You may appeal this decision within 30 days to the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan."

and

WHEREAS, the applicant states the building is three stories (43 ft. 6 in.) in height; 80 ft. by 90 ft. in area; of Class 3 construction; erected in 1927; located in an unrestricted use, A Area and Class 1½ height district, and used and occupied since September, 1945, as follows: cellar, vacant; basement, vacant; 1st floor, shipping and 2 rest rooms, 7 persons; 2nd floor, filling containers and offices, 24 persons; 3rd floor, cooking jams and jellies, 15 persons; that the building is equipped with an approved one source sprinkler system and interior fire alarm system, but that fire drills are not maintained; that there are two interior stairs, 44 in. wide, of steel construction with cement treads, enclosed in 12 in. brick, equipped with metal self-closing doors, the front stair extends to the roof bulkhead and rear stair leads to the roof by a ladder and scuttle, and to the street through the stair hall; and

WHEREAS, the applicant contends that the employees of the company are stationed, approximately eight hours a day, in the office portion of the building; that this section of the building is also used by salesmen and others who transact business with the firm; that the factory section of the building, where jams, jellies and pie fillings are prepared, blended and cooked and made ready for shipment, is entirely separated from the office portion; that all walls surrounding the office area have been completely fire stopped with approved plaster blocks; that if permission to smoke is granted, care will be exercised at all times, so that the fire hazard will not be increased; it is therefore respectfully requested that permission to smoke be granted to persons within the office portions of this building on the second floor, as shown on plans submitted with this appeal; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated August 30, 1945, and that the appeal be and it hereby is *granted,* permitting smoking within the building *on condition* that smoking shall be restricted to the spaces as proposed, namely the enclosed offices on the 2nd floor front; that no smoking shall be permitted elsewhere throughout the building; that signs shall be posted in such spaces as smoking is herein permitted, as the fire commissioner shall direct; that proper receptacles shall be maintained within such spaces, for smoker's refuse; that the sprinkler system and interior fire alarm system shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that this variance shall continue only so long as the building is occupied as at present and the requirements of this resolution are complied with.

678-45-A

APPLICANT—Herbert Lippmann, for 98 Delancey Street Corp., owner (Caine Bros., Inc., lessee).
SUBJECT—Appeal from an order and decision of the fire commissioner.
PREMISES AFFECTED—1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan.
APPEARANCES—
For Applicant: Herbert Lippmann.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (628-45-A)

WHEREAS, Herbert Lippmann, for 98 Delancey Street Corp., owner (Caine Bros., Inc., lessee), filed October 19, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 1421-1423 3rd avenue, east side, 90 ft. north of East 80th street (Block 1526, Lot 4), Borough of Manhattan; and

WHEREAS, order 35433-LF, issued by the fire commissioner August 9, 1945 and referred to in a decision of the fire commissioner, dated September 26, 1945, reads:

"1. Repair or replace the defective shutters with proper iron shutters at all openings in the exterior wall above the first story, which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at the rear of the building, or other approved protection. Sec. 491-A-3-2-0, Adm. Code. Chap. C26-649.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 5 stories (57 ft.) in height, 33 ft. 6 in. by 95 ft. in area at 1st floor, 33 ft. 6 in. by 88 ft. in area at typical floor, of Class 3 construction, located in a business use, B area and Class 1½ height district and used and occupied: cellar—storage of hardware—no persons; 1st floor and mezzanine—store and office—7 persons; 2nd floor—office and plumbing showroom—3 persons; 3rd floor—repair shop—no persons; 4th and 5th floors—vacant; that the building is equipped with one 3 ft. 9 in. wide wood open stairs from the roof bulkhead to the 1st story and one discontinued fire escape at the rear, leading to the roof by a ladder, with no egress from its lowest termination; and

WHEREAS, the applicant contends that within 30 ft. vertically of any rear opening of the building in question, there is one set of windows, in 206 East 81st street to the north, at 90 degrees to the rear wall of the building in question; that these windows are 16 ft. 2 in. from the most northerly jamb of any of the windows in the building in question; that there is little danger of spread of fire at a 90 degree angle to the windows of the building in question; that only two sets (vertically) of windows in the building in question are within 30 ft.; that the roof of the garage, at 208 East 81st street, is rubberoid with wood joists protected by ribbed steel ceiling; that the roof parapet is level with the sills of the 2nd story windows and 14 ft. away from the rear wall of the building in question; that there is an unprotected skylight in the garage and only two sets of windows in the building in question, face directly on the garage; that the contents of the building is hardware and building supplies which is chiefly incombustible and stock and shelves are chiefly of steel; that two floors are vacant and a third floor has only a small faucet repair shop; that the rear windows are protected by burglary protection screens, which would spread an alarm in the event of fire, when the building is closed; that of the 16 pairs of shutters on the rear wall above the 1st floor, only four pairs are fit for painting and all others would have to be replaced or extensively rebuilt.

Resolved, that the order of the fire commissioner, acting on Order 35433-LF, item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exposure windows on the 2nd and 3rd stories, a total of eight, shall be protected either by fire shutters or shall be equipped with fireproof, self-closing windows; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this modification is granted only so long as the upper two floors remain vacant, namely the 4th and 5th, as represented.

655-45-A

APPLICANT—Eadie, Freund and Campbell, for Acme Backing Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 90), Borough of Brooklyn.

APPEARANCES—

For Applicant: James K. Campbell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (655-45-A)

WHEREAS, Eadie, Freund and Campbell, for Acme Backing Corporation, owner, filed October 23, 1945, an appeal from a decision of the borough superintendent, affecting premises 43-63 Meadow street, northeast corner of Bogart street (Block 3029, Lot 90), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 24, 1945, on Alt. Applic. 2442-45, reads:

"1. The construction of a marquee projecting beyond the building line on a building not of an essentially public nature, is prohibited by the Building Code, Sect. 2.4.1.4.8."

and

WHEREAS, the applicant states that the building is 2 stories (28 ft. 6 in.) in height, 273 ft. front by 169 ft. and 63 ft. in area, of Class 3 construction, erected in 1928, located in an unrestricted use, A area, and Class 1½ height district and used for processing textiles—68 persons on the 1st floor and 25 persons on the 2nd floor; that the building is equipped with a one source sprinkler system throughout and an interior fire alarm system, but that fire drills are not maintained; that there are three 3 ft. 8 in. wide steel interior stairs brick enclosed, equipped with kalamein, self-closing doors and leading from the roof to the street; and

WHEREAS, the applicant contends that the owner performs work on textile materials which are brought to the plant in rolls or bolts; that the continual receiving and discharging of these textile goods involves the constant loading and unloading of trucks under all weather conditions; that the frequent damage of goods during inclement weather and the exposure of employees to discomfort and hazard to health, makes some means of protection desirable and it is therefore requested that permission be granted for the erection of a marquee, as indicated on plans filed with this appeal; that Meadow street is only two blocks in length and carries very little traffic; that the opposite side of Meadow street is devoted to activities which would not be interfered with, if a marquee were erected; that other owners in the neighborhood have marquees, the location of which are indicated on street diagram filed with this appeal.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 2442-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the marquee shall not exceed the dimensions as to length and width as indicated on plans filed with this appeal, two sheets marked "Received October 23, 1945" and in no event shall the facia of the marquee extend beyond the building line, so as to be less than 2 ft. from the curb; that the marquee shall be solely for protection in connection with deliveries and shipping, but shall not be used for signs and shall be constructed throughout with incombustible materials.

MINUTES

696-45-A

APPLICANT—Tolbert, Ewen & Patterson & John J. McNamara, for Nielk Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—217-219 West 57th street, north side, 250 ft. west of 7th avenue and 216-224 West 58th street (4th, 5th, and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 46½), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. McNamara and H. Bongard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (696-45-A)

WHEREAS, John J. McNamara, for Tolbert, Ewen & Patterson, applicants for Nielk Realty Corporation, owner, filed November 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 217-219 West 57th street, north side, 250 ft. west of 7th avenue, running through to 216-224 West 58th street (4th, 5th and 6th floors); (Block 1029, Lots 21, 23, 44, 45, 46 and 46½), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 21, 1945, on Misc. F.P. Applic. 2077-45, reads:

"No. 1 (amended). Within 50 ft. of this structure there is a building occupied as a school and within this structure itself, there is located 2 places of public amusement or assembly (on the 1st floor thereof); therefore by the terms of C19-117.0 subd.A.1 'No permit for the handling, use, storage or recovery of inflammable motion picture film shall be issued.'"

and

WHEREAS, the applicant states that the building will be 10 stories (123 ft. 6 in.) in height, 50 ft. and 110 ft. front, 201 ft. and 100.5 ft. in depth, on a lot 50 ft. front by 201 ft. in depth, of Class 1 construction, erected prior to 1916, located in a restricted retail and business use, B area and Class 1½ and 2 height districts, and occupied: cellar—storage and boiler room; 1st floor—restaurant and cabaret; 2nd, 3rd and 4th floors—vacant; proposed to be used and occupied: cellar—storage, mechanical rooms and toilet rooms—20 persons; 1st floor—broadcasting studios—748 persons; 2nd floor—broadcasting studios and offices—50 persons; 3rd floor—offices—150 persons; 4th floor—offices and recording studios, screening rooms, film cutting rooms and vaults—70 persons; 6th floor—offices, recording studios, screening rooms, film cutting rooms and vaults—150 persons; 7th to 10th floors inclusive—offices—150 persons each; proposed to be equipped with a two source sprinkler system throughout, a standpipe system, interior fire alarm system and one 3 ft. 8 in. wide fireproof stairs from the roof bulkhead, directly to the street and one fire tower from the roof to the street; and

WHEREAS, the applicant contends that the building will be equipped with a two source automatic sprinkler system as required for the proposed occupancy and an approved type fire alarm system on all floors; that the school referred to in the decision of the borough superintendent, is a private school occupied as an art school and gallery for adult students and is five stories in height, of fireproof construction; that its westerly wall is unpierced; that the nearest film vaults in the building in question will be located more than 50 ft. from the westerly wall of the school buildings and there will be at least three 4 in. fireproof partitions in addition to the 8 in. brick walls of the vaults and the 12 in. building wall between the nearest vault and the easterly lot line; that each film vault will have an area not exceeding 750 cu. ft. and will comply with the requirements of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Misc. F. P. Applic. 2077-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially as proposed; that no storage film vault shall be constructed other than those shown on plans filed with this appeal marked "Received November 7, 1945" on the 4th, 5th and 6th floors on the West 58th street side; that the floor slab on such floors where the vaults occur, shall be not less than 8 in. in thickness of reinforced concrete; that in addition, there shall be a corridor constructed of fireproof material in front of such vaults, with two doors therefrom, each a single fireproof, self-closing door, opening in the direction of exit; that such partitions shall be constructed in front of the vaults on each of the three floors; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

713-45-A

APPLICANT—Ben John Small, for 56 East 52nd Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan.

APPEARANCES—

For Applicant: Ben John Small.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (713-45-A)

WHEREAS, Ben John Small, for 56 East 52nd Street Corporation, owner, filed November 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 56 East 52nd street, south side, 75 ft. west of Park avenue (Block 1287, Lot 39), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1852-45, dated November 14, 1945, reads:

"3. Building should be of fireproof construction, as height exceeds 4 stories and 50 ft. and use changed from residence to offices, Section 4.2.1 Building Code.

If Objection 3 is waived, the following objections apply:

4. One 3 ft. stair should be provided, constructed of incombustible material, enclosed in 2 hour partitions with one hour self-closing doors, with a minimum width of 3 ft. Sections 6.1.2.2.3, 6.4.1.7.1 and 6.4.1.8.1 of the Building Code.

7. Stair should continue to the roof. Section 6.4.1.1 Building Code."

and

WHEREAS, a subsequent decision of the borough superintendent, dated November 16, 1945, repeated Objection 3; and

WHEREAS, the applicant states that the building is 5 stories (56 ft. 7 in.) in height; 15 ft. by 82 ft. in area; of Class 3 construction; erected 1904; located in a restricted retail use, B area and Class 1½ height district, and used and occupied as a furnished room house, now vacant, and proposed to be used and occupied as follows: Cellar, storage and boiler room; 1st floor, office and waiting room, 3 persons; 2nd to 5th floors, offices, 4 persons on each floor; that the building is equipped with a multiple dwelling type sprinkler in

the stair hall, one 3 ft. 6 in. wide stairs of wood stringers and treads, enclosed in fire retarded partitions, equipped with one hour self-closing doors and leading directly to the street; that a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends as to Objection 3 that the proposed occupancy of the building will be reduced from the present occupancy of approximately 26 to 19 persons; that the building is only 1200 sq. ft. in area and its stair halls are sprinklered throughout; that the building will be occupied by two tenants; and contends as to Objection 4, that the stairway is 3 ft. 6 in. wide, will be enclosed in one hour partitions and that the existing sprinkler system will be maintained; that the cellar stair enclosure is one hour construction and the cellar ceiling is one hour construction; and as to Objection 7, it is requested the Board accept a scuttle and ladder to the roof.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1852-45, Objections 3, 4 and 7, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the building may be altered substantially as herein proposed; that the fire retarded enclosure of the primary means of exit, including the sprinkler system as approved for use when the building was occupied as a Class B multiple dwelling, shall be maintained, complying with the requirements therefor; that the scuttle to the roof shall be changed in location, so as to be within stair enclosure; that the ladder leading thereto shall be a double rung steel ladder; that the scuttle shall be equipped with an easy opening device; that this variance as to the scuttle shall be continued only so long as there are adjacent buildings of similar height adjoining; that the building shall be occupied only by two tenants as proposed, with no greater occupancy than as set forth; that the cellar stair enclosure and cellar ceiling shall be maintained as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

723-45-A

APPLICANT—Carl H. Salminen, for J. DiBenedetto and L. DeMonte, owners.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—58-50 and 58-56 214th street, northwest corner of Horace Harding boulevard (Block 7465, Lot 27), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salaminen.

For Aministration: Fred. Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (723-45-A)

WHEREAS, Carl H. Salminen, for J. DiBenedetto and L. DeMonte, owners, filed November 23, 1945, an appeal from decisions of the borough superintendent, affecting premises 58-50 and 58-56 214th street, northwest corner Horace Harding boulevard (Block 7464, Lot 27), Bayside, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, dated November 19, 1945, on N. B. Applications 1866 and 1868-45, read:

"1. The erection of a frame building within the fire limits, is contrary to Section 4.1.2—Building Code."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 97.49 ft. on Horace Harding boulevard and 103.14 ft. on 214th street, which it is proposed to subdivide into two separate lots and to erect on each lot, a 1½ story frame dwelling, 20 ft. in height, located in a business use, D area and Class 1 height district and each occupied as follows: cellar—boiler room and storage;. 1st floor—dwelling—1 family; attic—future dwelling—1 family; that it is also proposed to erect a two car garage 20 ft. by 21 ft. in area, of masonry construction with frame front gable, on the corner plot, set back from Horace Harding boulevard a distance of 1 ft. and from the westerly lot line a distance of 1 ft.; that the dwellings will be surfaced on the exterior with masonry veneer and the roof will be surfaced with asphalt shingles; that the dormers will be surfaced with wood siding; that the dwellings will be set back from 214th street a distance of 15 ft., into which set back, open porches and entrance steps will project approximately 9 ft.; that the corner dwelling will be set back from Horace Harding boulevard a distance of 25 ft., and will have a side yard on the northerly side of 8 ft., into which set back, the chimney breast will project not more than two ft.; that the dwelling to be erected on the plot 63 ft. north of Horace Harding boulevard, will have a side yard on the southerly side of 9 ft. 8 in. and on the northerly side, of 4 ft.; and

WHEREAS, the applicant contends that it is presently proposed to erect a two car garage only on the corner plot and any future garage erected on the other plot will be of similar construction; that the construction of the proposed dwellings will be in harmony with the development of the adjoining premises to the north and west; that these dwellings will be erected for one family occupancy, each to be arranged for future occupancy of the attic by a second family, on completion of partitions and plumbing, which will be done in accordance with the Code in force at such future date; that the proposed two car garage on the corner plot will be used conjunctively as accessory to both dwellings, until the erection of a second garage, which may be erected at a future date.

Resolved, that the decisions of the borough superintendent on N. B. Applications 1866 and 1868-45, Objection 1, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be located and constructed substantially as proposed; that each building shall be restricted to the occupancy of one family; that the front of the garage as proposed, shall be not nearer than 10 ft. to Horace Harding boulevard and shall be not nearer to the rear line than 1 ft.; that the terraces as proposed, shall be left uncovered and shall not extend above curb grade more than 2 ft.; that as soon as lot 27 is subdivided, a record shall be filed of the new lot numbers with the borough superintendent and with the Board; that in all other respects, the buildings and occupancies shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that irrespective of this variance as to proposed wall construction, either or both of the dwellings may have conforming masonry walls.

142-37-A

APPLICANT—Frank A. Barrera, for Nu-West Fur Dyeing Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—Avenue V and Mill avenue (582 ft. west of foot of Mill avenue and 156 ft. south of Avenue V); (National Lead Building); (Block 8470, Lot 1091), Mill Basin, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank A. Barrera and Vincent Pierini.

ACTION OF BOARD—Appeal reopened and resolution amended.

MINUTES

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Absent: Commissioner Savage. 1

THE RESOLUTION (142-37-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises Avenue V and Mill avenue (582 ft. west of foot of Mill avenue and 156 ft. south of Avenue V); (National Lead Building); (Block 8470 Lot 1091), Mill Basin, Borough of Brooklyn, was granted by the Board on June 8, 1937, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on a decision of the fire commissioner, dated November 26, 1945, referring to order 99744-LC, dated May 18, 1945.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 8, 1937, so that amended, the resolution shall read:

"*Resolved*, that the order of the fire commissioner, No. 69038-LC, item No. 5, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* so as to permit the storage of not over 1,000 lbs. of chlorate of potash *on condition* that the chlorate of potash shall be stored in a fireproof compartment to be constructed within the fireproof room at the rear of the building; that this compartment shall be constructed of fireproof materials with a fireproof door thereto and vented to the outer air; that the roof of this enclosure may be glazed with wire plate glass; that not over 250 lbs. of chlorate of potash shall be used at any time in connection with the manufacturing operations; that the automatic fire door, separating the fireproof room from the balance of the manufacturing plant shall be kept in good working order and normally kept closed; that in all other respects the requirements of the code of ordinances shall be complied with.

Resolved further, that in the event the owner desires to store not over three thousand pounds of chlorate of potash, the decision of the fire commissioner on Order 99744-LC is hereby *modified on condition* that the fireproof room within the building shall be maintained as required by the resolution adopted June 8, 1937; that all chlorate of potash shall be maintained within such room to a total not exceeding 3,000 lbs. in the original steel shipping containers; that not more than one such container shall be opened at a time for daily requirements; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct."

312-45-A

APPLICANT—Morris Bernard Adler, for Minger Holding Corp., owner (Central Tire Co., lessee).
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—1987-2003 Coney Island avenue, east side, 160 ft. north of Quentin road (cellar and 1st floor); (Bloc 6774, Lots 55-61), Borough of Brooklyn.
APPEARANCES—
For Applicant: Morris Bernard Adler and Emil Gordon.
For Administration: Fred. Dahlem, Dept. of Housing and Buildings.
ACTION OF BOARD—Request to reopen denied.
THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Absent: Commissioner Savage. 1

564-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.
APPEARANCES—
For Applicant: Max Wechsler and George W. Metz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to December 4, 1945 at 2 P.M. for decision without further argument.

565-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—494-498 7th avenue and 200-214 West 37th street, southwest corner and 205-221 West 36th sreet (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.
APPEARANCES—
For Applicant: Max Wechsler and George W. Metz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to December 4, 1945 at 2 P.M. for decision without further argument.

717-45-A

APPLICANT—F. P. Platt and Brother, for U. S. Trust Co. of New York (guardian of Frances De Villers Brokaw, an infant) and Henry Luce, owners.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Charles C. Platt, J. S. Bookwalter, Laurence B. Elliman and Harold E. Zeamans.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to December 4, 1945 at 2 P.M. for an inspection by a committee of the Board and for decision.

ZONING APPLICATIONS

1072-23-BZ

APPLICANT—Viola M. Smith, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7g of the zoning resolution for a term of two years, permitting in a residence use district, the maintenance of a garage for the storage of five motor vehicles, four spaces rented to persons not residing on the premises.
PREMISES AFFECTED—41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block 4103, Lot 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: Viola M. Smith.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (1072-23-BZ)

WHEREAS, this application, permitting in a residence use district, the maintenance of a garage for the storage of five motor vehicles, four spaces to be rented to persons not residing on the premises, affecting premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue, (Block 4103, Lot 8), Borough of Brooklyn, was granted by the Board on November 20, 1923, on certain conditions, for a term of two years; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on November 23, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 20, 1923, as amended through November 23, 1943, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7e for a term of five (5) years from the date of this *amended* resolution, to permit . . . and that other than as herein *amended*, the provisions of the resolution of November 20, 1923 shall be complied with and that a certificate of occupancy shall be obtained."

314-35-BZ

APPLICANT—Harry Yahr, for Shelton Holding Corp., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block 1259, Lots 25, 28 and 28½), Borough of Manhattan.

APPEARANCES—
For Applicant: Harry Yahr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Blum and Deputy Chief Murphy 3
Negative 0
Absent: Commissioner Savage 1

THE RESOLUTION (314-35-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block 1259, Lots 25, 28 and 28½), Borough of Manhattan, was granted by the Board on January 14, 1936, on certain conditions; and

WHEREAS, the permit was extended from time to time, the last such extension having been granted on December 7, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 14, 1936, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended*, the provisions of the resolution of January 14, 1936 shall be complied with and that a certificate of occupancy shall be obtained."

802-38-BZ

APPLICANT—Henry George Greene, for Hotels Statler Company, Incorporated, owner (Hotel Garage Annex, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—225-235 West 33d street, north side, 259.3 ft. west of Seventh avenue (Block 783, Lots 22 to 26, inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: Henry George Greene.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (802-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 225-235 West 33rd street, north side, 259.3 ft. west of Seventh avenue, (Block 783, Lots 22 to 26, inclusive), Borough of Manhattan, was granted by the Board on May 9, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 28, 1941 and November 16, 1943; and

WHEREAS, the applicant requested a further extension on the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 9, 1939, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be used for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended*, the provisions of the resolution of May 9, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

933-38-BZ

APPLICANT—Ernest E. Belfi, for Pennsylvania Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—234-236 West 31st street, south side, 400 feet west of Seventh avenue (Block 780, Lot 60), Borough of Manhattan.

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APPEARANCES—
For Applicant: Ernest E. Belfi.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (933-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 234-236 West 31st street, south side, 400 ft. west of Seventh avenue (Block 780, Lot 60), Borough of Manhattan, was granted by the Board on October 31, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 28, 1941 and November 16, 1943; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 31, 1939, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit . . . and that other than as herein *amended*, the provisions of the resolution of October 31, 1939 shall be complied with and that a certificate of occupancy shall be obtained."

795-40-BZ

APPLICANT—John J. Gilmartin, for John Primavera, owner.
SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a local retail use and partly in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—546-548 Ralph avenue, west side, 107 ft. 9½ in. north of St. John's place (Block 1381, Lot 44), Borough of Brooklyn.
APPEARANCES—
For Applicant: John J. Gilmartin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3
Negative: 0
Absent: Commissioner Savage 1

THE RESOLUTION (795-40-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting partly in a local retail use district and partly in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 546-548 Ralph avenue, west side 107 ft. 9½ in. north of St. John's place (Block 1381, Lot 44), Borough of Brooklyn, was granted by the Board on May 20, 1941, on certain conditions; and

WHEREAS, the permit was extended on December 14, 1943 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 20, 1941, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* under section 7h for a temporary term of two (2) years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* . . . and that other than as herein *amended*, the provisions of the resolution of May 20, 1941, shall be complied with and that a certificate of occupancy shall be obtained."

Adjourned, 4:00 P.M.

JOSEPH J. DOYLE,
Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 29, 1945, as they appeared in Bulletin No. 23, Vol. 30, are hereby corrected to read as follows:

280-45-A

APPLICANT—Irving J. Berger, for Victor Metal Products Corp., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: Irvin J. Berger.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative 0

THE RESOLUTION (280-45-A)

WHEREAS, Irving J. Berger, for Victor Metal Products Corp., owner, filed May 10, 1945, an appeal from a decision of the borough superintendent, affecting premises 190-200 Diamond street and 264-272 Calyer street, southeast corner (Block 2602, Lots 8 and 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1945, re Alt. Applic. 271-45 reads:

9. "Provide two means of egress from each floor, complying with the requirements of Sec. 270 of the Labor Law, as building was extended under Alt. 6163-29.

10. Vertical openings shall be enclosed throughout their height by enclosures of fireproof materials, as per Sec. 270-7 of the Labor Law. Denied."

and

WHEREAS, the applicant states that the building is 3 stories (51 ft.) in height; 140 ft. 2 in. frontage (plans show a total frontage of 175 ft., additional 35 ft. being a two-story adjoining building occupied by same concern and connected thereto); that it is 50 ft. and 100 ft. in depth at street floor; and 50 ft. and 61 ft. 2 in. in depth at typical floor; Class 3 construction; located in unrestricted use C area, Class 1¼ height districts; erected about 1897 and 1929 and used and occupied since as follows: 1st, 2nd and 3rd floors, manufacturing collapsible tubes, 35 persons, 32 persons and 14 persons, respectively; proposed occupancy —1st floor, 35 persons; 2nd floor, 45 persons; 3rd floor, 80 persons—same use—manufacturing collapsible tubes; that the building is equipped with an approved one-source sprinkler system; that there are two interior stairs, one stairway at the northwest corner, marked "Stair A"

MINUTES

on plans filed with this appeal, is 3 ft. 8 in. wide, constructed of wood, enclosed with fire-retarded partition on both sides, with No. 24 gauge sheet metal over ½ in. plaster board, and one stairway, 75 ft. from the southwest corner, marked "Stair B" on plans, constructed of steel and concrete, enclosed in masonry,-both lead, directly to the street and one extends to the roof bulkhead, construction of doors one and one-half hour, self-closing; that Certificate of Occupancy 60300 was issued May 2, 1930, for use of the building as a factory, with 120 lbs. liveload p.s.f. on each floor and occupancy of 20 persons on 1st floor, 22 persons on the 2nd floor and 4 persons on the 3rd floor; that Permit 6163-29 was issued and work completed May 2, 1930; and

WHEREAS, the applicant contends that the records in the Department of Housing and Buildings indicate that the section of the building at the corner of Diamond and Calyer streets, was erected in 1897 and purchased by the present owner in 1926 and that it has been used continuously for the same purpose since that time; that in 1928, the building was altered, by enclosing the present wooden stair (indicated as Stair A) on both sides with ½ in. plaster board and 24 in. gauge sheet metal; that in 1929, the building was enlarged by adding a three story extension to the south, which was approved by the Bureau of Buildings and in which there was constructed a steel and concrete stair (indicated as Stair B), enclosed in masonry and so located as to be directly accessible to both the old and new portions of the building; that another Certificate of Occupancy, 62144 was issued October 29, 1930, for this extension, approved for floor loads of 75 lbs. p.s.f. for the 2nd and 3rd floors, the first floor being on the ground and all permitted for factory throughout; that as to objection 9, the Borough Superintendent questions the construction of Star "A" as to compliance with the Labor Law, under Section 270; and as to objection 10, that the openings consist of conveyors, indicated on the drawings as Nos. 1 and 2; Conveyor No. 1 extends from 2nd to 3rd floors only and it would be difficult to enclose it, because of the wood floor construction; that it is proposed to construct the necessary guard rails and slatted fire doors at the floor, as called for in Section 10.13.2 of the Building Code; that Conveyor No. 2 extends from the 1st to the 3rd floors and it is proposed to protect this with self-supporting angle iron construction with 20 gauge sheet metal and fire doors at each opening; and

WHEREAS, it appears that the section of the frontage of 40 ft. used in conjunction with this plant to the south, is separated from the balance of the factory by fireproof, self-closing doors on the ground and second floors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 271-45, and that the appeal be and it hereby is *granted,* as to objection 9 *on condition* that the existing means of exit as indicated on plans filed with this appeal marked "Received May 10, 1945" shall be maintained, and in addition, a stairway at the Diamond street side of the southerly building, intended for future office space, shall be continued to the roof with a bulkhead, which may be fire-retarded construction and a fire-retarded passageway stair enclosure constructed on the second floor; that the door, leading to the second story roof from the 3rd floor toward the front, shall be maintained; that the enclosures around stairs "A" and "B" may be maintained, as previously approved by the Department of Housing and Buildings, as stated; as to objection 10, that the openings for conveyors may be maintained as proposed and provided that in all other respects, other than as herein modified, the biuldings and occupancy shall comply with all laws, rules and regulations applicable thereto; that the one source sprinkler system shall be maintained throughout the building, in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that the building shall not be increased in height or area; that the floor loads per superficial foot per floor shall be maintained in accordance with Certificates of Occupancy 60300 and 62144.

* Correction—The deletion of any reference to a standpipe system, a fire alarm system and the maintenance of a fire drill in the building.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936

(108-16-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on *Tuesday afternoon, January 22,* 1946, at 2 P: M., in Room 1013, Municipal Building, Manhattan, on the Proposed Amendments to Rules Governing the Installation of Interior Fire Alarm Signal Systems.

New matter is indicated in *italics.*

Section 279 *State Labor Law* **Fire Alarm Signal Systems and Fire Drills:**

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The Board of Standards and Appeals in the City of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

Rule 16. Alarm Boxes.

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron *or cast No.* 43 *aluminum* and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

RULES

OIL BURNER RULES

(217-21-SR)

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, December 4, 1936, and July 1, 1941.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; November 3, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932 and November 4, 1932.

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS: Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS: Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS: Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162″) A.W.G. wire, or pipe not less than one-half inch (½″) in diameter.

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2′) below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eights (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code and Rule 3.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administrative Building Code.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of six (6) gallons or less.

2.30 STORAGE TANK: Any tank for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection or hand valve. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection or hand valve.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

3.1 Oil permitted under these rules shall be any hydrocarbon oils free from acid, grit and fibrous or other foreign matter. The fuel oils shall be classified as provided in Commercial Standard CS12-38 U. S. Department of Commerce, and shall have a flash-point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D-93-36) and marketed under the following commercial grades:

Range Oil
No. 1 Fuel Oil
No. 2 " "
No. 3 " "
No. 4 " "
No. 5 " "
No. 6 " "

3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Standards For Approval of Oil Burners by the Board.

4.1 Approved burners, including oil-burning heaters, shall be an assembly of approved parts suitable for use with each other for the service intended, as approved, such burners shall be provided with suitable safeguards to prevent abnormal discharge of oil.

4.1.1 When assembled each burner shall be tested for defects and proper functioning throughout its operating range. Parts shall be so designed as to maintain alignments and to permit interchangeability.

4.1.2 The CO^2 in the flue gas shall be maintained at not less than 8% without smoking and throughout the operating range of the capacity of the burner when tested.

4.1.3 Flexible tubing used as an integral part of burner shall be not longer than 72 inches and of an approved type.

4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 **Cylindrical Tanks (except vertical tanks located outside of buildings above ground).**

5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. the thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

5.1.2 All tanks shall be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less·

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, ⅜ in. heads.

Tanks over 120 in in. diameter to be of ⅜ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they shall be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than 5/16 of an inch.

5.2.2 Corners may be made up by bending the plates or by use of angles.

5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less, except buried tanks, shall have a minimum thickness of shell and head plates of manufacturers Standard 10 gauge (.134″). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacture, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

5.3.3 All openings shall be through the top of the storage tank except that storage tanks of 275-gallons may be provided with a three-quarter inch (¾″) opening for gravity discharge and a one-inch (1″) opening in the bottom for cleaning and protection against corrosion.

5.3.4 All buried storage tanks shall have a thorough coating on the outside of two coats of red lead protected by hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

5.3.5 Manholes; Tanks for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. need not have manholes; where used for such oils the manhole covers shall be bolted and made gastight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

5.4.1 Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals} \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No.

14 of the New York State Industrial Commission).

5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formulas for shell plates.

5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings, Above Ground.

6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′) of clear unobstructed space measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall have an individual capacity of not more than two hundred and seventy-five (275) gallons capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.

Each storage tank may be placed in a protective enclosure having solid masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. A fireproof access door shall be installed in the enclosure above the point where the enclosure has a capacity equal to the tank; and for each additional 10 feet or fraction thereof by which the longest inside dimension of the enclosure exceeds 35 feet an additional fireproof access door shall be similarly installed at one or more intervals of not less than 10 feet. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

6.1.3.1 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Inside of Buildings, Below Ground.

6.2.1 Storage tanks having a capacity of 275 gallons or more may be buried inside a building with the top of the tank not less than two feet below floor level. In lieu of two feet of earth over the tank, the tank may be covered by concrete flooring equivalent to the basement floor but not less than the equivalent of 4 inches of reinforced Portland cement concrete with not less than No. 20 gauge steel wire cloth 2″ x 2″ mesh. Tanks shall be placed in firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch mesh. When necessary to prevent floating, tanks shall be securely anchored. Storage tanks buried below the floor, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material.

6.2.2 Storage tanks buried below the floor shall not be less than ¼″ in thickness.

6.2.3 No tank shall be buried so as to be nearer than three feet to any foundation wall or foundation footing.

6.3 Outside of Buildings, Below Ground.

6.3.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the natural grade of the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

6.3.2 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

6.3.3 All buried storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.3.4 All buried storage tanks shall be constructed of metal not less than ¼″ in thickness.

6.4 Outside of Buildings, Above Ground.

6.4.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

6.4.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth; free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of at least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

6.4.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material. All tanks shall be electrically grounded.

6.5 Tanks Located Along Line of Subways.

6.5.1 Along the line of subways no tank shall be placed within twenty feet (20′) of any wall, separating a building from the subway, and, where practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Rule 7. Piping.

7.1 Installation of Piping and Tubing.

7.1.1 Piping and tubing shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminium alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing unless protected against mechanical injury shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜″) inside diameter up to shut-off valve at burner. Soldered connections are prohibited.

7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

7.2.2 Oil preheaters shall be of approved type and provided with a relief valve to prevent excessive oil pressure. Oil preheaters shall not be installed in the steam or water space of the boiler.

7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1″). Cross connection between vent pipe and fill pipe is prohibited.

7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

7.3.2.1 The area of the header and common vent shall be equal to the sum of the areas of the vent pipe.

7.3.3 Vents shall be not less than one and one-quarter inches (1¼″) in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2″) in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2′) from any building opening and not less than two feet (2′) nor more than twelve feet (12′) above the fill pipe terminal, except as may be otherwise approved by the Board. When such openings are fixed and constructed of incombustible materials they shall not be deemed openings within the intent of this rule. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1″) line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such tell tale lines shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least two feet (2′) of any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of common header pipe is no smaller than the largest branch fill pipe. When different grades of oil are piped to separate tanks from a common fill line, each branch fill pipe shall be provided with a shut-off valve.

7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letter reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure ten (10) pounds per square inch maximum steam coils or electric heaters approved for oil storage tanks.

7.6 Scavenging Line.

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50′) above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2″) iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or
Combustion "
Pressure "
Gravity "

8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the inter-

ruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plant, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

10.1.1 No oil installation of more than six (6) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.

10.1.2 Applications for permit shall be made by the installer who holds a certificate or license issued by the Fire Commissioner on forms furnished by the Fire Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.

10.1.3 No permit shall be issued by the Fire Commissioner until the installation has been inspected by his representative and the installer has furnished an affidavit that the CO_2 content of the flue gas by actual test of the completed installation is not less than 8 per cent without smoking.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 The installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to the Fire Commissioner by the Borough Superintendent of Buildings before any work is started. All such plans shall show compliance with all structural requirements and shall show all salient features of the installation. Plans shall also be approved by the Board of Transportation for all tanks located in or outside of buildings along the line of subways under the limitation in Rule 6.5.1.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

10.3.1 Storage tanks of approved type and not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes in installations in multiple dwellings, places of public assembly and amusement, except that no tests shall be required for installations in occupancies not specifically mentioned herein.

10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Commissioner. The contractor shall furnish all necessary equipment for conducting tests. Such test may be made with oil in freezing weather for tanks located outside of building.

10.3.3 Defective tanks, if repaired by welding. shall have all oil removed and shall be purged of all explosive gases or vapors.

10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.3.5 All piping conveying oil from a transfer pump to a burner subjected to a pressure in excess of 50 lbs. per sq. inch shall be tested for a pressure of 1½ times the working pressure.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit shall be paid in accordance with the schedule given in the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

12.1 No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney, complying with Article 11 of the Administrative Building Code except that in high pressure mercantile and industrial plants several units may be connected to a boiler room stack.

12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time, and on all installations in one and two family dwellings an approved automatic draft control of the same size as the cross-sectional area of the pipe or breaching shall be installed in the breaching or flue pipes.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection

NOTE: In order that the intent of Local Law No. 145 be carried out, Section C26-693.0, sub. d, par. 1, 2, 3, is superseded by the following:

14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

14.2 The clear distance between any non-insulated heat-producing parts of boilers, furances or other heating apparatus and combustible material shall not be less than twenty-four inches (24″). Where such parts are insulated by two inches (2″) of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12″), or, in lieu of such insulation the combustible material shall be covered with fire retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

14.3 No movable combustible material shall be stored or maintained within five feet (5′) of heating apparatus, except where same is protected by fire retarding material.

14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of ½″ asbestos or equivalent extending at least twelve inches (12″) beyond the projected area of such device where required within the specific approval of each burner. Approved safety cans only shall be used for the storage and filling of oil containers. The fuel oil used for these burners shall be range oil or No. 1 or No. 2 fuel oil. The manufacturer or installer of these burners shall within 48 hours after each installation notify the Fire Department in writing of the name of the person to whom this burner is sold and the address of the premises where installed.

14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

15.2 Every heating system in which the oil is preheated or systems not fully automatic when operating, shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Commissioner and who shall be in the building at all times while the burners are in operation, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman issued after May 1, 1941 under the provisions of C-26-213.0 of the Administrative Building Code, or a person with such license issued prior to May 1, 1941 carrying an endorsement reading "Oil Burners" shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to Deeember 4, 1945.

Cal. No. Dept. Premises Affected

735-45-BZ—H.B.Bx.—1355 Virginia avenue and 1891 McGraw avenue, northwest corner (Block 3936, Lots 32, 35 and 38), Borough of The Bronx, N.B. 136-45.

736-45-BZ—H.B.M.—3740 Broadway, northeast corner of West 155th street (Block 2114, Lot 1), Borough of Manhattan, N.B. 241-45.

737-45-A—F.D.—1835 West Farms road, west side, 145.78 ft. south of East 176th street and 1830 Boone avenue (basement); (Block 3015, Lots 76, 78 and 80), Borough of The Bronx, Decision re 42449-C.

738-45-BZ—H.B.R.—2865 Richmond avenue and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond, N.B. 219-45.

739-45-BZ—H.B.M.—407 West 38th street, north side, 100 ft. west of 9th avenue (Block 736, Lot 29), Borough of Manhattan, Amendment to Alt. 1467-45.

740-45-A—F.D.—35 Great Jones street, south side, 150 ft. east of Lafayette street (ground floor); (Block 530, Lot 24), Borough of Manhattan, Decision re 40003-LC.

741-45-A—F.D.—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan, 43077-LC and Decision.

742-45-A—F.D.—100-02 Rockaway boulevard, southwest corner of 101st street (Basement); (Block 9539, Lot 1); Ozone Park, Borough of Queens, Decision.

743-45-BZ—H.B.Q.—134-12 94th avenue (Atlantic avenue), south side, 100 ft. east of 134th street and 134-23 95th avenue, north side, 100 ft. west of Van Wyck boulevard (Block 9450, Lots 35 and 56), Richmond Hill, Borough of Queens, N.B. 1327-45.

744-45-A—H.B.Q.—North and south sides of 67th avenue, from 189th to 192nd streets (Block 7118, 7119, 7096 and 7097, Lots 1), Flushing, Borough of Queens (Under section 35, General City Law re bed of mapped street—67th avenue), N.B. 6-45.

745-45-BZ—H.B.Q.—95-16 to 95-24 Queens boulevard, south side, 140 ft. east of 63rd avenue (Block 3080, Lot 12), Rego Park, Borough of Queens, Alt. 1620-45.

746-45-BZ—H.B.Q.—96-52 to 96-68 Queens boulevard, southwest corner of 64th road (Block 3082, Lots 71 and 79), Rego Park, Borough of Queens, N.B. 1214-45.

747-45-BZ—H.B.Q.—64-41 Saunders street and 97-02 to 97-22 Queens boulevard, southeast corner of 64th road (Block 3084, Lots 2, 9, 11, 54, 56 and part of Lots 12, 46 and 64), Rego Park, Borough of Queens, Amendment to N.B. 1202-45.

748-45-BZ—H.B.M.—101-113 West 30th street, 855-857 Avenue of the Americas (6th avenue) northwest corner and 106-108 West 31st street (Block 806, Lots 34, 35 47 and 48), Borough of Manhattan, Amendment to N.B. 186-44.

749-45-SM—Apex Ash Receivers, Types "Tipover" No. 1 and "Tipover" No. 2, manufactured by Apex Brass and Bronze Works, Inc., Material.

750-45-A—H.B.B.—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn, Alt. 1772-45.

751-45-A—F.D.—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn, 15678-LF and Decision.

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444-45-A—Marine and Aviation—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3-15), Long Island City, Borough of Queens, Decision.

623-45-A—F.D. and H.B.B.—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn, 503-LC and B.N. 804-45.

73-38-BZ—H.B.B.—2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block 5133, Lot 14), Borough of Brooklyn, Decision.

1175-39-BZ—H.B.B.—2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block 5133, Lots 38-49 inclusive), Borough of Brooklyn, Amendment to B.N. 6499 to 6507-40, inclusive.

427-38-SA—Josam Oil Interceptor, Series G, manufactured by Josam Manufacturing Co., Material.

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Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
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Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36

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Tank Trucks, Fuel Oil, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc. ....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

DECEMBER 11, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 11, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

583-45-BZ—Application, September 27, 1945, under section 7(b) of the zoning resolution, of Jules Lewis, applicant, on behalf of Cord Trading Corp. owner, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution; premises 388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

685-45-BZ—Application, November 7, 1945, under section 7c of the zoning resolution, of Paul Friedman, applicant, on behalf of Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees), to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building; premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

336-37-BZ—Aplication of Stewart and Shearer, applicants, on behalf of The New York Public Library, Astor, Lenox and Tilden Foundations, owners, reopened November 20, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five motor vehicles, for a temporary period; premises 322-328 West 57th street, south side, 275 ft. west of 8th avenue (Block 1047, Lots 44 and 46), Borough of Manhattan.

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

619-45-BZ—Application, October 18, 1945, under section 7a of the zoning resolution, of James Whitford; applicant, on behalf of William J. Couch, owner, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop; premises 977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

234-36-BZ—Application of Joseph Brill, applicant, on behalf of Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee), reopened September 25, 1945, under section 21 of the zoning resolution, to permit in a retail 1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school; premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

597-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

Appeals from Administrative Decisions.

137-45-A—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn (reopened and restored to the calendar October 16, 1945; previously withdrawn).

444-45-A—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3 to 15), Long Island City, Borough of Queens.

754-45-A—Re Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in conformity with Administrative Code requirements covering Tank Trucks).

695-45-A—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliance for Approval.

538-45-SA—Cyclotherm Steel Generator (Oil Burner).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER, 11, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 11, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Appeals from Administrative Decisions.

699-45-A—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

686-45-A—330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

643-45-A—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Edgemere, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 49th street).

625-45-A—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond.

677-45-A—509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn.

692-45-A—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

714-45-A—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

58-39-BZ—Application of Anfred Realty Corp., applicant and owner, reopened November 20, 1945, for consideration as to extension of permits—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

704-45-A—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn (reopened and restored to calendar December 4, 1945; previously withdrawn).

728-45-A—1155 Manhattan avenue, northwest corner of Commercial street (Block 2476, part of Lot 60), (Building No. 4, 4th floor); Borough of Brooklyn.

741-45-A—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

CALENDAR

734-45-A—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn.

Appliance and Materials for Approval.

711-45-SA—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, **LPH and WPH.**

678-45-SM—Klaff and Sons, 275 Gallon Fuel Oil Tanks Obround with Flanged and Dished Heads.

304-44-SM—Cemesto Board (Asbestos Cement Clad Insulation Board).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 18, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

689-45-A—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn.

721-45-A—33 West 51st strect, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan (reopened and restored to Calendar October 2, 1945; previously dismissed for lack of prosecution).

742-45-A—100-02 Rockaway boulevard, southwest corner of 101st street (basement); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

751-45-A—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

757-45-A—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx.

758-45-A—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

756-45-A—2460-2478 2nd avenue, east side, from East 126th street to East 127th street and from 1st to 2nd avenues (Block 1803, Lot 1), Borough of Manhattan.

752-45-A—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan.

750-45-A—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn.

727-45-A—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn.

731-45-A—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

135-45-A—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn (reopened and restored to calendar July 17, 1945; previously withdrawn).

733-45-A—39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens.

753-45-A—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx (reopened October 9, 1945; previously denied).

760-45-A—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx.

775-45-A—97-05 Queens boulevard and 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday morning, January* 3, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

593-45-BZ—Application, October 1, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Home Life Insurance Co., owner, to permit in a business use, D area, the erection of a garage and laundry to occupy the entire lot; premises

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104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens.

51-30-BZ—Application of T. H. Engelhardt, applicant, on behalf of Cord Meyer Development Co., owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence, business and retail use district, the extension of the kitchen facilities into the garage area (garage previously granted by the Board); premises 112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 73 and 79), Forest Hills, Borough of Queens.

556-45-BZ—Application, September 13, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of Newspaper Realty Corp., owner, to permit in a retail use district, B area, the erection of a six story fireproof addition to existing five-story factory building fronting West 34th street; to connect the two buildings at each floor with fireproof horizontal exit; to replace present wood stairway with lawful fireproof enclosed stairway, to install subdividing partitions and an elevator; premises 410-412 West 34th street, south side, 120 ft. west of 9th avenue, and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

722-45-A—207-217 West 25th street, north side, 102 ft. west of 7th avenue (11th floor); (Block 775, Lot 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday afternoon, January* 3, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

73-38-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block 5133, Lot 14), Borough of Brooklyn.

1175-39-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, in a business use district, the parking and storage of more than five motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block 5133, Lots 38 to 49, inclusive), Borough of Brooklyn.

Appeals from Administrative Decisions.

718-45-A—58-66 Sedgwick street, south side, 125 ft. east of Van Brunt street (1st floor); (Block 318, Lot 10), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

764-45-A—North side of East 6th street to south side of East 13th street, from Avenue D to Franklin D. Roosevelt (East River) drive (Block 367, Lot 1 and Block 362, Lots 1 and 100); (Jacob Riis Houses), Borough of Manhattan.

255-43-A—23-53 216th street, north side, 477.32 ft. east of 38th avenue (Block 6019, Lot 1), Bayside, Borough of Queens (reopened February 20, 1945).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 8, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

559-45-BZ—Application, September 20, 1945, under section 21 of the zoning resolution, of Koch and Wagner, applicants, on behalf of Fresh Pond Holding Co., Inc., owner, to permit in a business use, C area, the erection of a one story and cellar building, to occupy more than 60% of the area of the lot; premises 1589-1591 Broadway, north side, 17 ft. east of Halsey street (Block 3408, Lots 8 and 9), Borough of Brooklyn.

460-45-BZ—Application, July 20, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Harry Winkler, owner, to permit in a business use district, the erection of a new building to house an office, lubritorium and laundry; to enlarge site and relocate and add to present number of storage tanks; premises 2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6, 7, 8, 9, 10 and 109), Borough of Brooklyn.

1205-40-BZ—Application, of Jack Z. Cohen, applicant, on behalf of Geno Arditi, owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence and unrestricted district, the change of occupancy from public garage for more than five motor vehicles, to storage garage for more than five motor vehicles, in conjunction with auto service, sale of new and used cars, service and motor vehicle repair shop; premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

313-19-BZ—Application, of Frank Randazzo, applicant, on behalf of Roswin Realty Corp., owner (Anthony F. Mayo and Harry Sharp, lessees), reopened September 11, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of display and sale of more than five motor vehicles in a garage and gasoline service station (previously granted by the Board); premises 1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

759-45-BZ—Application, December 7, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Sackett Realty Corp., owner, to permit in a business use, C area, the erection of an extension in the rear of existing building to cover more than the permitted area; premises 1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557A, Lots 60 and 61), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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JANUARY 8, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 8, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

581-45-A—938 Fulton street, south side, 64 ft. east of St. James place (Block 2014, Lot 13), Borough of Brooklyn.

672-45-A—1120 Shore boulevard, southwest corner of Jaffrey street (Block 7517, Lot 941), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 15, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

84-45-BZ—Application, February 20, 1945, under section 7h of the zoning resolution, of F. P. Platt & Brother, applicants, on behalf of T. L. & L. Corp., owner, to permit in a partly residence and partly restricted retail use district, the parking of more than five motor vehicles; premises 1-5 Greenwich avenue, southwest corner of Christopher street (Block 593, Lot 13), Borough of Manhattan.

557-45-BZ—Application, July 20, 1945, under sections 7a and 21 of the zoning resolution, of John T. Clancy, applicant, on behalf of Slattery Contracting Co., owner, to permit in a residence and business use district, the extension of garage for more than five trucks for owner's use and repair shop; premises 51-01 72nd place and 72-28 to 72-36 51st road, southeast corner (Block 2465, Lots 1 to 5), Woodside, Borough of Queens.

668-45-BZ—Application, October 31, 1945, under sections 7e and 21 of the zoning resolution, of Max Siegel, applicant, on behalf of Park Web Co., Inc., owner, to permit in a residence district, the change of use from stable to store, first floor, office, showroom and light manufacturing on upper floors; premises 322-324 West 48th street. south side, 250 ft. west of 8th avenue (Block 1038, Lot 43), Borough of Manhattan.

205-42-BZ—Application of Benjamin Antin, applicant, on behalf of 1748 Jerome Avenue Corp., owner, reopened October 30, 1945 under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a non-flashing neon electric sign extending more than eighteen (18) inches beyond the building line; premises 1754 Jerome avenue and 1-7 East 175th street, northeast corner (Block 2850, Lot 1), Borough of The Bronx.

Appeal from Administrative Decision.

627-45-A—3179 Atlantic avenue, north side, 175 ft. west of Logan street (Block 4137A, Lot 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 15, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44, and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening on Richmond terrace).

744-45-A—North and South sides of 67th avenue, from 189th to 192nd streets (Blocks 7118, 7119, 7096 and 7097, Lots 1), Flushing, Borough of Queens (Under section 35, General City Law re bed of mapped street—67th avenue).

784-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (cellar); (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

801-45-A—3908-3912 8th avenue (rear), west side, 50 ft. 2 in. south of 39th street (Block 915, Lot 34), Borough of Brooklyn.

798-45-A—590 Madison avenue, southwest corner of East 57th street (20th floor); (Block 1292, Lot 56), Borough of Manhattan.

726-45-A—36-20 to 36-46 33rd street (Washington avenue), northwest corner of 37th (Webster) avenue (basement); (Block 601, Lot 1), Long Island City, Borough of Queens.

805-45-A—2500 Nostrand avenue, southwest corner of avenue K (cellar); (Junior High School, No. 240); (Block 7629, Lots 1-80 inclusive), Borough of Brooklyn.

16-46-A—216-03 to 219-13 130th avenue, north side, and 216-04 to 219-16 130th avenue, south side, 130-03 to 130-15 Springfield boulevard (Block 12825, Lot 480, Block 12892, Lot 41, Block 12893, Lot 121, Block 12894, Lot 29 and Block 12897, Lot 20), Springfield, Borough of Queens.

807-45-A—831-851 65th street, north side, 180 ft. west of 9th avenue (1st floor); (Block 5742, Lot 54), Borough of Brooklyn.

814-45-A—266-267 West street, east side, 44 ft. 2½ in. north of Vestry street (Block 223, Lot 5), Borough of Manhattan.

815-45-A—62-68 Vestry street, north side, 85 ft. 1-¾ in. east of West street (Block 223, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 22, 1946, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

635-45-BZ—Application, October 18, 1945, under sections 7a, 7c and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 480 Realty Corp., owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 395 Brook avenue, 477-489 East 143rd street, northwest corner and 482-498 East 144th street (Block 2288, Lot 57), Borough of The Bronx.

745-45-BZ—Application, December 4, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Leasing Corp., owner, to permit in a business use, C area, the extension (in the rear) of an existing building (stores) to cover more than

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permitted area; premises 95-16 to 95-24 Queens boulevard, south side, 140 ft. east of 63rd avenue (Block 3080, Lot 12), Rego Park, Borough of Queens.

746-45-BZ—Application, December 4, 1945, under sections 7c and 21 of the zoning resolution, of William I. Hohauser, applicant on behalf of Penelope Realty Corp., owner, to permit in a partly residence and partly business use district, the erection of a building (stores) exceeding the area requirements, and, also the omission of the required rear yard; premises 96-52 to 96-68 Queens boulevard, southwest corner of 64th road (Block 3082, Lots 71 and 79), Rego Park, Borough of Queens.

747-45-BZ—Application, December 4, 1945, under section 7c and approval of playground as per Art. 4, Section 13(c) and 14(d) of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Park Estate, Inc., owner, to permit in a partly residence and partly business use district, the extension of stores from a business use into a residential use of proposed stores and the approval of recreational space as suitable; premises 64-41 Saunders street, and 97-02 to 97-22 Queens boulevard, southeast corner of 64th road (Block 3084, Lots 2, 9, 11, 54, 56 and part of 13, 46 and 64), Rego Park, Borough of Queens.

Appliances for Approval.

331-45-SA—Fostoria Even Ray System, Infra Red Heating Equipment.

267-45-SA—Standard 3 Circuit "Surete" Indirect Fuel Oil Heating System (Oil Preheater).

690-45-SA—Atomic Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 22,* 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Rules.

108-16-SR—Interior Fire Alarm Rules, reopening and amendment.

Appeals from Administrative Decisions.

812-45-A—501-521 West 16th street, 500-528 West 17th street and 97-111 10th avenue, entire block (Block 688, Lot 21), Borough of Manhattan.

7-46-A—540-550 West 58th street, south side, 175 ft. east of 11th avenue (5th and 6th floors); (Block 1086, Lot 52), Borough of Manhattan.

693-45-A—270-272 West 19th street, south side, 150 ft. east of 8th avenue (1st floor); (Block 768, Lots 75 and 76), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 29, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan on the following matters:

Zoning Applications.

185-31-BZ—Application of Lama and Proskauer, applicants, on behalf of Koster's Bakery Co., owner, reopened April 11, 1944, under section 7c of the zoning resolution, to permit in a residence and business use, C area district, the extension of existing business building (bakery), previously granted by the Board to cover more than permitted area; premises 1155-1161 Madison street, north side, 75 ft. east of Central avenue (Block 3360, Lots 52 and 55), Borough of Brooklyn.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

755-45-BZ—Application, December 6, 1945, under section 21 of the zoning resolution, of Skidmore, Owings and Merrill, applicants, on behalf of Board of Education, City of New York, prospective owner, to permit in a residence use, E area district, the erection of a proposed elementary school covering a greater percentage of the lot on upper floors than is permitted and the erection of the building nearer than 10 feet from the street line; premises 1410-1424 Caton avenue, south side, from Rugby road to Marlborough road, 9-29 Rugby road, and 12-22 Marlborough road (Block 5075, Lots 1, 6, 12, 14, 16, 19, 21, 57, 59, 61 and 63), Borough of Brooklyn (P. S. 249).

793-45-BZ—Application, December 11, 1945, under section 21 of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Vanzan Realty Corp., owner, to permit in a business use, E area district, the erection of a one family dwelling and garage without required setback from street line; premises 51-19, 51-29 Marathon parkway, northeast and southeast corners of Van Zandt avenue, and 51-45 Marathon parkway, northeast corner of 51st (Sanborn) avenue (Block 8236, Lot 21 and Block 8237, Lots 26 and 34), Little Neck, Borough of Queens.

806-45-BZ—Application, December 19, 1945, under sections 7a, 7c and 7i of the zoning resolution, of Paul Friedman, applicant, on behalf of Key Holding Corp., owner (Autocraft Sales and Service, lessee), to permit in a partly business and partly unrestricted use district, the change of occupancy from garage for more than five motor vehicles, gasoline selling station and lubritorium to garage for more than five motor vehicles, gasoline selling station, lubritorium, auto showroom and motor vehicle repair shop; premises 6410-6424 (6408 displayed) 4th avenue and 369-379 65th street, northwest corner (Block 5817, part of Lot 36), Borough of Brooklyn.

738-45-BZ—Application, November 20, 1945, under section 7g of the zoning resolution, of James Whitford, applicant, on behalf of Philip F. Harling, owner, to permit in a residence and business use district, the parking of more than five motor vehicles for patrons of proposed drive-in theatre; premises 2865 Richmond avenue, and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

107-42-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened December 18, 1945, under section 7c of the zoning resolution, to permit in business use district, the reconstruction of existing gasoline service station in proximity to a playground; premises 401-415 Dahill road and 2-12 Cortelyou road, southeast corner (Block 5384, Lot 1), Borough of Brooklyn.

Appeal from Administrative Decision

816-45-A—2865 Richmond avenue and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JANUARY 29, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 29, 1946, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

520-45-A—704 East 13th street, south side, 103 ft. east of Avenue C (ground floor); (Block 382, Lot 10) Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 5, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 5, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

547-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony Vacuum Oil Co., Inc., owner, reopened October 9, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of parking and storage of more than five motor vehicles, on gasoline service station (previously granted by the Board); premises 4519-4525 Broadway, southwest corner of Bennett avenue (Block 2180, Lot 652) Borough of Manhattan.

766-45-BZ—Application, December 12, 1945, under section 7e of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner (Monitor Institutes, Inc., under contract to purchase, lessee), to permit in a residence use district, the alteration and change of occupancy from multiple dwelling to business use (offices for research bureau); premises 640 West 249th street (Spaulding lane), south side, 162 ft. west of Arlington avenue (Block 3419, part of Lot 290), Borough of The Bronx.

819-45-BZ—Application, December 29, 1945, under sections 7a and 21 of the zoning resolution, of T. H. Engelhardt, applicant, on behalf of United National Bank of Long Island, owner, to permit in a business use, D area district, the extension of an existing building (Bank) to occupy more than permitted area; premises 103-48 Lefferts boulevard, west side, 93.66 ft. north of Liberty avenue (Block 9556, Lots 26 and 27), Richmond Hill, Borough of Queens.

1000-40-BZ—Application of Oscar Goldschlag, applicant, on behalf of Eckert Realty Corp., owner, reopened July 14, 1942, under sections 7e and 21 of the zoning resolution, to permit in a residence use, B area district, the conversion of apartments to retail stores in basement, which is the street floor facing the Grand Concourse; premises 2337 Grand Concourse, 164 Field place, southwest corner (Block 3164, Lot 19), Borough of The Bronx.

442-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Grandboro Realty Corp., owner, to permit in a residence use, B area district, the conversion of apartments to retail stores on first floor facing the Grand Concourse; premises 2327 Grand Concourse, west side, 150 ft. south of Field place (Block 3164, Lot 25), Borough of The Bronx.

443-45-BZ—Application, July 5, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Andart Realty Corp., owner, to permit in a residence, B area district, the conversion of apartments to retail stores on the first floor facing the Grand Concourse; premises 2331 Grand Concourse, west side, 100 ft. south of Field place (Block 3164, Lot 23), Borough of The Bronx.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars: for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35, and 39), Borough of Brooklyn.

927-22-BZ—Application of Herman Kron, applicant, on behalf of Rogers Place Corporation, owner, reopened October 9, 1945, under section 7b and 7c of the zoning resolution, to permit in a residence and business use district, the alteration and conversion of occupancy from public baths to factory; premises 913-915 Westchester avenue, north side, 93.47 ft. west of Rogers place (Block 2698, Lot 79), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 4, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Wednesday morning and Wednesday afternoon, November 7, 1945, were approved as printed in Bulletin No. 46, Vol. 30.

ZONING APPLICATIONS

345-36-BZ

APPLICANT—Ira B. Livingston, for John Seinfeld, owner.

SUBJECT—Application reopened July 3, 1945—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores.

PREMISES AFFECTED—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Maxwell Wyckoff, S. Alderman, John Seinfeld.

For Opposition: None.

For Administration: Edwin A. Cox and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for decision by the Board without further argument.

352-45-BZ

APPLICANT—Lama and Proskauer, for Nathan Ossip, owner.

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SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of gasoline service station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps.

PREMISES AFFECTED—81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for inspection by a committee of the Board and further consideration.

588-45-BZ

APPLICANT—Norman Lederer, for Far Rockaway Lumber Co., owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a business use district, the erection of a shed to store lumber.

PREMISES AFFECTED—21-06 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Norman Lederer.

For Opposition: Catherine Simon, Abraham Gralla, Fay Smokler, J. Alpert and Les Boerle.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for inspection by a committee of the Board and decision without further argument.

618-45-BZ

APPLICANT—Albert J. Appell, for Charlotte H. Appell, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7c and 7e of the zoning resolution, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling.

PREMISES AFFECTED—448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert J. Appell.

For Opposition: Rev. Hugh Gilmartin and Edward Victory.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for inspection by a committee of the Board and decision.

685-45-BZ

APPLICANT—Paul Friedman, for Chesthill Realty Corp., owner (Waltgoodcook Corp. and Avenue J Florist, lessees).

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one story building.

PREMISES AFFECTED—1520-1524 Avenue J and 1002-1016 east 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: D. Weynberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 11, 1945 at 10 A.M. at request of objector's attorney.

708-45-BZ

APPLICANT—Paul Friedman, for Sears, Roebuck & Co., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours.

PREMISES AFFECTED—2359-2381 Bedford avenue, east side, 158 ft. 3½ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Olin J. Moore.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (708-45-BZ)

WHEREAS, Paul Friedman, for Sears, Roebuck and Company, owner, filed November 15, 1945, an application under section 7h of the zoning resolution, to permit in a business use district, the parking of more than five motor vehicles for patrons and employees during store hours; affecting premises: 2359-2381 Bedford avenue, east side, 158 ft. 3½ in. south of Tilden avenue (Block 5135, Lot 53), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 4, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Bedford avenue is in a residence, business and unrestricted use, C area and Class 1¼ height district and Tilden avenue is in a business and unrestricted use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated November 13, 1945, re B.N. applic. 1417-45, reads:

"1. Proposed occupancy of free parking for more than five motor vehicles for patrons and employees of Sears, Roebuck and Co. during store hours only, is contrary to Art. II, Sec. 4a, subd. 15 of the Zoning Resolution, as plot is located in a business use district."

and

WHEREAS, the applicant states the premises consist of a plot 264.29 ft. frontage by 163.34 ft. in depth, irregular, on which it is proposed to construct a parking lot for more than five motor vehicles; that it is proposed to level the plot to grade and cement, pave or surface the same with appropriate material, properly rolled and bound, and to extend the existing curb cuts; and

WHEREAS, the applicant contends that the premises consist of vacant plot on the easterly side of Bedford avenue, 158.41 ft. south of Tilden avenue, with a frontage of 264.29 ft. on Bedford avenue, a northerly lot line 163.34 ft. long (parallel with Tilden avenue), a rear lot line 250.70 ft. long and a southerly lot line 67.66 ft. long (parallel with Tilden avenue), having an area of approximately 29,000 square feet; that at the building line is constructed a woven wire fence 6 feet in height with two woven wire gates, having a 20 foot wide opening, approximately 80 feet south of the northerly lot line; that opposite said opening is an existing drop curb 13 ft. in width, constructed under Curb Cut Permit A-24412, issued October 20, 1934; that there is a 7 ft.

curb cut south of the legal curb cut, for which there is no permit; that part of the premises formerly used for day parking from 8 A.M. to 1 A.M. for more than five cars under Letter Permit #333-1934, which permit was revoked by the Commissioner of Buildings February 26, 1936; that an appeal to review said revocation was denied July 10, 1936, under Cal. 76-36-A, without prejudice to the right of the owner to file a zoning application; that under section 7h an application was filed for permission to park and store more than five motor vehicles and was dismissed for lack of prosecution—(Cal. 96-37-BZ); that the owner proposes to use the plot for the free parking of more than five motor vehicles for patrons and employees of the subject owner, whose department store is located at the northwest corner of Bedford avenue and Beverly road, and such parking is to be during store hours only; that it is proposed to level the plot to grade and either cement, pave or surface with steam cinders, clean gravel or other suitable material, properly rolled and ground; to construct an extension to the existing curb cut, so that it will be 30 feet wide; to install suitable illumination, so arranged as to reflect away from adjoining occupancies; to maintain adequate aisle space for easy entrance and egress; to install such fire-fighting appliances as the Fire Commissioner may deem necessary and to comply with such other conditions as the Board may see fit to impose; that the applicant further contends that there is a need for additional facilities for free parking, inasmuch as the existing facilities are inadequate to accommodate the patrons and employees of the Sears, Roebuck Co.; that to grant this application would be in the public interest, because it enables the overflow of patrons' automobiles to be stored on the lot instead of increasing the traffic congestion by parking on streets; that this proposed use is consistent with existing uses for automobile storage, service and gasoline service stations in the neighborhood; that special need for such facilities exists during the months of November and December, due to pre-Christmas shopping; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of five (5) years from the date of this action, to permit the premises to be occupied as proposed, for free parking of motor vehicles of patrons and employees of Sears, Roebuck & Co., *on condition* that the plot shall be maintained as proposed; that the fencing as indicated on plans filed with this application marked "Received November 15, 1945", of the woven wire post type, shall be installed and maintained on all street and interior lot lines where walls of adjoining buildings do not occur; that proper and adequate bumpers shall be maintained approximately 3 ft. away from the lot line walls of buildings on adjoining lots, for the protection to the same; that the entrance to the plot may be as shown on plan filed with this application marked "Received November 15, 1945" or there may be two entrances each not over 25 ft. in width each located not nearer than 20 ft. to the interior side lot lines to the north and south; that the plot shall be leveled substantially to the grade of Bedford avenue and shall be surfaced with steam cinders, properly rolled and bound, with a wearing surface of asphalt, properly rolled and graded for drainage; that no signs shall be erected on the premises, except that there may be a sign on the fence, advertising the use as proposed, and if there are two entrances, a sign may be erected at each entrance; that such signs shall not exceed ten square feet each and may be illuminated, but shall not extend beyond the building line; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution and that a certificate of occupancy shall be obtained.

APPEALS FROM ADMINISTRATIVE DECISIONS

609-45-A

APPLICANT—Norman Lederer, for Far Rockaway Lumber Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—21-06 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: Norman Lederer.
For Opposition: Catherine Simon, Abraham Gralla, Fay Smokler, J. Alpert and Les Boerle.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for further consideration in connection with Cal. 588-45-BZ.

691-45-A

APPLICANT—Marx Realty & Improvement Co., Inc., for Unibra Realties, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—35-54 83rd street, west side, 100 ft. north of 37th avenue (Block 1456, Lot 29), Jackson Heights, Borough of Queens.

APPEARANCES—
For Applicant: E. Mindlin and J. Michal.
For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

631-45-A

APPLICANT—M. Schulgasser, lessee, for Margaret Bruckner, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan.

APPEARANCES—
For Applicant: N. Wellens.
For Administration: E. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affrmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (631-45-A)

WHEREAS, M. Schulgasser, lessee, for Margaret Bruckner, owner, filed October 19, 1945, an appeal from an order of the fire commissioner, affecting premises 439 West 50th street, north side, 300 ft. east of 10th avenue (street floor); (Block 1060, Lot 13), Borough of Manhattan; and

WHEREAS, the order 42728-LC of the fire commissioner, dated September 20, 1945, reads:

"1. Remove from the premises all medicinal preparations, proprietary articles, drugs, chemicals, oils, volatile solvents, and other substances which alone or in combination with other substances or articles are of a highly combustible, inflammable or explosive nature and discontinue use of the premises as a wholesale drug store. Section C19-136.0.2 Administrative Code of the City of New York.

Reason: It is a violation of Section C-19-136.0.2 of the Administrative Code to conduct a wholesale drug store in a building occupied as a tenement house."

and

WHEREAS, the applicant states that the building is 4 stories (48 ft.) in height, 25 ft. by 40 ft. in area; of Class 3 construction; located in a residence use, B area and Class 1½ height district, and used and occupied as follows since 1933: Basement, storage of drugs and cosmetics; 1st floor, store and storage of drugs, 4 persons; 2nd floor, 2 apartments, 3 persons; 3rd floor, 2 apartments, 4 persons; 4th floor, 2 apartments, 3 persons; 3rd floor, 2 apartments, 4 persons; apartments, 5 persons; that no change in use or occupancy is proposed; that the building is equipped with one interior stairs, 3 ft. wide of wood construction, enclosed with plaster on lath, and equipped with wood self-closing doors, and leading from the roof bulkhead, to the street; that there is also one exterior fire escape in the rear, leading to the roof by a ladder and to the yard by a drop ladder; and

WHEREAS, plans filed with this appeal marked "Received November 15, 1945", indicate the following: that stair hall partitions, ceilings and soffits of stairs are fire retarded as per rules of the Division of Housing; and

WHEREAS, the applicant contends that at the time of the enactment of the law, it was the practice in wholesale drug houses, to manufacture or handle in bulk, drugs, chemicals, oils, volatile solvents and other substances of a highly combustible, inflammable or explosive nature; that while this applicant may be doing a wholesale drug business, according to the definition of the Code, the articles handled consist of tooth paste and powder, shaving creams, cough syrups and patent medicines, soap, hand lotions, hair tonics, patented medical powders, malted milk, razor blades, camera supplies and insecticides; that no highly explosive, inflammable or combustible materials are stored; that all of the items are of a proprietary nature and are packaged by the manufacturer and no articles are received in bulk or packaged on these premises; that the amount of insecticides handled does not total ¾ of 1% of the general merchandise located in the store; that a small amount of these materials has been carried in the fire retarded cellar; and

WHEREAS, the applicant states that the premises have been occupied by a jobber of drugs and sundry dry-goods for approximately twelve years and that the zone was changed from business to residence use in 1936.

Resolved, that the order of the fire commissioner, 42728-LC, item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained substantially as proposed and to the satisfaction of the fire commissioner and that all materials shall be packaged as proposed and none of a highly inflammable or combustible type shall be stored on the premises; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the portion of the building occupied as a multiple dwelling shall comply with all requirements therefor.

MATERIALS SUBMITTED FOR APPROVAL

536-45-SM

APPLICANT—Walworth Co., owner.

SUBJECT—Silbraz Joints, types Walseal, Flaggseal, Craneseal and Faircoseal, approval of.

APPEARANCES—

For Applicant: William R. Cab and W. Murphy.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (536-45-SM)

WHEREAS, Walworth Co., owner, filed on August 13, 1945, an application with the Board of Standards and Appeals for approval of the material known as Silbraz Joints, types Walseal, Flaggseal, Craneseal and Faircoseal; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 536-45-SM

Subject: Silbraz Joints—Walseal, Flaggseal, Craneseal and Faircoseal.

Approval of:

The Walworth Company, owner, filed an application with the Board of Standards and Appeals under the provisions of C26-178.0, C26-191.0, C26-1222.0 and C26-1254.0 Administration Building Code for approval of Silbraz Joints—Walseal, Flaggseal, Craneseal and Faircoseal.

DESCRIPTION

The Silbraz Joint, a sleeve type joint manufactured in sizes of ⅜" to 12" I.D., in which pipe is inserted in a bored socket in the outlet of the fitting, flange or valve. Each outlet has a ring of brazing or welding alloy pre-inserted. This joint is designed for the connection of bronze or copper pipe. The brazing alloy known as Sil-Fos contains 80% of copper, 15% of silver and 5% of phosphorus; the melting point is 1185° F. with the alloy flowing freely at 1300° F. In the process of making the joint, pipe and fittings are assembled in position and properly supported for alignment and pitch. Heat is applied with an oxyacetylene flame to the pipe near the edge of the fitting in order to expand the pipe tightly into the fitting. The torch flame is then directed on the bead of the fitting so that a 1½ to 2 inch circumferential length of the bead is heated by a wiping motion of the flame. The direction of wiping is from the fitting toward the pipe. The heated portion of the bead is expanded, or stretched outward, which causes a clearance gap to occur between the pipe and the fitting. It is into this gap that the Sil-Fos flows from the insert in the fitting, when the parts have reached the proper brazing temperature. At this time the heating operation is discontinued momentarily—a few seconds—to permit the bead to cool and contract, or "unstretch." The contraction of the bead forces the Sil-Fos in all directions within the clearance gap to the shoulder inside the Walseal Fitting and to the outside edge of the fitting. When the Sil-Fos comes out at the edge of the fitting it forms a silvery-white fillet which is readily seen by the mechanic making the joint.

In relation to whether this process constitutes welding as defined in C26-1254:

(1) Brazing processes form one of the three subdivisions of welding in the American Welding Society's master chart of welding processes, and the Society defines brazing as "a group of welding processes wherein the filler metal is a non-ferrous metal or alloy whose melt point is higher than 1000° F, but lower than that of the metals or alloys to be joined". It is to be noted that only the filler metal melts, not the parts joined. It is also to be noted that the soldering processes are excluded by the 1000° F minimum melting point of the filler metal, although the use of the word "soldering" to describe true brazing persists to some extent in the trades.

(2) There is no other welding process besides brazing established in the forming of joints in non-ferrous pipe; therefore the term "welding" in Administrative Code C26-1254 refers to brazing when applied to non-ferrous pipe joints.

TESTS

A test of this joint was made at Columbia University with following result:

Material:	"Walseal" Threadless Bronze Fittings and Joints				
Test No:	60029	60030	60031	60032	60033
Mark:	1	2	3	4*	4a
How Tested:	(Tension Test)		(Hydrostatic Test)		
Shape of Test Piece	2 pieces of 1″ brass pipe made into 1″ "Walseal" coupling using "Sil-Fos" brazing alloy to make the joints	Ditto, in 2″ size	1″ material consisting of 1 tee, 2 caps and reducer, 2 pieces of 6″ lengths and 1 piece of 24″ length made up in shape of tee and joints brazed with "Sil-Fos" alloy	Ditto, in 2″ sizes	
Max. Load, lbs.:	15200	27500	—	—	—
Water pressure, lbs. sq. in.:	—	—	4780	2660	2500
Failure:	In coupling castings, "Walseal" brazed joint intact		In tee casting, "Walseal" brazed joint intact	Not tested due to failure due to leak in hydraulic machine connection.	In cap casting. Retest of #4. Apparently the first test weakened the cap casting, and caused it to fail at slightly lower pressure

*Specimen carrying 800 lbs. sq. in. hydrostatic pressure suspended in mid-air and given 300 blows with 1″ fibre hammer. No indication that vibration had any effect on "Walseal" joints. Later tested to 2660 lb. sq. in. hydrostatically.

Further data of tests made by the U. S. Naval Experimental Station at Annapolis on the applicant's fitting including pressure, torsion, impact and tension tests of assembled units gave results as follows:

> The shearing strength for sleeve joints between copper and composition "G" bronze with .003 to .004 clearance ranges from approximately 10000 lb. per sq. in. at normal temperature to 3700 lb. per sq. in. at 900 deg. Fahr."
>
> Results of tension tests for the regular heavy pattern "Walseal" fittings have shown load values to failure of 82 per cent of the tensile strength of the annealed copper tubing for the ¾ inch size and 55 per cent of the strength of the tubing for the 1 inch size. For the modified type fittings corresponding percentages of 95 and 90 per cent were obtained for the ¾ and 1 inch size fittings, respectively. Accordingly, the increased depth of socket for the modified fittings has resulted in tensile load values of 90 to 95 per cent of the strength of the annealed, Class D, copper tubing."

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Silbraz Joints known as Walseal, Flaggseal, Craneseal and Faircoseal under C26-191.0a for use in New York City for brass and copper piping conforming to C26-1234.0 and C26-1235.0 or any other brass or copper piping I.P. size O.D. as approved by the Board under the provision of C26-1222.0 when installed as described herein, C26-1240.0 as a new plumbing material when used for welding plumbing joints and connections as provided in C26-1254.0 provided that each package of Silbraz fittings shall have a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. 536-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner

CHARLES M. BLUM,
Commissioner

LESLIE V. HUBER,
Chief Engineer
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Silbraz Joints, types Walseal, Flaggseal, Craneseal and Faircoseal, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

615-45-SM

APPLICANT—Port Marine Contracting Co., owner.

SUBJECT—Port Obround 275 Gallon Fuel Oil Tank, approval of.

APPEARANCES—
For Applicant: G. B. Gibbons.

ACTION OF BOARD—Material approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative 0

THE RESOLUTION (615-45-SM)

WHEREAS, Port Marine Contracting Co., owner, filed on October 16, 1945, an application with the Board of Standards and Appeals for approval of the material known as Port Obround 275 Gallon Fuel Oil Tank; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

November 16, 1945.

Re: Cal. 615-45-SM

Subject: Port Obround 275 Gallon Fuel Oil Tank, approval of.

The Port Marine Contracting Company of Brooklyn, N. Y. filed an application with the Board of Standards and Appeals under the provisions of the Oil Burner Rules of the Board and Section 666, subdiv. 1 of the Charter of the City of New York, for approval of the Port Obround 275 Gallon Fuel Oil Tank.

DESCRIPTION

The obround tanks are constructed of No. 10 U. S. gauge commercial grade hot rolled sheet steel with seams welded. The heads are dished with adequate extension rim, constructed of 10 gauge steel with welds offset 1¼ inches. There are four 2 in. openings in the top of the tank and one ¾ in. outlet at bottom of head. The tanks are 66 in. over all by 42 in. by 26 in. The tanks are provided with standard pressed steel pipe support lugs. Total weight without lugs is 400 lbs.

MINUTES

TESTS

A sample tank was subjected to a pressure test at the yard of the Department of Water Supply, Gas and Electricity in the presence of the Committee on Tests and successfully met the requirements of Rule 10.3.1 of the Oil Burner Ruies. Details of construction, workmanship and protection of steel were found to comply with the Rules of the Board.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends that the Port Obround 275 Gallon Fuel Oil Tank be approved for use in fuel oil installations in New York City when constructed in accordance with the details of this report and drawings filed with this application, but nothing herein shall be deemed to waive any requirement of the Oil Burner Rules of the Board. It is further recomended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanent affixed plate required by Rule 5.3.2 of the Oil Burner Rules in addition to the wording thereon shall have the following wording: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 615-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Port Obround 275 Gallon Fuel Oil Tank, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 12:05 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 4, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEALS FROM ADMINISTRATIVE DECISIONS

307-45-A

APPLICANT—Maxwell Schantz, for Kings County Trust Company, as trustee, for Estate of George A. Powers owner (Hudson Bay Fur Company, lessee).

SUBJECT—Application reopened and restored to calendar October 16, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—557 Fulton street, north side, 103 ft. east of Bond street and 12 DeKalb avenue (Block 2093, Lot 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maxwell Schantz and Henry Cash.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (307-45-A)

WHEREAS, Maxwell Schantz, for Kings County Trust Company as trustee, for Estate of George A. Powers, owner (Hudson Bay Fur Company, lessee), filed May 19, 1945, an appeal from a decision of the borough superintendent, affecting premises 557 Fulton street, north side, 103 ft. east of Bond street and 12 De Kalb avenue (Block 2093, Lot 30), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 19, 1945, on B. N. Applic. 14277-36, reads:

"9. Required stairs from 2nd and 3rd floors to be provided with enclosure having a one hour fire rating (Section 6.4.1.8.1).

"10. Required stairs to comply with Section 6.4.1.11, as to extension to the roof and to the street, in one hour enclosure.

"11. Provide stairs from cellar floor directly to the street. Enclosure for same to be of incombustible material in the cellar and one hour fire retarded partitions on the 1st floor (Section 6.1.2.2.3).

"12. Provide legal ventilation for 1st and 2nd floor areas."

and

WHEREAS, the applicant states the building is 3 stories, and cellar (35 ft.) in height; 20 ft. 6 in. front on Fulton street, 19 ft. 5 in. front on DeKalb avenue with an average depth of 98 ft. 1½ in.; of Class 3 construction; erected approximately 60 years ago; located in a business use, D area, and Class 1 height district and used and occupied since 1936 as follows: cellar, boiler room, stock and storage; 1st floor, retail sales, 10 persons; 2nd floor, factory (furrier) stock and waiting room, 3 persons; 3rd floor, clothing racks not now being used, and proposed to be used and occupied as follows: cellar, same, 3 persons; 1st floor, retail sales, 50 persons; 2nd floor, same, 25 persons, 3rd floor, stock and storage, 5 persons; that the building is equipped with one interior stairs, 3 ft. and 3 ft. 10 in. in width of wood construction, unenclosed, leading from the interior of the building to the 3rd story; that a ladder and scuttle to the roof is provided; that the building is equipped with one fire escape to the DeKalb avenue front, a party wall type connecting to 10 DeKalb avenue and leading to the street by a drop ladder; that windows and doors on the course of the fire escape are not fireproof, self-closing; and

WHEREAS, the applicant contends that this appeal is from the decision on amendment filed in April, 1945, to complete the alteration work on a permit granted in 1936; that although the existing use of the cellar, 1st and 2nd floors, was originally granted, it is now necessary due to business requirements, to use the 3rd floor; that the existing occupancy was granted for cellar 1st and 2nd floors for a slightly different number of persons; that the occupancy of the cellar, 1st and 2nd floors is existing; that although Violation 358 was issued against the 3rd floor occupancy, no practical use was made of said 3rd floor, as only pole racks were placed there; that it is proposed to make exits comply with the Labor Law; that approval is requested for the number of persons stated, but due to seasonal fluctuations, the number of persons employed at factory work will vary with a maximum equal to that stated in this appeal; that for the major portion of the year there will be no more than 5 persons; and

WHEREAS, on July 17, 1945, this appeal was withdrawn by the applicant, to permit him to file the same plans with the Board as were filed with the borough superintendent; and

WHEREAS, the plans filed with the Board have now been amended to agree with those filed with the borough superintendent; and

WHEREAS, this appeal was restored to the calendar by vote of the Board, on October 16, 1945; and

WHEREAS, the applicant further contends that the building is being used by one tenant exclusively; that the building is over 50 years old and designed and arranged for commercial and industrial uses; that the present exits comply with the Building Code under Permit B.N. Applic. 14277-36; that it is further proposed to erect new Labor Law fire escapes in lieu of the existing fire escapes and the erection of a new roof bulkhead as a secondary means of egress; that the existing 5 ft. 10 in. wide first floor interior stairs and the 5 ft. wide second floor interior stairs with new 5 ft. wide bulkhead stairs will conform with the Labor Law exit requirements; that Rule 6 of the Factory Exit Rules covers a building where less than 25 employees above the second floor are engaged in manufacturing; that in this case only three employees will be engaged above the 2nd floor, to store or remove merchandise; that there will be no permanent occupants on the 3rd floor; that relief is sought from the cellar exit objections, inasmuch as the interior cellar stairs are 3 ft. wide and enclosed with 4 in. terra cotta block partition with fireproof, self-closing door at the foot; that the stairs leading from the street to the cellar are enclosed in cement block partitions and are 3 ft. wide with fireproof, self-closing door at the foot; that the top of the stairs at the street are covered with wrought iron doors flush with the sidewalk; that there will be no permanent occupants in the cellar; that the proposed occupancy is for three persons, only long enough to store merchandise or remove same from storage; that relief is sought from objection 12, ventilation requirements, as far as it pertains to the first and second floors, as such ventilation conditions existed prior to 1938 and were deemed adequate under B. N. Applic. 14277-36; that the 1st floor is vented through 3 ft. by 5 ft. transoms over double exit doors on DeKalb avenue; that the 2nd floor is vented by three windows on the DeKalb avenue front at the workshop; that the partitions do not extend to the ceiling; that the part fronting on Fulton street is occupied for storage and equipped with an 18 in. electric fan; that the 3rd floor is vented by three windows on each of the DeKalb avenue and Fulton street sides; that this condition has been existing since the building was erected and occupied and can be deemed adequate; that electric exit signs are shown through the building within the structure.

Resolved, that the decision of the borough superintendent, acting on B.N. Applic. 14277-36, Objections 9, 10, 11 and 12, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the existing primary means of exit shall be continued by means of the bulkhead to the roof; that such bulkhead shall be of approved construction; that a new fire escape, complying with the requirements of the Labor Law for a new fire escape, shall be constructed on the DeKalb avenue side of the building; that the doors leading to such fire escape, as well as the windows along the course thereof, shall comply with the requirements; that there shall be installed throughout the building, a sprinkler system which may be one source, complying with the requirements of the Building Code therefor; that proper aisles shall be maintained through approved central station and with a siamese on each street; that unless adequate natural ventilation is furnished on the 1st and 2nd floors, mechanical ventilation shall be supplied, complying with the requirements of the Building Code therefor; that proper aisles shall be maintained through each floor as the Building Superintendent and Fire Commissioner shall direct; that in all other respects, the requirements of the borough superintendent, as given on B.N. Applic. 14277-36, other than as varied herein, shall be complied with, as well as all other requirements of all laws, rules and regulations applicable to the building and occupancy and the requirements of Violations 344-1945, 358-1945, exit Violation 9-1945; Violation 1196-1945, and any other violations of the Building Superintendent or Fire Commissioner shall be complied with.

564-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan.

APPEARANCES—
For Applicant: Max Wechsler.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (564-45-A)

WHEREAS, Max Wechsler, for Garment Center Capitol, Inc., owner, filed September 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 216-234 West 38th street, 500 7th avenue, northwest corner and 201-219 West 37th street (basement and 1st floor); (Block 787, Lot 40), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1346-45, dated August 22, 1945, reads:

"1. Proposed removal of loading space is contrary to Section 19A, subdivision b, Zoning Resolution."

and

WHEREAS, the applicant states that the building is 17 stories (190 ft.) in height, 74 ft. 8 in. by 275 ft. in area, of Class 1 construction, located in a retail and unrestricted use, B area and Class 2 height district, erected in 1921, and used and occupied since erection: basement—storage and shipping—210 persons; 1st floor—stores—200 persons; 2nd to 9th floors—manufacturing of clothing—400 persons each floor; 10th to 17th floors—manufacturing of clothing—360 persons on each floor; that no change in use or occupancy is proposed; that the building is equipped with an approved two source sprinkler system, a standpipe system and an approved interior fire alarm system and that regular monthly fire drills are maintained; that there are three interior stairs, 3 ft. 8 in. in width, of steel construction, fireproof enclosed, extending to the roof bulkhead and leading directly to the street, equipped with fireproof, self-enclosing doors; that the building is equipped with two fire towers; that the adjoining building to the north on 7th avenue is 43 stories in height, to the west, 17 stories in height and to the east, 6 stories in height; and

WHEREAS, the applicant contends that at the time of the erection of this structure, loading platforms and spaces were not required and the intent of section 19A is for new buildings and existing buildings that are to be arranged, designed for the uses specified therein; that if the intent of the section is to require spaces for loading for all buildings which show manufacturing and storage in excess of 25,000 sq. ft. and erected prior to the passage of the section, then all buildings in the vicinity which have no loading spaces, would require the same; that the existing loading platform and ramps are used by motor trucks only 10 percent of the time and hand carts, used in the garment district for transporting merchandise, use the ramps 90 percent of the time and do not use the loading platforms at all; that the existing ramps leading to loading platforms are too steep for easy pushing of hand carts and cause much congestion leading to and from the freight elevators, resulting in inefficient delivery of merchandise; that by the elimination of the loading platform and the ramps leading to same, the hand carts will have practically a level passage to freight elevators, thereby removing all congestion; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 1346-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

565-45-A

APPLICANT—Max Wechsler, for Garment Center Capitol, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—494-498 7th avenue, 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Wechsler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (565-45-A)

WHEREAS, Max Wechsler, for Garment Center Capitol, Inc., owner, filed September 21, 1945, an appeal from a decision of the borough superintendent, affecting premises 494-498 7th avenue, 200-214 West 37th street, southwest corner and 205-221 West 36th street (basement and 1st floor); (Block 786, Lot 51), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent acting on Alt. Applic. 1345-45, dated August 22, 1945, reads:

"1. Repeat. Proposed removal of loading space is contrary to Section 19A, Subdivision b, Zoning Resolution."

and

WHEREAS, the applicant states that the premises is 24 stories (260 ft.) in height; 98 ft. 9 in. by 225 ft. in area; of Class 1 construction; erected in 1921; located in an unrestricted use, B area and Class 2 height district and used and occupied as follows: basement, storage and shipping, 235 persons; 1st floor, stores, 200 persons; 2nd to 16th floor, clothing factory, 515 persons per floor; 17th to 22nd floors, clothing factory, 470 persons per floor; 23rd floor, club room and gymnasium, 375 persons; that no change in use or ocupancy is proposed; that the building is equipped with an approved two source sprinkler system, a standpipe system, and an interior fire alarm system; that fire drills are maintained; that there are three interior steel stairs, 3 ft. 8 in. wide, fireproof enclosed, equipped with fireproof, self-closing doors, extending to the roof bulkhead and leading to the street, and that there are two fire towers; and

WHEREAS, the applicant contends that at the time of erection of this structure in 1921, loading platform and loading spaces were not required; that the intent of Section 19A is for new buildings and existing buildings that are to be arranged, and designed for the uses specified; that if the intent of the section is to require spaces for loading for all buildings which show manufacturing and storage in excess of 25,000 sq. ft. and erected prior to the passage of the section, then practically all buildings in the vicinity which have no loading spaces, would require the same; that existing loading platform and ramps are used by motor trucks only 10% of the time; that hand carts pushed by a man, use the ramps 90% of the time and do not use the loading platforms at all; that the existing ramps leading to loading platforms are too steep for easy pushing of hand carts, therefore causing congestion leading to and from the freight elevators and result in inefficient delivery of merchandise; that by eliminating the loading platform and the ramps leading to same, the hand carts will have a practically level passage to freight elevators; it is therefore respectfully requested that the objection of the Department of Housing and Buildings be rescinded, to permit the removal of the loading platform; and

WHEREAS, the applicant further contends that the loading space does not conform to Section 19A, subdivisions a and b of the Zoning Resolution, as the total floor area of the building is 870,600 sq. ft. and has a loading area of 3260 sq. ft., which is equal to 13 loading spaces; that this building requires 8750 sq. ft. of loading spaces or 35 loading spaces; therefore, since the loading spaces do not conform, if it is permitted to eliminate as much loading space as is necessary, it will make the building as efficient as possible; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1345-45, objection 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

594-45-A

APPLICANT—Albert William Lewis, for Ernest St. John Mann, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert William Lewis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (594-45-A)

WHEREAS, Albert William Lewis, for Ernest St. John Mann, owner, filed October 1, 1945, an appeal from a decision of the borough superintendent, affecting premises 142-146 West 31st street, south side, 225 ft. east of 7th avenue (Block 806, Lots 66, 67 and 68), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. 713-45, dated November 14, 1945, reads:

"2. The means of egress are inadequate, as per C26-273, Administrative Code."

and

WHEREAS, the applicant states that the proposed building will be 2 stories and penthouse (29 ft. 4 in.) in height, 60 ft. by 89 ft. in area, of Class 1 construction, on a lot 75 ft. by 98 ft. 9 in. in area, located in a restricted retail use, B area and Class 2 height district; that the proposed building will be used and occupied as a New York City fire house as follows: cellar—boiler room; 1st floor—apparatus room—20 persons; 2nd floor—dormitories—20 persons; that the building will be equipped with one 3 ft. 8 in. steel stairs with blue stone treads, enclosed in three hour partitions, equipped with ¾ hour self-closing, fireproof doors and leading from the roof bulkhead to the side yard, having egress to the street; and

WHEREAS, the applicant contends that the building will have 4,782 sq. ft. area and will be occupied by a hook and ladder company, a water tower company and searchlight machine company and headquarters for battalion chief, with a total complement of 60 men, of which not more than 40 men will be in the building at any one time, 20 men on duty on the first floor and 20 men in the dormitories on the second floor; that there will be one continuous legal stairway, six brass poles from the 2nd floor to the 1st floor, two from the penthouse to the second floor and one from the hose tower to the penthouse floor; that for disciplinary reasons, the Fire Department desires only one stairway, to permit control of the men from the patrol desk; that request

is made that consideration be given to the slight fire hazard in a building of this occupancy and the ample firemen's poles for use of all occupants; that there will be no members of the public occupying the building.

Resolved, that the decision of the borough superintendent, acting on N. B. Applic. 713-45, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the primary means of exit shall be maintained as indicated on plans filed with this appeal marked "Received October 1, 1945"; that in lieu of second means of exit, brass poles as indicated, a total of six, from the 2nd floor to the 1st floor may be substituted, provided at each pole on the 2nd floor, there shall be a fireproof enclosure with fireproof, self-closing door; that in addition, similar poles may be constructed within the 3rd floor penthouse plan as shown and also in the tower plan as shown; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance is granted only so long as the building is occupied as proposed and is not increased in height or area other than beyond what is shown on such plans.

694-45-A

APPLICANT—Robert C. Weinberg, for Vinmont Land Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—North side of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert C. Weinberg and Murray Sendler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (694-45-A)

WHEREAS, Robert C. Weinberg, for Vinmont Land Corporation, owner, filed November 7, 1945, an appeal from decisions of the borough superintendent, affecting premises north side of West 254th street, 284 ft. east of Mosholu avenue (Block 3421D, Lot 1417) Borough of The Bronx; and

WHEREAS, the decisions of the borough superintendent, on N. B. Applic. 126, 139 and 140-44, dated October 24, 1945, read:

"7. Building is considered of frame construction, Class 4. Walls, cornices, open porches and supports should be of incombustible materials."

and

WHEREAS, the applicant states that the premises consist of a lot 100 ft. by 120 ft. in area, upon which it is proposed to erect a Class 4 building, 2 stories in height, 32 ft. by 85 ft. in area, located in a residence use, F area and Class 1 and Class 1¼ height district and occupied as a one family dwelling; and

WHEREAS, plans filed with this appeal show that it is proposed to erect three buildings, 2 stories in height, attached 30 ft., 30 ft. and 25 ft. front by 30 ft. and 36 ft. in depth, of Class 4 construction, each arranged for occupancy as one family dwelling; and

WHEREAS, the applicant contends that this appeal affects one of eight similar individual structures, each to contain three, four or five separate dwelling units; that each structure has been designed to be not any larger than the typical private one family dwelling characteristic of this section of the city; that since the premises are outside the fire limits where Class 4 construction is permitted, this appeal is to permit a limited application of the provisions of Class 4 construction, while the principal structural elements of the building will conform to Class 3 construction; that the footings, foundations, basement walls, party walls and end walls of the buildings and the exterior walls of the two longer sides of the buildings up to the second floor level, will be Class 3 construction throughout; that in order to give variety to the design and to make the construction lighter and more weatherproof, it is proposed to use for part of the second story walls, fully insulated frame construction, covered with fire-resistive asbestos and other composition exterior finish and to utilize wood or other incombustible materials for decorative purposes in connection with eaves, cornices, open porches and other elements of the building, which are not part of the main structure; that the effect of this construction will be to create buildings closer to Class 3 construction than the average large single family residence in this district, yet retaining the attractive architectural qualities, by using a variety of materials; it is therefore requested that the Board permit the use of Class 4 frame construction as proposed.

Resolved, that the decisions of the borough superintendent, acting on N. B. Applications 126, 139 and 140-44, Objection 7, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings as proposed, shall be basically of Class 3 construction, and that only such portions as indicated shall be of wood, provided such wood is protected as to weather surfaces as proposed; that in all other respects, the buildings shall comply with all requirements of all laws, rules and regulations applicable thereto; that this variance shall be of no force and effect unless the Board takes favorable action under a resolution now pending on the reserve calendar, known as Calendar 670-44-BZ.

715-45-A

APPLICANT—Julius Eckmann, for Jandous Realty Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

THE RESOLUTION (715-45-A)

WHEREAS, Julius Eckmann, for Jandous Realty Co., owner, filed November 13, 1945, an appeal from a decision of the borough superintendent, affecting premises 210-214 East 40th street, south side, 144.6 ft. east of 3rd avenue (5th floor); (Block 920, Lot 56), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 1694-45, dated October 15, 1945, reads:

"1. The proposed extension (in height) of a four story non-fireproof structure, is contrary to §270 Labor Law.

2. The required means of egress and construction of same, must conform with §269 and 270 Labor Law.

3. The minimum exit requirements for the 5th floor, must conform with C26-273 (6.1.2.2.3.) Adm. Code."

and

WHEREAS, the applicant states the building is 4 stories (45 ft.) in height; 51.3 ft. by 98.9 ft., irregular in area, of Class 3 construction; erected prior to 1890, located in an unrestricted use, B area and Class 1½ height district, and used and occupied since 1927 as follows: cellar, storage and boiler room; 1st floor, manufacturing metal work, 20 per-

sons; 2nd floor, offices, 25 persons; 3rd floor, offices and manufacturing electrical equipment, 15 persons; 4th floor, manufacturing dental supplies and electrical equipment, 20 persons, and proposed to be used and occupied, upon completion of alteration and extension in height, as follows: cellar, storage and boiler room; 1st floor, manufacturing of metal work, 20 persons; 2nd floor, manufacturing of metal work and offices, 25 persons; 3rd floor, manufacturing electrical equipment and offices, 15 persons; 4th floor, manufacturing dental supplies and electrical equipment, 20 persons; 5th floor, offices, 15 persons; that the building is equipped with an interior fire alarm system and that fire drills are maintained; that there is one 3 ft. 8 in. wide wood stairs, enclosed in 6 in. terra cotta on the 1st floor, fire retarded above, equipped with fireproof, self-closing doors and leading from the roof bulkhead to the street and one fire escape at the rear, extending to the roof by stair and to the court by iron stairs, with egress to the street through a fireproof passageway at the 1st floor; that windows and doors on the course of the fire escape are fireproof, self-closing; and

WHEREAS, the applicant states it is proposed to build an additional one store across the front portion of the building, 50 ft. deep, with a net area within walls of less than 2500 sq. ft.; that the new construction will be incombustible, the roof to be of steel beams with cantilite concrete or gypsteel roof plank with beams and girders protected with approved fireproofing; and

WHEREAS, the applicant contends that the Jandous Realty Company, occupying the rear west portion of the 2nd floor for their offices, will occupy the proposed addition for offices; that additional space is required by the tenants in the building and there is no space available, due to the present rental emergency conditions throughout this section of the city; that the new area will be served by the present stairs and fire escape and the use will be restricted to office use with an office live load; that in view of these conditions and the character of the new construction, it is requested that the Board grant favorable consideration to this appeal; and

WHEREAS, Certificate of Occupancy 13225, issued November 7, 1927, permits the use of the building on the 1st floor for store and factory and above for factory, with an occupancy of 45 persons per story, 120 lb. live load throughout.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1694-45 and that the appeal be and it hereby is *granted*, as to Objection 1, *on condition* that the building shall not be increased in height or area beyond what is now proposed; as to Objection 2, that the existing means of exit, as indicated on plans filed with this appeal marked "Received November 13, 1945", 3 sheets, shall be maintained and in addition, the primary means of exit shall be carried to the 5th floor roof through an approved bulkhead; that the number of occupants in the building shall be based on the number as permitted for the primary means of exit; as to Objection 3 that the exits as shown and as herein permitted, shall be maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

717-45-A

APPLICANT—F. P. Platt and Brother, for U. S. Trust Co. of New York (guardian of Frances De Villers Brokaw, an infant) and Henry Luce, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles I. Platt, J. S. Bookwalter, Harold R. Reamans, R. A. Heising and L. B. Elliman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative 0
Not Voting: Commissioner Savage..... 1

THE RESOLUTION (717-45-A)

WHEREAS, F. P. Platt and Brother, for U. S. Trust Company of New York (guardian of Frances De Villers Brokaw, an infant) and Henry Luce, owners, filed November 17, 1945 an appeal from a decision of the borough superintendent, affecting premises 1 East 79th street and 982 5th avenue, northeast corner (Block 1491, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1377-45, dated September 13, 1945, reads:

"3. The change of occupancy of a Class 3 building used for residence purposes to a public use, is contrary to C26-253, C26-239 and C26-754 Adm. Code.

4. File complete plans of all floors, showing the use of all existing rooms, also show all existing means of egress to conform with C26-273.

5. The stair construction must conform with C26-292."

and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. 1377-45, dated November 15, 1945, reads:

"3. Repeated.

4. The required means of egress shall conform with C26-273 Adm. Code.

5. Repeated.

6. All entrances, public halls, stairs shall be sufficient for 100 lb. per sq. ft. liveload."

and

WHEREAS, the applicant states that the building is 4 stories, and basement (70 ft.) in height, 47 ft. by 79 ft. in area, of Class 3 construction, erected in 1887, located in a residence use, B area and Class 1½ height district and now vacant; proposed to be used and occupied as follows: cellar—storage and heating; basement—caretaker's apartment and clerical rooms—8 persons; 1st floor—reception, smoking and directors' rooms—23 persons; 2nd floor—club organization offices—15 persons; 3rd floor—committee and conference rooms—11 persons; 4th floor—bedrooms and conference rooms—6 persons; attic—household storage—no persons; that the building is equipped with one enclosed iron stairs with wood treads, enclosed in 12 in. brick walls, equipped with hardwood doors, which are not self-closing and proposed to lead from the cellar to the roof with egress from its termination at the basement level, directly to the street; that this stairway is 2 ft. 5 in. in width, as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that this appeal is to permit the existing residence building for use of the Institute of Radio Engineers; that instead of full compliance with the requirements of the Administrative Code, it is requested that the Board approve the existing non-fireproof construction, as the building is of substantial construction; that the Board accept the service stairway extended from third to fourth floors, to provide two means of egress from the 4th story, with the installation of one hour test partitions on each story, to provide two separate stairhalls and that the existing floor construction (70 lbs. liveload) be approved, as it is more than ample for all loading demands which will occur; that in view of the small occupancy proposed, which precludes any hazardous congregation and that the actual use will be that of a private club not open to the public, it is requested that the Board grant this appeal; and

WHEREAS, the proposed use has been accepted by the Borough Superintendent as a club, permitted in a residence use district, such acceptance being based on an affidavit filed by the treasurer of the Institute of Radio Engineers, Incorporated, the proposed lessee, which states the purposes, powers and provisions authorized by the certificate of incorporation, to be as follows:

"That the particular purposes for which said corporation is formed are scientific, literary, and educational, and it aims to advance the art and seience of radio, to publish works of literature, science and art for such purpose, to do all and every act necessary, suitable and proper for the aceomplishment of any of the purposes or the attainment of any of the objects or for the furtherance of any of the powers hereinbefore set forth, either alone or in association with other corporations, firms or individuals, and to do every other aet or acts, thing or things, incidental or appurtenant to or growing out of or connected with the aforesaid seience and art, or powers or any part or parts thereof, provided the same be not inconsistent with the laws under which this corporation is organized or prohibited by the laws of the State of New York."

and

WHEREAS, the Board has not passed upon the proposed use as deemed permitted in a residence use area by the Borough Superintendent; and

WHEREAS, the premises and surroundning area were inspected by a Committee of the Board.

Resolved, that the decisions of the borough superintendent, acting on amendment to Alt. Applic. 1377-45, be and it hereby is *modified* as to objections dated November 15, 1945 and that the appeal be and it hereby is *granted* as to Objeetion 3, *on condition* that the building shall not be inereased in height or area; that the occupancy shall be by the Institute of Radio Engineers, Incorporated, for the use and for the number of occupants as proposed; as to Objeetion 4, that the existing means of exit shall be maintained with the primary means of exit constructed to include the fourth story as proposed and shown on plans filed with this appeal marked "Received November 17, 1945", 8 sheets; that doors at all openings shall be maintained substantially as indicated on such plans; that all doors shall be made to swing in the direction of exit; that self-closing doors shall be installed at all openings from rooms where doors are not now shown at all or not shown as self-closing; that a one hour partition shall be constructed with fireproof, self-closing door therein, to separate the basement caretaker's apartment from the stairhall of the main stairway designated as "Hall No. 1"; as to Objection 5, that the existing means of exit may be aecepted with changes as herein required, and in addition, that a means of exit shall be provided from the caretaker's apartment, directly to the yard and a ladder shall also be maintained in the area as shown as a secondary means of exit from the cellar; as to Objection 6, that the floor load of 70 lbs. per superficial foot shall be maintained for all floors through the 4th floor; that the proposed dumb waiter enelosure, as shown on openings on four floors, shall eomply with the requirements of Section C26-646.0; that all openings to the northerly lot line air shaft shall be made fireproof, self-closing or blocked up with approved masonry or approved three-quarter hour glass blocks; that sprinkler heads, which may be fed from the domestic water line, shall be installed in the caretaker's kitchen, dumb waiter shaft and in all closets, store rooms and mail rooms and shall be fed through pipes of sizes and (sprinklerheads) and spaced, as required by the Code; that such portable fire fighting appliances shall be maintained as the fire eommissioner shall direct: that all rubbish and furniture now in the building, shall be completely removed; that the cellar shall be used solely for the heating equipment of the building; that the attie and the fourth floor spaces having no windows, shall be kept vacant: that in all other respeets, the requirements of all laws, rules and regulations relating to the building and ocupancy shall be complied with and that all alterations as shown on plans marked "Received November 17, 1945" designed to provide safety for the occupants and as herein provided, shall be eompleted and certificate of occupancy obtained prior to occupancy.

40-44-A

APPLICANT—Lucille B. Howard, lessee; for L. Victor Weil, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—42 West 74th street, south side, 225 ft. east of Columbus avenue (Block 1126, Lot 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Lueille B. Howard and Sol Feinberg.
For Administration: Fred Dahlem, Dep't of Housing and Building.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (40-44-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 42 West 74th stret, south side, 225 ft. east of Columbus avenue (Block 1126, Lot 55), Borough of Manhattan, was granted by the Board on February 1, 1944, on eertain conditions, resolution amended on February 23, 1944 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted February 1, 1944, as amended by resolution adopted February 23, 1944, by adding thereto:

"that the number of persons permitted within the building may be increased from the number stated by the applicant, namely thirty-one persons including help, to forty-seven persons, including help, to be located as follows:

8 beds on the first floor;
14 " " " seeond floor;
12 " " " third floor;
6 " " " fourth floor;
5 " " " fifth floor, plus two for help.

and that in all other respects, the building and occupancy shall eomply with all laws, rules and regulations applieable thereto."

447-45-A

APPLICANT—Seymour L. Morse, for Ambassador Upholstery Co., Ine., lessee; The Philbe Corp., owner.

SUBJECT—Applieation for consideration—reopening and amendment of resolution—re Appeal from orders of the fire eommissioner (previously granted on condition).

PREMISES AFFECTED—1270 47th street, south side, 60 ft. west of 13th avenue (1st floor); (Block 5628, part of Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Seymour L. Morse.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (447-45-A)

WHEREAS, this appeal from orders of the fire commissioner affeeting premises 1270 47th street, south side, 60 ft. west of 13th avenue (1st floor); (Block 5628, part of Lot 35), Borough of Brooklyn, was granted by the Board on July 27, 1945, on certain conditions; and

WHEREAS, the applieant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted July 27, 1945, so that as amended, the resolution will read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order 15287-LF of the fire commissioner and that the appeal be and it hereby is *granted* as to item 1, *on condition* that no windows shall be barred, except the windows as indicated on plans filed with this appeal marked 'Received July 14, 1945,' in the rear one story portion of the premises and that bars may be continued on the windows as thereon indicated, provided the exits to the outside, as shown are maintained; and *granted* as to Order 15288-LF, *on condition* that at the opening between the portion of the building marked "shop," used for factory purposes, and the balance of the building, shall be protected with an approved 3-hour fire-resistive opening protective assembly; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

444-45-A

APPLICANT—Leonard S. Wegman, for H. M. Rubin Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar for consideration of new proposal—re Appeal from a decision of the commissioner of Marine and Aviation (previously withdrawn).

PREMISES AFFECTED—Southeast corner of Vernon boulevard and 53d avenue (Block 38, Lots 3-15), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Leonard S. Wegman.

ACTION OF BOARD—Appeal reopened, restored to the calendar and set for hearing on Decembebr 11, 1945 at 10 A.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

623-45-A

APPLICANT—Lama and Proskauer, for 1083-1087 Willoughby Ave. Corp. owner; Styl-Rite Optical Corp., lessee.

SUBJECT—Application for consideration—reopening and restoration to calendar for consideration of new denial of Borough Superintendent—re Appeal from an order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn.

APPEARANCES—
For Applicant: Leonard Liebowitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to the calendar subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

163-45-A

APPLICANT—Kalvid Realty Corp., owner.

SUBJECT—Application reopened and restored to calendar September 25, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

APPEARANCES—
For Applicant: David I. Silverman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946 at 2 P.M. for further consideration. Applicant to file additional information.

699-45-A

APPLICANT—Artograph Paper Box Co., Inc. (lessee); 35 Steuben Street Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Gardstein and Louis Barnett.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to December 11, 1945 at 2 P.M. for further consideration and report from Division of Fire Prevention.

ZONING APPLICATION

440-38-BZ

APPLICANT—Marcy Rosen (lessee), for Hugh P. Skelly, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoing resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—2902-2930 Surf avenue, southwest corner of West 29th street (Block 7068, part of Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Marcy Rosen and Louis Ackerhalt.
For Opposition: Harold Klorfein, Dept. of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (440-38-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a business use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 2902-2930 Surf avenue, southwest corner of West 29th street (Block 7068, part of Lot 1), Borough of Brooklyn, as granted by the Board on October 17, 1939, on certain conditions; and

WHEREAS, the permit was extended on October 15, 1941 and October 26, 1943; and

WHEREAS, the applicant requested a further extension of the permit; and

WHEREAS, it appears that the premises are now in the ownership of the City of New York, and an authorization has been filed by the Director of Real Estate, authorizing this application for an extension of the variance.

Resolved, that the Board of Standards and Appeals does hereby *amend,* the resolution adopted October 17, 1939, as amended by resolution adopted through October 26, 1943, only so far as it has reference to the terms of the permit, so that as amended this portion of the resolution shall read:

"* * * *granted* under section 7h thereof, for a term of two years from the date of this *amended* resolution, to permit the premises to be occupied for the parking and storage of more than five motor vehicles, *on condition* * * * and that other than as *amended* herein, the resolution adopted October 17, 1939, shall be complied with in all respects; that a certificate of occupancy shall be obtained; that in the event these premises now in the ownership of the City of New York is assigned to the Department of Parks at any time during the term of this permit, this permit shall be deemed discontinued."

28-40-BZ

APPLICANT—Reginald S. Hardy, for 42 South 11th Avenue Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7c of the zoning resolution, permitting in a business use district, the reconstruction and rearrangement of existing gasoline service station and accessory building.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block 4697, Lots 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—
For Applicant: Reginald S. Hardy.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (28-40-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto-laundry and auto-repair shop, affecting premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block 4697, Lots 15 and 18), Whitestone, Borough of Queens, was granted by the Board May 28, 1940 on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended from time to time, the last such extension having been granted on December 19, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 28, 1940, only so far as it has reference to the time within which to obtain permits and complete work, so that as amended, this portion of the resolution shall read:

" * * * that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution and that other than as herein *amended*, the conditions of the resolution of May 28, 1940, shall be complied with (N.B. Applic. 8544-39)."

630-44-BZ

APPLICANT—New York Water Service Corp., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the erection of a building to be used as a well house in connection with an existing electrically operated water pumping station (water works) on a plot located partly in a residence use and partly in a business use district.

PREMISES AFFECTED—83-75 Woodhaven boulevard, northeast corner of Moss road (Block 3907, Lot 960) Woodhaven, Borough of Queens.

APPEARANCES—
For Applicant: Arthur T. Luce and S. W. Mooney.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (630-44-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting in a residence use district, the erection of a building to be used as a well house in connection with an existing electrically operated water pumping station (water works) on a plot located partly in a residence use and partly in a business use district, affecting premises 83-75 Woodhaven boulevard, northeast corner of Moss road (Block 3907, Lot 960), Woodhaven, Borough of Queens, was granted by the Board on November 28, 1944, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 28, 1944, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended, this portion of the resolution shall read:

"* * * that all permits required shall be obtained and all work completed prior to June 1, 1946 and that other than as herein *amended*, the conditions of the resolution of November 28, 1944, shall be complied with (N.B. Applic. 293-44)."

73-38-BZ

APPLICANT—Paul Friedman, for Sears, Roebuck and Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking of more than five motor vehicles for a temporary period.

PREMISES AFFECTED—2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block 5133, Lot 14), Borough of Brooklyn.

APPEARANCES—
For Applicant: Paul Friedman.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 3, 1946 at 2 P. M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

1175-39-BZ

APPLICANT—Paul Friedman, for Sears, Roebuck and Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking of more than five motor vehicles.

MINUTES

PREMISES AFFECTED—2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block 5133, Lots 38 to 49, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 3, 1946 at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

APPLIANCES AND MATERIAL SUBMITTED FOR APPROVAL

292-38-SA

APPLICANT—Bryant Air Conditioning Corp., owner.

SUBJECT—Application for consideration—reopening and reconsideration of additional models—re Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AT-85-C, previously approved.

APPEARANCES—

For Applicant: William Landin, Jr.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

427-38-SA

APPLICANT—Josam Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution to consider additional models—re Josam Oil Interceptor, Models B-64, B-65, B-66 and B-85, previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and restored to the calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

89-40-SM

APPLICANT—H. W. Bell Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re additional plant—"Bell" Concrete Building Units (Hollow and Solid Cinder Concrete) previously approved.

APPEARANCES—

For Applicant: Leonard H. Rapaport.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936

(108-16-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on *Tuesday afternoon, January* 22, 1946, at 2 P. M., in Room 1013, Municipal Building, Manhattan, on the Proposed Amendments to Rules Governing the Installation of Interior Fire Alarm Signal Systems.

New matter is indicated in *italics.*

Section 279 *State Labor Law* **Fire Alarm Signal Systems and Fire Drills:**

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The Board of Standards and Appeals in the City of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

Rule 16. Alarm Boxes.

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron *or cast No.* 43 *aluminum* and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

ELECTRICAL CODE ON SALE

Copies of the Electrical Code of the City of New York, Pocket Edition—344 pages, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan, N. Y. 7. Price 75 cents; by mail 85 cents.

RULES

EXTRACTS FROM THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

General Provisions

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condenser, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigrant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed, attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

§C26-235.0. Definitions.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

Refrigerating Systems

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11") CFC_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and

shall be regulated in accordance with the privisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11, F-12 or F-114 are restricted to parts of a building so specified in Section C-19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11, F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11, F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11, F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11, F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11, F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed, except that Class "C" systems containing not more than ten pounds of refrigerant may be installed in a rest room, smoking room or lounging room provided in such rooms no open flame or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11, F-12 or F-114, when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That, except for Class "C" systems located in rooms in which no open flame or apparatus to produce such flame shall be employed containing not more than ten pounds of refrigerant, each refrigerating machinery room in any building in which F-11, F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11, F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Test pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place or location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more than amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigeration system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school, unless the refrigerating system is used exclusively for instruction or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction. The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, schools, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigeration Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.
2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.
2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.
3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System	Mechanical Cu. Ft. per Minute Discharge	Window Area Mechanical Sq. Ft. Duct Area	Window Area in Sq. Ft. for each Opposite Side	Window Area in. Sq. Ft. for One Side Only
	A	B	C	D	E
Up to ...	20	150	¼	1	6
	50	250	⅓	1½	12
	100	400	½	2	16
	150	550	⅔	2½	19
	200	680	⅔	3	25
	250	800	1	3½	29
	300	900	1	4	32
	400	1,100	1¼	4½	38
	500	1,275	1¼	5	42

600	1,450	1½	6	45
700	1,630	1½	6½	48
800	1,800	2	7	51
900	1,950	2	7½	55
1,000	2,050	2	8	59
1,250	2,350	2¼	9	68
1,500	2,800	2½	11	78
1,750	3,150	3	12½	87
2,000	3,500	3½	14	95
2,500	4,150	4	16	113
3,000	4,500	4½	18	130
4,000	6,000	6	24	167
5,000	7,500	7½	30	204
6,000	9,000	9	36	241
7,000	10,500	10½	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or non-inflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency swith controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where is can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant	Col. 1 High Pressure Side	Col. 2 Low Pressure Side With Safety Valves	Col. 3 Low Pressure Side Without Safety Valves
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System	CO_2 and Ethane, No. Req., Size	Other Refrigerants No Req., Size
Up to 30 tons	1—½"	1—½"
30 to 60 tons	1—½"	1—¾"
60 to 100 tons	1—½"	1—1"
100 to 175 tons	1—½"	1—1¼"
175 to 250 tons	1—¾"	1—1½"
250 to 450 tons	1—1"	1—2"
450 to 900 tons	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in Co_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbon dioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50)

pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in a refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

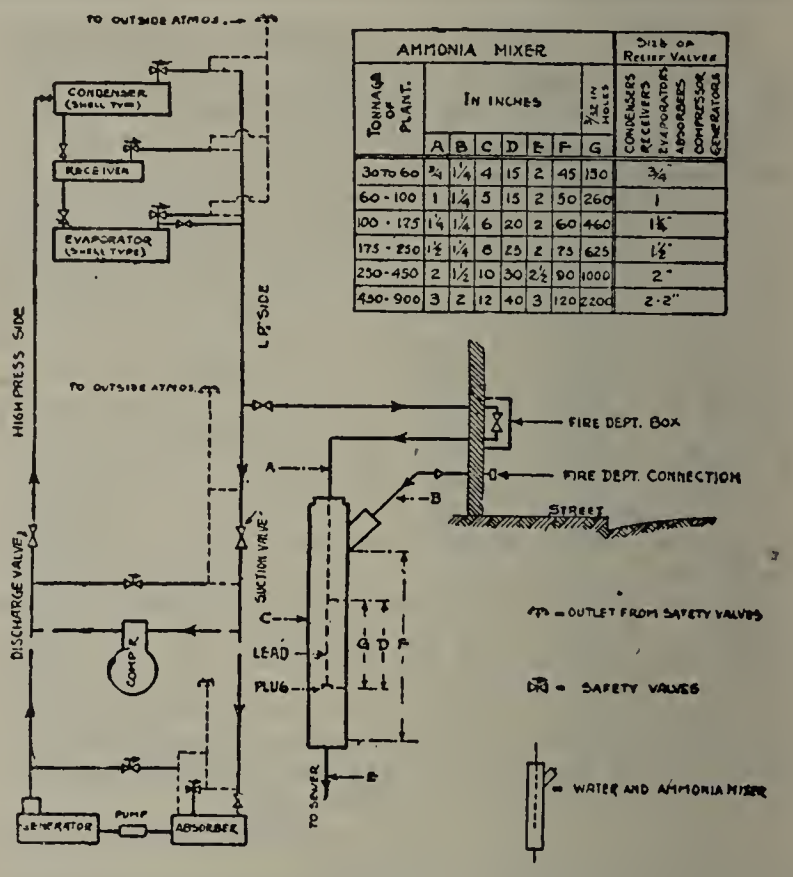
§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

Penalties.

§C19-152.0. Violations.

Any person who shall willfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

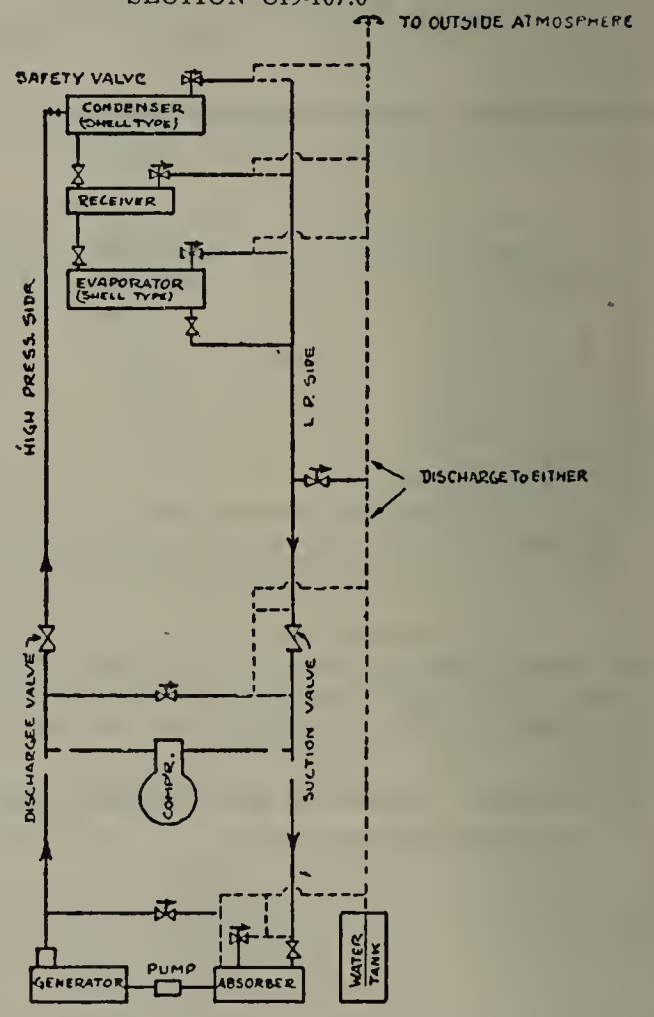


AMMONIA MIXER

Tonnage of Plant	In Inches A	B	C	D	E	F	½" in Holes G	Size of Relief Valves: Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

SECTION C19-107.0

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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FEB 27 (illegible)
UNIVERSITY OF ILLINOIS

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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Correction Affecting Calendar Number 577-45-A.

Notice of a Public Hearing on proposed amendments to rules governing installation of interior fire alarm signal systems.

PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

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752-45-A—H.B.M.—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan, Alt. 1482-45.

753-45-A—H.B.Q.—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens, M-4650-45.

754-45-A—F.D.—Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in conformity with Administrative Code requirements covering Tank Trucks), Decision re 42843-LC.

755-45-BZ—H.B.B.—1410-1424 Caton avenue, south side, from Rugby road to Marlborough road, 9-29 Rugby road and 12-22 Marlborough road (Public School 249); (Block 5075, Lots 1, 6, 12, 16, 19, 21, 57, 59, 61 and 63), Borough of Brooklyn, N.B. 1050-45.

756-45-A—H.B.M.—2460-2478 2nd avenue, east side, from East 126th to East 127th streets and from 1st to 2nd avenues (Block 1803, Lot 1), Borough of Manhattan, Misc. F.P. 2329-45.

757-45-A—F.D.—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx, Decision.

758-45-A—F.D.—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn, 15605-LF and decision.

759-45-BZ—H.B.B.—1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557a, Lots 60 and 61), Borough of Brooklyn, Alt. 3712 and 3713-45.

760-45-A—H.B.Bx—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx, Amendment to N.B. 110-45.

761-45-SM—Flintkote Static Asphalt (fibrated) and Flintkote Static Asphalt (non-fibrated) manufactured by The Flintkote Co., Material.

762-45-SM—Craftstone Cinder Block, manufactured by Eastern Composition Stone Co., Material.

763-45-BZ—H.B.M.—153-169 7th avenue, 161-167 West 19th street, northeast corner and 158-164 West 20th street, southeast corner of 7th avenue (Block 795, Lot 1), Borough of Manhattan, Amendment to Alt. 1657-45.

764-45-A—H.B.M.—North side of East 6th street to south side of East 13th street, from Avenue D to East River drive (Franklin D. Roosevelt drive) Jacob Riis Houses (Block 367, Lot 1 and Block 362, Lots 1 and 100), Borough of Manhattan, N.B. 222-45 to N.B. 240-45, inclusive.

Restored to Calendar

1181-39-BZ—H.B.Bx—northwest corner of Sedgwick avenue and West 167th street (Block 2540, Lots 16, 21 and 24), Borough of The Bronx, Decision.

503-38-BZ—H.B.Bx—2327-2331 Bathgate avenue west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block 3053, Lots 28, 31, 32 and 49), Borough of The Bronx, Decision re Certificate of Occupancy.

151-41-BZ—H.B.B.—546-548 Morgan avenue, northeast corner of Anthony street (Block 2810, Lots Nos. 1 and 2), Borough of Brooklyn, Alt. 6009-40.

982-39-BZ—H.B.M.—406-420 West 55th street, south side, 100 ft. west of 9th avenue (Block 1064, Lots 37, 39, 40, 41, 42 and 141), Borough of Manhattan, Alt. 1954-45.

721-41-BZ—H.B.Q.—260-01 to 260-09 Horace Harding boulevard and 54-49 to 54-65 Little Neck parkway, northeast corner (Block 8274, Lot 128), Little Neck, Borough of Queens, N.B. 4316-41.

401-31-BZ—H.B.B.—624-626 Atlantic avenue and 9 5th avenue, northeast corner and 627 Pacific street (Block 1119, Lots 1 and 64), Borough of Brooklyn, N.B. 1255-40.

772-41-BZ—H.B.B.—427 Ralph avenue and 1805-1823 Bergen street, northeast corner (Block 1445, Lots 1, 64, 65, 66, 67 and 68), Borough of Brooklyn, Alt. 3131-45.

700-29-BZ—H.B.M.—69-77 Kenmare street and 196-204 Mulberry street, northeast corner (Block 480, Lot 9), Borough of Manhattan, Alt. 715-45.

598-43-BZ—H.B.Q.—48-09 to 48-17 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Borough of Queens, Alt. 1490-43.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Carbon Dioxide Liquefier, Rules	Dec. 28, 1943—Vol. 28, No. 52A
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Dec. 28, 1943—Vol. 28, No. 52A
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules on	June 19, 1945—Vol. 30, No. 25
Factory Exit Rules	Sept. 12, 1944—Vol. 29, No. 36
Fire Alarm Rules (Interior)	Dec. 28, 1943—Vol. 28, No. 52A
Fire Drill Rules	Aug. 28, 1945—Vol. 30, No. 35
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Feb. 20, 1945—Vol. 30, No. 8

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	Last Publication in Bulletin
Fire Retarding Rules for Garages, etc.	Dec. 28, 1943—Vol. 28, No. 52A
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Dec. 28, 1943—Vol. 28, No. 52A
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	June 12, 1945—Vol. 30, No. 24
Methyl Chloride Rules for Class B and C Refrigerating Systems	Feb. 6, 1945—Vol. 30, No. 6
Oil Burner Rules	Dec. 4, 1945—Vol. 30, No. 49
Opening Protective Assemblies, Rules for Inspection of	June 12, 1945—Vol. 30, No. 24
Paint, Varnish and Lacquer Spraying Rules	Nov. 27, 1945—Vol. 30, No. 48
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets: Protective Methods to Prevent Contamination of Water Supply)	Mar. 13, 1945—Vol. 30, No. 11
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Dec. 11, 1945—Vol. 30, No. 50
Smoking in Factories, Rules for	Nov. 6, 1945—Vol. 30, No. 45
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Dec. 28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

DECEMBER 18, 1945, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December* 18, 1945, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

58-39-BZ—Application of Anfred Realty Corp., applicant and owner, reopened November 20, 1945, for consideration as to extension of permits—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

67-45-BZ—Application, February 13, 1945, under section 21 of the zoning resolution, of Alphonse Rapp, applicant and owner, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two family dwelling on two other floors, also to permit more than 55% of area of lot at curb level in proposed change of occupancy; premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

310-45-BZ—Application, May 23, 1945, under section 7f of the zoning resolution, of Josephine Linnemeyer, applicant and owner, to permit in a business use district, the erection of a one story brick building to be used as a store and gasoline filling station with auto laundry and lubritorium; premises 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

541-45-BZ—Application, September 6, 1945, under sections 7f and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Lillie Seicke, owner, to permit in a business use district, the erection of a gasoline service and selling station; premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

610-45-BZ—Application, October 9, 1945, under section 7e of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of Bridge 60th Street Realty Corp., owner, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; premises 1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

644-45-BZ—Application, October 22, 1945, under section 7a of the zoning resolution, of Julius Eckmann, applicant, on behalf of Marguerite Corporation, owner, to permit in a residence use district, the extension of an existing factory; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

602-45-BZ—Application, October 10, 1945, under section 21 of the zoning resolution, of James Allen Tuck, applicant, on behalf of United Grocers Co., owner, to permit in an unrestricted use district, and C area, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot; premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

612-45-BZ—Application, October 15, 1945, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of Henry J. Pfistner, owner, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles; premises 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

Appeals from Administrative Decisions.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

695-45-A—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

704-45-A—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn.

623-45-A—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn (reopened and restored to calendar December 4, 1945; previously withdrawn).

728-45-A—1155 Manhattan avenue, northwest corner of Commercial street (Block 2476, part of Lot 60), (Building No. 4, 4th floor); Borough of Brooklyn.

741-45-A—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

734-45-A—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn.

Appliance and Materials for Approval.

711-45-SA—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH.

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678-45-SM—Klaff and Sons, 275 Gallon Fuel Oil Tanks Obround with Flanged and Dished Heads.

304-44-SM—Cemesto Board (Asbestos Cement Clad Insulation Board).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 18, 1945, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December* 18, 1945, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions

714-45-A—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

692-45-A—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

689-45-A—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn.

721-45-A—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan (reopened and restored to Calendar October 2, 1945; previously dismissed for lack of prosecution).

742-45-A—100-02 Rockaway boulevard, southwest corner of 101st street (basement); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

751-45-A—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

757-45-A—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx.

758-45-A—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

756-45-A—2460-2478 2nd avenue, east side, from East 126th street to East 127th street and from 1st to 2nd avenues (Block 1803, Lot 1), Borough of Manhattan.

752-45-A—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan.

750-45-A—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn.

727-45-A—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn.

731-45-A—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

135-45-A—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn (reopened and restored to calendar July 17, 1945; previously withdrawn).

733-45-A—39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens.

753-45-A—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx (reopened October 9, 1945; previously denied).

760-45-A—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx.

775-45-A—97-05 Queens boulevard and 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday morning, January* 3, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

593-45-BZ—Application, October 1, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Home Life Insurance Co., owner, to permit in a business use, D area, the erection of a garage and laundry to occupy the entire lot; premises

104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens.

51-30-BZ—Application of T. H. Engelhardt, applicant, on behalf of Cord Meyer Development Co., owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence, business and retail use district, the extension of the kitchen facilities into the

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garage area (garage previously granted by the Board); premises 112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 73 and 79), Forest Hills, Borough of Queens.

556-45-BZ—Application, September 13, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of Newspaper Realty Corp., owner, to permit in a retail use district, B area, the erection of a six story fireproof addition to existing five-story factory building fronting West 34th street; to connect the two buildings at each floor with fireproof horizontal exit; to replace present wood stairway with lawful fireproof enclosed stairway, to install subdividing partitions and an elevator; premises 410-412 West 34th street, south side, 120 ft. west of 9th avenue, and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

722-45-A—207-217 West 25th street, north side, 102 ft. west of 7th avenue (11th floor); (Block 775, Lot 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday afternoon, January* 3, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

73-38-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block 5133, Lot 14), Borough of Brooklyn.

1175-39-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, in a business use district, the parking and storage of more than five motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block 5133, Lots 38 to 49, inclusive), Borough of Brooklyn.

Appeals from Administrative Decisions.

718-45-A—58-66 Sedgwick street, south side, 125 ft. east of Van Brunt street (1st floor); (Block 318, Lot 10), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

764-45-A—North side of East 6th street to south side of East 13th street, from Avenue D to Franklin D. Roosevelt (East River) drive (Block 367, Lot 1 and Block 362, Lots 1 and 100); (Jacob Riis Houses), Borough of Manhattan.

255-43-A—23-53 216th street, north side, 477.32 ft. east of 38th avenue (Block 6019, Lot 1), Bayside, Borough of Queens (reopened February 20, 1945).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 8, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

559-45-BZ—Application, September 20, 1945, under section 21 of the zoning resolution, of Koch and Wagner, applicants, on behalf of Fresh Pond Holding Co., Inc., owner, to permit in a business use, C area, the erection of a one story and cellar building, to occupy more than 60% of the area of the lot; premises 1589-1591 Broadway, north side, 17 ft. east of Halsey street (Block 3408, Lots 8 and 9), Borough of Brooklyn.

460-45-BZ—Application, July 20, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Harry Winkler, owner, to permit in a business use district, the erection of a new building to house an office, lubritorium and laundry; to enlarge site and relocate and add to present number of storage tanks; premises 2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6, 7, 8, 9, 10 and 109), Borough of Brooklyn.

1205-40-BZ—Application, of Jack Z. Cohen, applicant, on behalf of Geno Arditi, owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence and unrestricted district, the change of occupancy from public garage for more than five motor vehicles, to storage garage for more than five motor vehicles, in conjunction with auto service, sale of new and used cars, service and motor vehicle repair shop; premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

313-19-BZ—Application, of Frank Randazzo, applicant, on behalf of Roswin Realty Corp., owner (Anthony F. Mayo and Harry Sharp, lessees), reopened September 11, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of display and sale of more than five motor vehicles in a garage and gasoline service station (previously granted by the Board); premises 1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

759-45-BZ—Application, December 7, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Sackett Realty Corp., owner, to permit in a business use, C area, the erection of an extension in the rear of existing building to cover more than the permitted area; premises 1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557A, Lots 60 and 61), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 8, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

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Appeals from Administrative Decisions.

581-45-A—938 Fulton street, south side, 64 ft. east of St. James place (Block 2014, Lot 13), Borough of Brooklyn.

672-45-A—1120 Shore boulevard, southwest corner of Jaffrey street (Block 7517, Lot 941), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 15, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

151-41-BZ—Application of James E. McKillop, applicant, on behalf of Anna Klonoski, owner, reopened December 11, 1945, for consideration as to extension of time to obtain permits and complete work (expired by limitation) —Application, previously granted on condition, for a term of ten years, under sections 7f and 7i of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises 546-548 Morgan avenue, northeast corner of Anthony street (Block 2810, Lots 1 and 2), Borough of Brooklyn.

84-45-BZ—Application, February 20, 1945, under section 7h of the zoning resolution, of F. P. Platt & Brother, applicants, on behalf of T. L. & L. Corp., owner, to permit in a partly residence and partly restricted retail use district, the parking of more than five motor vehicles; premises 1-5 Greenwich avenue, southwest corner of Christopher street (Block 593, Lot 13), Borough of Manhattan.

557-45-BZ—Application, July 20, 1945, under sections 7a and 21 of the zoning resolution, of John T. Clancy, applicant, on behalf of Slattery Contracting Co., owner, to permit in a residence and business use district, the extension of garage for more than five trucks for owner's use and repair shop; premises 51-01 72nd place and 72-28 to 72-36 51st road, southeast corner (Block 2465, Lots 1 to 5), Woodside, Borough of Queens.

668-45-BZ—Application, October 31, 1945, under sections 7e and 21 of the zoning resolution, of Max Siegel, applicant, on behalf of Park Web Co., Inc., owner, to permit in a residence district, the change of use from stable to store, first floor, office, showroom and light manufacturing on upper floors; premises 322-324 West 48th street, south side, 250 ft. west of 8th avenue (Block 1038, Lot 43), Borough of Manhattan.

205-42-BZ—Application of Benjamin Antin, applicant, on behalf of 1748 Jerome Avenue Corp., owner, reopened October 30, 1945 under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a non-flashing neon electric sign extending more than eighteen (18) inches beyond the building line; premises 1754 Jerome avenue and 1-7 East 175th street, northeast corner (Block 2850, Lot 1), Borough of The Bronx.

Appeal from Administrative Decision.

627-45-A—3179 Atlantic avenue, north side, 175 ft. west of Logan street (Block 4137A, Lot 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 15, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44, and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening on Richmond terrace).

744-45-A—North and South sides of 67th avenue, from 189th to 192nd streets (Blocks 7118, 7119, 7096 and 7097, Lots 1), Flushing, Borough of Queens (Under section 35, General City Law re bed of mapped street—67th avenue).

784-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (cellar); (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

801-45-A—3908-3912 8th avenue (rear), west side, 50 ft. 2 in. south of 39th street (Block 915, Lot 34), Borough of Brooklyn.

798-45-A—590 Madison avenue, southwest corner of East 57th street (20th floor); (Block 1292, Lot 56), Borough of Manhattan.

726-45-A—36-20 to 36-46 33rd street (Washington avenue), northwest corner of 37th (Webster) avenue (basement); (Block 601, Lot 1), Long Island City, Borough of Queens.

805-45-A—2500 Nostrand avenue, southwest corner of avenue K (cellar); (Junior High School, No. 240); (Block 7629, Lots 1-80 inclusive), Borough of Brooklyn.

16-46-A—216-03 to 219-13 130th avenue, north side, and 216-04 to 219-16 130th avenue, south side, 130-03 to 130-15 Springfield boulevard (Block 12825, Lot 480, Block 12892, Lot 41, Block 12893, Lot 121, Block 12894, Lot 29 and Block 12897, Lot 20), Springfield, Borough of Queens.

807-45-A—831-851 65th street, north side, 180 ft. west of 9th avenue (1st floor); (Block 5742, Lot 54), Borough of Brooklyn.

814-45-A—266-267 West street, east side, 44 ft. 2½ in. north of Vestry street (Block 223, Lot 5), Borough of Manhattan.

815-45-A—62-68 Vestry street, north side, 85 ft. 1-¾ in. east of West street (Block 223, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 22,* 1946, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

Zoning Applications.

503-38-BZ—Application of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners, reopened December 11, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under sections 7c and 7h of the zoning resolution, for a temporary period of two years, permitting partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block 3053, Lots 28, 31, 32 and 49), Borough of The Bronx.

1181-39-BZ—Application of Henry Nordheim, applicant, on behalf of Jefferson Associates, Inc. and Orada Realty Corp., owners, reopened December 11, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the parking and storage of more than five motor vehicles; premises Northwest corner of Sedgwick avenue and West 167th street (Block 2540, Lots 16, 21 and 24), Borough of The Bronx.

635-45-BZ—Application, October 18, 1945, under sections 7a, 7c and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 480 Realty Corp., owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 395 Brook avenue, 477-489 East 143rd street, northwest corner and 482-498 East 144th street (Block 2288, Lot 57), Borough of The Bronx.

745-45-BZ—Application, December 4, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Leasing Corp., owner, to permit in a business use, C area, the extension (in the rear) of an existing building (stores) to cover more than permitted area; premises 95-16 to 95-24 Queens boulevard, south side, 140 ft. east of 63rd avenue (Block 3080, Lot 12), Rego Park, Borough of Queens.

746-45-BZ—Application, December 4, 1945, under sections 7c and 21 of the zoning resolution, of William I. Hohauser, applicant on behalf of Penelope Realty Corp., owner, to permit in a partly residence and partly business use district, the erection of a building (stores) exceeding the area requirements, and, also the omission of the required rear yard; premises 96-52 to 96-68 Queens boulevard, southwest corner of 64th road (Block 3082, Lots 71 and 79), Rego Park, Borough of Queens.

747-45-BZ—Application, December 4, 1945, under section 7c and approval of playground as per Art. 4, Section 13(c) and 14(d) of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Park Estate, Inc., owner, to permit in a partly residence and partly business use district, the extension of stores from a business use into a residential use of proposed stores and the approval of recreational space as suitable; premises 64-41 Saunders street, and 97-02 to 97-22 Queens boulevard, southeast corner of 64th road (Block 3084, Lots 2, 9, 11, 54, 56 and part of 13, 46 and 64), Rego Park, Borough of Queens.

Appeal from Administrative Decision.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliances for Approval.

331-45-SA—Fostoria Even Ray System, Infra Red Heating Equipment.

267-45-SA—Standard 3 Circuit "Surete" Indirect Fuel Oil Heating System (Oil Preheater).

690-45-SA—Atomic Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 22,* 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Rules.

108-16-SR—Interior Fire Alarm Rules, reopening and amendment.

Appeals from Administrative Decisions.

812-45-A—501-521 West 16th street, 500-528 West 17th street and 97-111 10th avenue, entire block (Block 688, Lot 21), Borough of Manhattan.

7-46-A—540-550 West 58th street, south side, 175 ft. east of 11th avenue (5th and 6th floors); (Block 1086, Lot 52), Borough of Manhattan.

693-45-A—270-272 West 19th street, south side, 150 ft. east of 8th avenue (1st floor); (Block 768, Lots 75 and 76), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 29,* 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan on the following matters:

Zoning Applications.

185-31-BZ—Application of Lama and Proskauer, applicants, on behalf of Koster's Bakery Co., owner, reopened April 11, 1944, under section 7c of the zoning resolution, to permit in a residence and business use, C area district, the extension of existing business building (bakery), previously granted by the Board to cover more than permitted area; premises 1155-1161 Madison street, north side, 75 ft. east of Central avenue (Block 3360, Lots 52 and 55), Borough of Brooklyn.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

755-45-BZ—Application, December 6, 1945, under section 21 of the zoning resolution, of Skidmore, Owings and Merrill, applicants, on behalf of Board of Education, City of New York, prospective owner, to permit in a residence use, E area district, the erection of a proposed elementary school covering a greater percentage of the lot on upper floors than is permitted and the erection of the building nearer than 10 feet from the street line; premises 1410-1424 Caton avenue, south side, from Rugby road to Marlborough road, 9-29 Rugby road, and 12-22 Marlborough road (Block 5075, Lots 1, 6, 12, 14, 16, 19, 21, 57, 59, 61 and 63), Borough of Brooklyn (P. S. 249).

CALENDAR

793-45-BZ—Application, December 11, 1945, under section 21 of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Vanzan Realty Corp., owner, to permit in a business use, E area district, the erection of a one family dwelling and garage without required setback from street line; premises 51-19, 51-29 Marathon parkway, northeast and southeast corners of Van Zandt avenue, and 51-45 Marathon parkway, northeast corner of 51st (Sanborn) avenue (Block 8236, Lot 21 and Block 8237, Lots 26 and 34), Little Neck, Borough of Queens.

806-45-BZ—Application, December 19, 1945, under sections 7a, 7c and 7i of the zoning resolution, of Paul Friedman, applicant, on behalf of Key Holding Corp., owner (Autocraft Sales and Service, lessee), to permit in a partly business and partly unrestricted use district, the change of occupancy from garage for more than five motor vehicles, gasoline selling station and lubritorium to garage for more than five motor vehicles, gasoline selling station, lubritorium, auto showroom and motor vehicle repair shop; premises 6410-6424 (6408 displayed) 4th avenue and 369-379 65th street, northwest corner (Block 5817, part of Lot 36), Borough of Brooklyn.

738-45-BZ—Application, November 20, 1945, under section 7g of the zoning resolution, of James Whitford, applicant, on behalf of Philip F. Harling, owner, to permit in a residence and business use district, the parking of more than five motor vehicles for patrons of proposed drive-in theatre; premises 2865 Richmond avenue, and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

107-42-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened December 18, 1945, under section 7c of the zoning resolution, to permit in business use district, the reconstruction of existing gasoline service station in proximity to a playground; premises 401-415 Dahill road and 2-12 Cortelyou road, southeast corner (Block 5384, Lot 1), Borough of Brooklyn.

Appeals from Administrative Decisions

816-45-A—2865 Richmond avenue and 10 Yukon avenue southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

820-45-A—120-55 Queens boulevard, northeast corner of Union turnpike (1st floor); (Block 2274, Lot 2), Kew Gardens, Borough of Queens.

5-46-A—448-456 Kent avenue, northwest corner of South 10th street (1st floor); (Block 2143, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 29, 1946, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

520-45-A—704 East 13th street, south side, 103 ft. east of Avenue C (ground floor); (Block 382, Lot 10) Borough of Manhattan.

809-45-A—102-14 to 102-16 37th avenue, south side, 50.05 ft. west of 103rd street (Block 1768, Lot 9), Corona, Borough of Queens.

632-45-A—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (1st and 2nd floors); (Block 6568, Lots 21 and 22), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 5, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 5, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning. Applications.

547-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony Vacuum Oil Co., Inc., owner, reopened October 9, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of parking and storage of more than five motor vehicles, on gasoline service station (previously granted by the Board); premises 4519-4525 Broadway, southwest corner of Bennett avenue (Block 2180, Lot 652) Borough of Manhattan.

766-45-BZ—Application, December 12, 1945, under section 7e of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner (Monitor Institutes, Inc., under contract to purchase, lessee), to permit in a residence use district, the alteration and change of occupancy from multiple dwelling to business use (offices for research bureau); premises 640 West 249th street (Spaulding lane), south side, 162 ft. west of Arlington avenue (Block 3419, part of Lot 290), Borough of The Bronx.

819-45-BZ—Application, December 29, 1945, under sections 7a and 21 of the zoning resolution, of T. H. Engelhardt, applicant, on behalf of United National Bank of Long Island, owner, to permit in a business use, D area district, the extension of an existing building (Bank) to occupy more than permitted area; premises 103-48 Lefferts boulevard, west side, 93.66 ft. north of Liberty avenue (Block 9556, Lots 26 and 27), Richmond Hill, Borough of Queens.

1000-40-BZ—Application of Oscar Goldschlag, applicant, on behalf of Eckert Realty Corp., owner, reopened July 14, 1942, under sections 7e and 21 of the zoning resolution, to permit in a residence use, B area district, the conversion of apartments to retail stores in basement, which is the street floor facing the Grand Concourse; premises 2337 Grand Concourse, 164 Field place, southwest corner (Block 3164, Lot 19), Borough of The Bronx.

442-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Grandboro Realty Corp., owner, to permit in a residence use, B area district, the conversion of apartments to retail stores on first floor facing the Grand Concourse; premises 2327 Grand Concourse, west side, 150 ft. south of Field place (Block 3164, Lot 25), Borough of The Bronx.

443-45-BZ—Application, July 5, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Andart Realty Corp., owner, to permit in a residence, B area district, the conversion of apartments to retail stores on the first floor facing the Grand Concourse; premises 2331 Grand Concourse, west side, 100 ft. south of Field place (Block 3164, Lot 23), Borough of The Bronx.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35, and 39), Borough of Brooklyn.

CALENDAR

927-22-BZ—Application of Herman Kron, applicant, on behalf of Rogers Place Corporation, owner, reopened October 9, 1945, under section 7b and 7c of the zoning resolution, to permit in a residence and business use district, the alteration and conversion of occupancy from public baths to factory; premises 913-915 Westchester avenue, north side, 93.47 ft. west of Rogers place (Block 2698, Lot 79), Borough of The Bronx.

Appliance and Materials for Approval.

703-45-SA—Watson Electro-Mechanical Interlock, Type 5-B.

145-45-SM—Atlas Mortar Masonry Cement.

432-45-SM—Alpha Mortar Cement.

706-45-SM—Flexicore Floor and Roof Slabs.

496-39-SM—Alpha Type I Portland Cement (reopening and amendment).

604-44-SM—Alpha High Early Strength Portland Cement, Type III (reopening and amendment).

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 13, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, February* 13, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

503-44-BZ—Application, August 30, 1944, under section 7c of the zoning resolution, of Ettore Mazzei, applicant and owner, to permit in a retail use district, light manufacturing, not incidental to sale or retail business, occupying more than permitted floor area; premises 82 Seaview avenue, southwest corner of Jefferson street (Block 3306, Lot 44), Grant City, Borough of Richmond.

739-45-BZ—Application, November 30, 1945, under section 21 of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Mayfry Estates, Inc., owner, to permit in an unrestricted use, B area district, the extension of present building to cover entire plot for one (1) story; premises 407 West 38th street, north side, 100 ft. west of 9th avenue (Block 736, Lot 29), Borough of Manhattan.

633-45-BZ—Application, October 20, 1945, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Julius Spilka, owner, to permit in an unrestricted use, C area district, the extension of present building to occupy more area than permitted at curb level; premises 1474-1476 60th street, south side, 60 ft. west of 15th avenue (Block 5720, Lot 38), Borough of Brooklyn.

736-45-BZ—Application, November 3, 1945, under sections 7e, 7f, 7i and 21 of the zoning resolution, of John Kadel, applicant, on behalf of The Rector, Churchwardens and Vestrymen of Trinity Church in the City of New York, owner, to permit in a business use district, the erection of a gasoline service station, lubritory, office, repairs for four (4) cars and car washing; premises 3740 Broadway, northeast corner of West 155th street (Block 2114, Lot 1), Borough of Manhattan.

797-45-BZ—Application, December 19, 1945, under section 21 of the zoning resolution, of Queens Avenue Realty Corporation, applicant and owner (Lievendag Motors, Inc., lessee), to permit in a business use, C area district, the erection of a building to occupy more area than permitted at curb level; premises 164-26 Northern boulevard, and 164-27 Sanford avenue, southwest corner (Block 5337, Lot 17), Flushing, Borough of Queens.

9-46-BZ—Application, January 9, 1946, under section 21 of the zoning resolution, of Irvin L. Scott, applicant, on behalf of Charles F. Noyes, owner (51 West 51st Street Corporation, lessee), to permit in retail use, B area district the alteration and extension of an existing business building (restaurant) to cover more than permitted area; premises 51-55 West 51st street, north side, 153 ft. east of Avenue of The Americas (6th avenue); (Block 1267, Lots 8 and 107), Borough of Manhattan.

982-39-BZ—Application of Julius Eckman, applicant, on behalf of Chapmald Realty Corp., owner, reopened December 11, 1945, under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board under section 21 and again denied by the Board under section 7h of the zoning resolution); premises 406-420 West 55th street, south side, 100 ft. west of 9th avenue (Block 1064, Lots 37, 39, 40, 41, 42 and 141), Borough of Manhattan.

40-46-BZ—Application, January 17, 1946, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a retail use, B area district, the erection of an addition to an existing building covering more than 65% of the lot area; premises 206-212 West 34th street, south side, 100 ft. west of 7th avenue and 209-211 West 33rd street (Block 783, Lots 33 and 50), Borough of Manhattan.

398-45-BZ—Application, June 20, 1945, under sections 7A, 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to permit show windows and entrances more than 25 ft. from the intersection of the residence and business use districts; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

48-46-BZ—Application, January 23, 1946, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 13 East 53rd Street Realty Corp., owner (Olmsted Restaurant, Inc., lessee), to permit in restricted retail use, B area districts, the proposed extension exceeding permitted area coverage of lot at curb level, and also omitting required 10 feet rear yard; premises 13 East 53rd Street, north side, 225 ft. east of 5th avenue (Block 1289, Lot 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 13, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, February* 13, 1946, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

796-45-A—22-32 Buckingham road, west side, 172 ft. 7 in. south of Caton avenue (cellar and 1st floor); (Block 5076, Lot 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 11, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING APPLICATIONS

289-40-BZ

APPLICANT—Irving N. Fenichel, for Lerad Realty Corp., owner.

SUBJECT—Application reopened November 13, 1945 for consideration as to amendment of resolution—re Application (decision of the borough superintendent), under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed.

PREMISES AFFECTED—103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: Charles Keegan, V. F. Roxhoe, Agnes McHale, Ernest Moulard, Catherine Butler, John J. Walsh and Henry McHale.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 15, 1946 at 10 A.M., at request of representative for objectors.

619-45-BZ

APPLICANT—James Whitford, for William J. Couch, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing garage and repair shop, and to include auto truck showroom and repair shop.

PREMISES AFFECTED—977 Victory boulevard, north side, 932 ft. east of Melrose avenue (Block 240, Lot 26), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford and William J. Couch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

234-36-BZ

APPLICANT—Joseph Brill, for Trebuhs Realty Co., Inc., owner (Bonded Auto Sales, lessee).

SUBJECT—Application reopened September 25, 1945 (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail-1 district, the change in occupancy from garage, previously granted by the Board, for more than five motor vehicles and stores to garage for more than five motor vehicles, used car sales and storage, stores and dance school.

PREMISES AFFECTED—1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Brill and Ralph Whittaker.

For Opposition: Ruth Ronson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

THE RESOLUTION (234-36-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, permitting in a business use district, for a term of five (5) years, the conversion of occupancy of part of an existing building, to the storage of more than five motor vehicles, affecting premises 1690-1698 Broadway and 203-209 West 53rd street, northeast corner (Block 1025, Lot 25), Borough of Manhattan, was granted by the Board on March 16, 1937, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and an extension of the permit, which permit had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on September 25, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Broadway is in a retail-1 use, B area and Class 2 height district and West 53rd street is in a retail-1 use, B area and Class 2 height district; and

WHEREAS, the decision of the borough superintendent, dated October 18, 1945, on application for a certificate of occupancy, reads:

"2. Use of premises in a retail district, as a garage for more than five motor vehicles, would be contrary to Art. 2, Sec. 4 of the Zoning Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 101 ft. 7½ in. frontage by 112 ft. 4¾ in. in depth (irregular) on which is located a building 101 ft. 7½ in. by 112 ft. 4¾ in. deep (irregular), 2 stories and basement (25 ft.) in height, of Class 3 construction and that it is proposed to use the basement for the storage of more than five cars; and

WHEREAS, the applicant contends that the building was completed in 1935 and the basement was designed and constructed with the intention that it should be used for the storage of used cars to be demonstrated and sold from part of the floor above, which was intended to be occupied by an automobile sales agency or for the sale of new or used automobiles; that it is so occupied by the Bonded Auto Sales which keeps about 35 cars in the basement, many of which are taken out for the purpose of demonstration and sale; that the basement is not being used and is not intended for use as a garage, that is, where cars are stored for hire; that the basement is fireproof and the use is private garaging; that through inadvertence or misunderstanding, the application for the certificate of occupancy specified that the basement was to be used as "storage," it being probably considered at the time that since the use was not to be in any way allied with garaging for hire, that the word "storage" more correctly designated the purpose; that if the application is denied, the applicant will suffer hardship, as the cars are

being handled in the only practical way and without any risk or danger.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted March 16, 1937, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"****granted* under section 7e for a term of two years from the date of this *amended* resolution, to permit the continuation of the same type of business as was operated under the previous variance by the Packard Company agency by the present agency known as Bonded Auto Sales; that the windows on the interior lot lines in the cellar shall be blocked up with approved masonry or glass block approved for exterior wall construction; that the cellar shall be ventilated to the satisfaction of the borough superintendent; and that in all other respects the resolution adopted by the Board March 16, 1937, shall be complied with; that a new certificate of occupancy shall be obtained for the building."

336-37-BZ

APPLICANT—Stewart and Shearer, for The New York Public Library, Astor, Lenox and Tilden Foundations, owners.

SUBJECT—Application reopened November 20, 1945 for consideration as to extension of variance (expired by limitation)—Application (decision of the borough superintendent), previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five motor vehicles, for a term of two years.

PREMISES AFFECTED—322-328 West 57th street, south side, 275 ft. west of 8th avenue (Block 1047, Lots 44 and 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Clarence Kempner.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (336-37-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a retail use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 322-328 West 57th street, south side, 275 ft. west of Eighth avenue (Block 1047, Lots 44 and 46), Borough of Manhattan, was granted by the Board on March 1, 1938, on certain conditions; and

WHEREAS, the permit was extended on March 5, 1940 and March 3, 1942; and

WHEREAS, the resolution was amended on October 19, 1943 and the applicant requested a further extension of the permit, which had expired by time limitation; and

WHEREAS, this case was reopened by vote of the Board on November 20, 1945, restored to the calendar and set for hearing on December 11, 1945, at 10 A.M.; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting on December 11, 1945, after due publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, dated December 6, 1945, on Alt. Applic. 2059-45, reads:

"1. A temporary C.O. 29185 was granted for a parking lot for more than 5 cars in retail district under the resolution of B. of S & A Cal. 336-37-BZ for a period of two years from Mar. 3, 1942. This permit has expired. Parking of more than 5 cars in a retail district is contrary to Art. II, Sub. 4a.15 Z.R."

and

WHEREAS, C.O. 29185 dated July 21, 1942 reads: "Parking and storage of more than five motor vehicles. Area of parking lot 100 ft. by 100 ft. Note: No sign shall be erected other than a sign at the entrance advertising the parking and storage use; that such sign shall not exceed 5 sq. ft. in area. This is a temporary C.O. issued for a period of two years beginning from March 3, 1942."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted March 1, 1938, as amended by resolutions adopted through October 19, 1943, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * *granted* under section 7h thereof, to permit the premises to be used for the parking and storage of more than five motor vehicles for a term of two years from the date of this *amended* resolution; on condition * * * and that other than as herein *amended,* the resolution adopted by the Board on March 1, 1938, shall be complied with in all respects and that a new certificate of occupancy shall be obtained."

597-39-BZ

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application reopened July 3, 1945 (decision of the borough superintendent) under section 7c of the zoning resolution, permitting in a business use district, the extension of an existing gasoline service station, and the inclusion of new parking and storage of more than five motor vehicles (previously granted on condition).

PREMISES AFFECTED—84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lots 1 and 5), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (597-39-BZ)

WHEREAS, this application, under sections 7c and 21 of the zoning resolution, permitting in a business use district, the alteration and extension of an existing gasoline service station, affecting premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block 9751, Lot 1), Jamaica, Borough of Queens, was granted by the Board on December 12, 1939, on certain conditions; and

WHEREAS, the resolution was amended on June 16, 1942 and the applicant requested a further amendment of the resolution, to permit on Lot 5, the inclusion of the parking and storage of more than five motor vehicles; and

WHEREAS, this case was reopened by vote of the Board on July 3, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Parsons boulevard is in a business use, D area and Class 1 height district and 84th avenue is in a business and residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated June 5, 1945, re Alt. Applic. 736-45, reads:

"1. The extension of an existing gasoline station and the inclusion of new parking and storage of motor vehicles in a business district is contrary to Art. II, sec. 4 of the Zoning Resolution and in variance with resolution by the Board of Standards and Appeals, Cal. 597-39-BZ and same must be submitted to said Board for further consideration."

and

WHEREAS, the applicant states that the premises consist of a plot 85.33 ft. frontage by 106.47 ft. in depth, on which is located a building 45 ft. 11 in. front by 45 ft. 11 in. deep, one-story (15 ft.) in height, of Class 3 construction; that on the premises is another building, 30 ft. front by 55 ft. deep, one-story (15 ft.) in height, of Class 3 construction, housing two stores; that it is proposed to demolish present buildings with stores, in order to extend area of existing gasoline service station and permit the additional use for parking of more than five motor vehicles; and

WHEREAS, the applicant contends that premises are presently improved with two buildings, one, 45 ft. 11 in. by 45 ft. 11 in. housing a lubritorium, auto laundry, storage space and office; the other, a one-story stucco building, housing two stores, measuring approximately 30 ft. by 55 ft.; that it is the intention of the owners to demolish the stucco building with stores, so as to extend the area of the existing gasoline service station and permit the additional use for parking more than five cars; that it is proposed to construct along the lot lines, brick wall with wood pickets, to match the existing wall on the westerly lot line of the gasoline service station; that no new pumps or storage tanks will be installed; that this additional area is necessary to give better facilities to the patrons of the existing gasoline service station; that the cellar will be filled up to grade and the entire extended area paved with concrete; that this proposed extension will in no way affect surrounding property owners, but will afford better facilities to the patrons of the gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 12, 1939, as amended June 16, 1942, by adding thereto:

"*Resolved further,* that the decision of the borough superintendent on Alt. Applic. 736-45 dated June 5, 1945 be and it hereby is *modified* and that the application be and it hereby is *granted* under section 7c, to permit an extension in area, consisting of the addition of the adjoining lot to the south known as Lot 5, as indicated on plans filed with this application marked 'Received June 19, 1945' *on condition* that the requirements of the resolution of December 12, 1939 shall be complied with as to the plot as enlarged; that the adjoining space shall be paved as required therein; that a wall and fence shall be maintained along the new interior lot lines to the south and west; that retaining walls where necessary to the south and west, shall be erected to the height of the adjoining land and a fence as proposed, shall be erected on top of such wall; that such walls on the interior lot lines shall be brick and where now existing of masonry shall be faced with face brick and the fence erected thereon shall be kept properly painted; that all walls shall be at least 6 ft. in height above the grade of the gasoline station area, but in no event to a total height of wall and fence of less than 6 ft.; that the existing building shall be removed on Lot 5 and the cellar shall be completely filled to grade; that the plot shall be used for no purpose other than permitted herein as a gasoline service station and not over ten (10) cars shall be parked or stored on the plot, in addition to those being serviced and the accessory use of washing and greasing; that no cars shall be parked or stored other than those being serviced; that new curbs and sidewalk shall be constructed, conforming to the lines of Parsons boulevard, as proposed to be widened; that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution."

583-45-BZ

APPLICANT—Jules Lewis, for Cord Trading Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7b of the zoning resolution, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing, and is also in excess of the height permitted under the zoning resolution.

PREMISES AFFECTED—388-402 Hudson street and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustav Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (583-45-BZ)

WHEREAS, Jules Lewis, for Cord Trading Corporation, owner, filed September 27, 1945, an application under section 7b of the zoning resolution, to permit in a residence and business use district, the erection of a building for showrooms and manufacturing and which is also in excess of the height and area permitted under the zoning resolution; premises: 388-402 Hudson street, and 264-270 West Houston street, northeast corner and 22-28 Clarkson street (Block 581, Lots 45 to 53 and 83), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1945, after due notice by publication in its Bulletin; and

WHEREAS, the district maps accompanying the zoning resolution show that Hudson street is in a business and residence use, B area and Class 2 and 1¼ height district; Clarkson street and West Houston street are in a business, residence and unrestricted use, B area and Class 2 and 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated September 12, 1945, as amended November 29, 1945, re N.B. App. 199-45, reads:

"1. Business use in a residence district is contrary to Art. II, Section 3 Zoning Resolution.

"2. Offsets of the portion of structure in the residence, Class 1¼ for the 6, 7 and 8th floors are contrary to Art. III, Section 8e Zoning Resolution.

"3. Portion of structure in residence district may not occupy more than 65% of its area. Art. IV, Section 12b, Zoning Resolution.

"4. Provide a yard adjacent to residence portion, yard to begin at curb level. Sections 17a and b, Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 200 ft. frontage by 125 ft. in depth, on which it is proposed to erect a building 200 ft. front by 125 ft. deep, 12 stories (104 ft.) in height, of Class 1 construction; that it is proposed to erect a new building for showrooms with 25% manufacturing; and

WHEREAS, the applicant contends that the westerly 100 ft. of plot is zoned for business and the easterly 25 ft. for residence use; that this entire property has been in single continuous ownership for the past ten years, waiting for the opportunity to build; that the recent change in the zoning law and very recent change in zoning district in the rear, from unrestricted to residence use has been particularly adverse to this plot, which was purchased for the

sole purpose of improving with a business building on entire area; that the change to residence use in the rear has totally destroyed the rear, 25 ft by 200 ft., as no profitable use could be made of it; that a rear yard must be left along the line of abutment, which under the new Zoning Law, varies from 10 ft. in 2nd story to 30 ft. 6 in. in top story; that this district is essentially commercial, as there are factories or commercial buildings on nearly all sides, namely to the east (the building facing Varick street), south, west and northwest; that in connection with the objection to the excessive heights, due also to a recent drastic change in the height district, this applies only to an area with a frontage of 11 ft. 5 in. and a depth of 5 ft. 7 in. at the rear of the building, in the 6th story only, and an area with a frontage of 5 ft. 9 in. and a depth of 16 ft. 10 in. at the rear of the building in the 7th and 8th stories only, both of these on the Clarkson street front only; that if an allowance for dormers was made, these small areas would be further diminished; that it is impossible to comply with the strict letter of the law and these small cutoffs would serve no useful purpose; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision b of the zoning resolution, and that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardships.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area regulations of the zoning resolution and that the application be and it hereby is *granted* under sections 7b and 21 thereof, to permit the extension into the more restricted district, as indicated on plans filed with this application marked "Received September 27, 1945," and modifying the decision of the borough superintendent dated November 29, 1945, re N.B. Applic. 199-45, objections 1, 2, 3 and 4, *on condition* that the amount of space in the building used for manufacturing shall not exceed 25 per cent; that the requirements of section 7-A shall be complied with in all respects, but the loading spaces on West Houston street and Clarkson street, as shown, may be permitted; that no advertising signs shall be attached to the face of the building within the residence use district and no roof signs shall be erected; that in the event it is required by the Board of Education that the existing chimney on the school on the adjoining lot, 54, shall be raised in order to produce the necessary draft due to the height of the proposed building, the extension of such chimney shall be constructed at the expense of the owner of this proposed building; that in all other respects, the building and occupancy shall comply with all laws and rules applicable thereto; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

685-45-BZ

APPLICANT—Paul Friedman, for Chesthill Realty Corp., owner (Waltgoodcock Corp. and Avenue J Florist, lessees).

SUBJECT—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a partly residence and partly retail use district, the extension for restaurant purposes of a one-story building.

PREMISES AFFECTED—1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Walter Shapiro and Emanuel Lurio.

For Opposition: D. Weynberg, Robert Sosler, Eleanor Sosler and Sidney Levy.

For Administration: Fred. Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

THE RESOLUTION (685-45-BZ)

WHEREAS, Paul Friedman, for Chesthill Realty Corp., owner (Waltgoodcock Corp. and Avenue J Florist, lessees), filed November 7, 1945, an application under decision of the borough superintendent, under section 7c of the zoning resolution, to permit partly in residence and partly in retail use districts, the extension for restaurant purposes of a one-story building, affecting premises 1520-1524 Avenue J and 1002-1016 East 16th street, southwest corner (Block 6717, Lots 9 and 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 11, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Avenue J is in a residence, retail and business use, C area and Class 1¼ height district and East 16th street is in a retail and residence use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent acting on Alt. Applic. 3247-45, dated October 22, 1945, reads:

"1. Extending business use into a residential zone, is contrary to Art. 2, sect. 3 of Zone Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 45.4 ft. frontage by 141 ft. in depth, on which is located a building 45.4 ft. front by 100 ft. deep (irregular), 1 story (16 ft.) in height of Class 3 construction; that it is proposed to erect in the rear yard, a one-story brick extension to the existing restaurant, 18 ft. by 26.4 ft., 16 ft. in height; and

WHEREAS, the applicant contends that the plot is presently zoned as retail use for a distance of 100 feet south of Avenue J and the remainder of 41 feet is zoned as a residence use district; that the entire property was zoned as residence use in 1916 and the portion now zoned as retail use, was changed to that designation on July 23, 1945; that the rear yard, approximately 41 feet by 45.4 feet is vacant and it is proposed to erect thereon, a one-story brick extension to the existing restaurant, the extension to be 18 feet by 26.4 feet in area and 16 ft. in height; it is proposed to finish the East 16th street wall with face brick and glass block and the southerly wall with common brick and glass block and the westerly wall with common brick and provide a window facing the elevated railroad station; to construct the coping of cast stone and the roof of an approved rubberoid type; that it is also proposed to remove a portion of the rear wall of the existing building, extend the seating area of the restaurant and relocate the kitchen and lavatories; to provide shrubbery along the East 16th street frontage for the entire front of proposed extension and extending to the southerly lot line of the plot; also to provide shrubbery along the southerly lot line for its entire length and to maintain the rear yard as a grass and shrubbery plot only; that the applicant further contens that the Board has jurisdiction under section 7c, to grant the relief requested, under such conditions as will safeguard the character of the more restricted district; that the proposed change will improve the appearance of the rear yard, by eliminating the present fenced-in unattractive weed patch and the erection of a small, attractive extension, set back from the building line, to permit planting of shrubbery along the entire front, planting the entire vacant rear yard and setting it off, from the building line and the adjoining vacant lot, by shrubbery; that this extension will increase the seating capacity of the restaurant and consequently increase the revenue to the city, because of the proposed improvement and consequent increase in assessed valuation of the property; that the proposed extension will not adversely affect the neighborhood; that the only window to be cut, will face the elevated railroad sta-

tion and the rear yard will not be used for any purpose in connection with the railroad; that the conditions imposed by the Board, if application is granted, will regulate the hitherto unregulated appearance of the rear yard and improve the appearance of the premises and will afford full protection to nearby property owners; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance, under section 7c of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 3247-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

APPEALS FROM ADMINISTRATIVE DECISIONS

695-45-A

APPLICANT—Modern Carpet Sweeper Co. (lessee), for Rebecca Gussack, Nathan Gussack and Henry W. Gussack, owners.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: M. R. Meyer and C. Anthony.
For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to December 18, 1945 at 10 A. M. for further consideration after inspection by Fire Department representative.

716-45-A

APPLICANT—S. Millman and Son, for Abraham Karron, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

APPEARANCES—
For Applicant: Peter Millman and A. Karron.
For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 10 A.M. for inspection by a committee of the Board and decision.

137-45-A

APPLICANT—Philip Freshman, for Milkin Realty Corp., owner (Tung Sol Electric Corp., lessee).

SUBJECT—Application reopened and restored to calendar October 16, 1945—Appeal from a decision re order of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—51-55 Nassau avenue, and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn.

APPEARANCES—
For Applicant: Philip Freshman, W. Hammond and John Drewes.
For Administration: E. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (137-45-A)

WHEREAS, this appeal from an order and a decision of the fire commissioner, affecting premises 51-55 Nassau avenue and 68-74 Guernsey street, northeast corner (3rd floor); (Block 2644, Lot 45), Borough of Brooklyn, was withdrawn on July 27, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on October 16, 1945 and restored to the calendar; and

WHEREAS, the applicant has now submitted Order 431-LC, issued by the fire commissioner September 7, 1945, which reads:

> "You are hereby notified that an inspection of the above premises, used to store and use hydrogen and carbon monoxide gas shows that the following must be done before the permit requested by you can be issued.
>
> "1. Discontinue the use of the mixed hydrogen and carbon monoxide gas on the 3rd floor in the special filament heating furnaces since same creates an undue fire risk and is against the interest of public safety. C19-11.0 Administrative Code."

and

WHEREAS, the applicant states the building is three stories (46 ft.) in height, 98 ft. 8 in. by 74 ft. 10⅜ in. in area; Class 1 construction; erected in 1903; located in a business use, C area, Class 1¼ height district; used for the manufacture of radio tubes, 26 persons on the 1st floor, 199 persons on the 2nd and 168 persons on the 3rd floor; that the building is equipped with one 3 ft. 8 in. wide steel stairs, enclosed with terra-cotta blocks and equipped with steel, self-closing doors, and leads from the roof bulkhead, directly to the street, and with one fire escape in the center court, leading directly to the street on the first floor; and

WHEREAS, the applicant contends that in connection with the manufacture of radio tubes, small metallic parts are annealed in two small ovens, one 13 by 18 by 42 in. and another 12 in. by 14 by 40 in., located in a fireproof room on the 3rd floor on the westerly side of the building; that the gas used for these ovens has to be processed to a condition that permits the content or quality of gas to its practical use for annealing small metallic parts of radio tubes; this is accomplished by using a device known as the Westinghouse Endo gas generator which is a retort, wherein the impurities of the original gas piped through a gas meter in the cellar from local gas company, has been eliminated through a process of crackling, and then piped to the ovens referred to above; that the use of gas as processed is essentially necessary in connection with the manufacture of radio tubes; that inasmuch as the ovens are located in a fireproof room, entirely isolated from any areas where persons are working and no extra hazard is involved, it is requested the order of the fire commissioner be modified so that the use of the gas may be continued; and

WHEREAS, the applicant now contends that at the time of the original hearing before the Board, the question was raised as to the gas generating device involved; that this device is now indicated to be of the type manufactured by the Westinghouse Electric and Manufacturing Company, as filed with the Board for approval under Cal. No. 1-44-SA, which application for approval was dismissed for the reason that the device was in connection with the manufacturing process and was not considered as a fixed utility within the building.

Resolved, that Order 431-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted as to Item 1, on condition* that the piping of gas from the the generator on the first floor shall be removed and installed on the exterior of the building, entering at the third story at a point as close as possible to the fireproof room on the third floor, where annealing ovens are maintained; that in the ceiling of such room on the third floor there shall be additional natural ventilation, consisting of a skylight in the ceiling with fixed louver; that such skylight shall be not less than 4 ft. by 4 ft. in size with not less than 5 sq. ft. of fixed ventilation; that a temperature switch shall be installed at each oven, with a solenoid valve in the gas line, so as to close the valve in the event of flame failure or the failure of ignition; that a partition shall be constructed on the first floor,

so as to enclose the space where the generator is installed; that such partition shall be constructed of fireproof materials with fireproof, self-closing door, to separate such room from the balance of the building used for loading and unloading; that fixed ventilation shall be provided for such generator room to the satisfaction of the fire commissioner, by means of existing windows and a new skylight in this area; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that this appeal is granted only so long as the equipment and methods used are to the satisfaction of the fire commissioner.

444-45-A

APPLICANT—Leonard S. Wegman, for H. M. Rubin Co., owner.

SUBJECT—Application reopened and restored to calendar December 4, 1945—Appeal from a decision of the commissioner of marine and aviation (previously withdrawn).

PREMISES AFFECTED—Southeast corner of Vernon boulevard and 53rd avenue (Block 38, Lots 3 to 15), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Leonard S. Wegman and Andrew Bato.

For Administration: E. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (444-45-A)

WHEREAS, Leonard S. Wegman, for H. M. Rubin Co., owner, filed July 13, 1945, an appeal for review of a decision of and a recommendation to the Commissioner of Marine and Aviation, affecting the southeast corner of 53rd avenue and Vernon boulevard (Block 38, Lots 3 to 15), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Commissioner of Marine and Aviation dated July 6, 1945, based on an application for the installation of one 20,000 gallon and two 1500 gallon naphtha tanks and one 10,000 gallon fuel oil storage tank, reads:

"Your application of June 6th, 1945, for a permit which would authorize the installation of one 20,000 gallon and two 1500 gallon naphtha tanks and one 10,000 gallon fuel oil tank on privately owned property at 53rd avenue east of Vernon boulevard, Newtown Creek, Borough of Queens, is hereby denied.

In accordance with the usual procedure your plans were referred by us to the Fire Department of the City of New York for examination and recommendation. These plans have been returned to us by the Fire Department and our attention directed to the fact that the storage of naphtha is in excess of the amount specified in Section C19-51 of the Administrative Code which limits the quantity to 550 gallons.

You may submit an appeal to the Board of Standards and Appeals of the City of New York. Should the said Board decide that extenuating circumstances warrant the proposed installations, this Department would be guided accordingly."

and

WHEREAS, this appeal was withdrawn by the applicant on July 27, 1945 to submit to the Commissioner of Marine and Aviation, for decision, the question of the proposed distillation of solvent in connection with the installation in question; and

WHEREAS, the decision of the Commissioner of Marine and Aviation, dated November 19, 1945, reads:

"Your request for a permit for the installation of one 20,000 gallon and two 1,500 gallon naphtha tanks and one 10,000 gallon fuel oil tank; also the reclaiming and distillation system at 53rd avenue east of Vernon boulevard, Newtown Creek, Borough of Queens, indicated on your amended plan submitted October 22nd, 1945, is hereby denied. However, you may sumbit an appeal to the Board of Standards and Appeals of The City of New York and if the said Board decides that extenuating circumstances warrant the proposed installation, this Department will be guided accordingly."

and

WHEREAS, the applicant states that the plot is 96 ft. by 100 ft. irregular in area, located in an unrestricted use, A area and Class 2 height district, proposed to be used for converting animal fat, bones and other waste fats into grease, tallow and feed; and

WHEREAS, plans filed with this appeal marked "Received November 20, 1945" (10 sheets) indicate that it is proposed to install one 8 ft. by 56 ft. 20,000 gallon naphtha storage tank and two 3 ft. by 40 ft. 1500 gallon naphtha service tanks and one 10,000 gallon fuel oil tank; and

WHEREAS, the applicant contends that the Commissioner of Marine and Aviation had previously granted a permit for the construction of the plant which is now practically complete except for the machinery currently being installed; that when application was made for the solvent storage tanks necessary for plant operation, approval was withheld; that the method by which solvent will be recovered at this plant, namely simple vaporization and condensation, does not in any way conflict with Section C19-49 of the Administrative Code; that the intent of the Code appears to be to prohibit the manufacture by refining and distillation of the petroleum products; that the products handled at this plant will be entirely animal; that the form of vaporization and condensation employed will be merely incidental to the basic operation and is only for the purpose of separating the solvent from the liquid tallow; that the installation of a 550 gallon capacity tank would be more hazardous than that proposed as the extraction process to be used requires 4,500 gallons of fresh naphtha per 8 hour day per extractor or a total of 22,500 gallons if all five extractors are simultaneously used; that the proposed 20,000 gallon storage tank and two 1500 gallon service tanks provide just sufficient to cover the maximum daily requirements; that the solvent to be used for extracting is heptane, a naphtha derivative, having a flash point of 96.8 deg. F.; that the solvent will be delivered to the plant in tank cars and pumped into the 8 ft. by 56 ft. storage tank and will flow by gravity into the two 3 ft. by 40 ft. tanks, controlled by float valves, set to permit only enough solvent into the tanks to replace the amount pumped out; that these tanks are connected to solvent pumps in the cooking room by means of a pipe line; both the inlet and outlet pipes of these tanks are individually controlled to permit shutting off one tank in the event of emergency; that during normal operations both tanks are connected by means of an equalizing pipe at the outlets and having a common vent pipe; pumps deliver the solvent to the valve nest which is a multiple manifold control panel, and by means of this control the solvent can be taken from either one of the two pumps and directed into any of the five pipe lines leading to the cookers; that the amount of solvent pumped into a cooker is up to 1500 gallons and enters the cooker through the bottom through five connections, each provided with a valve and filter; that before the solvent is pumped into the cooker the steam to the jacket is shut off; the solvent remains in the cooker for 30 to 50 minutes during which it gets saturated with tallow and is warmed due to the high temperature in the cooker and the solvent must be cooled before being pumped out again. The cooler used is a conventional type consisting of a bank of double pipes with the miscella flowing through the inner pipes and cooling water in the outer pipes. The solvent is then pumped through the manifold through two rotary pumps to miscella tanks thru an opening at the top. These tanks serve in addition to storage as settling tanks. This operation is repeated twice for each batch of material and the miscella is next pumped by centrifugal pumps to one of the stills in which the solvent is distilled

out of miscella with the tallow left at the bottom of the stills. The solvent vapors are condensed in condensers attached to the stills while the solvent is drained into the water separation tanks which is provided with an overflow for the solvent at the top and for the water at the bottom. The water overflow is provided with a seal and arranged to prevent siphoning; that the separating line between solvent and water will be at a safe height above the water flow connection and below the solvent overflow, calculated on the basis of the hydrostatic pressure to prevent the liquids from flowing in the wrong direction. The finished product is pumped from the stills to the tallow storage tanks while the solvent is returned from the separating tank to the 1500 gallon working tank; and

WHEREAS, the applicant contends that the following safety measures have been provided; that one threat to safety is the fact that the top of the 20,000 gallon naphtha storage tank is at a comparatively high elevation which could not be avoided without sacrificing storage capacity as the 3 ft. by 40 ft. 1500 gallon working tanks could not be placed lower on account of the ground water; that the proposed arrangement represents the limit satisfying the requirements of sufficient pitch between the storage and working tanks making it possible to drain the storage tank into the working tanks, providing the level of the solvent in the working tanks is sufficiently low; that to counteract this high elevation of the 20,000 gallon storage tank the discharge pipes of solvent pumps are carried up higher than the top of the storage tank; that the indoor part of the pipe line connecting the work tanks to solvent pumps is welded and laid in an open trench with steel plate covers and it will be part of the inspection and maintenance routine to examine this part of the pipe line regularly to discover seepage; that whatever flow could take place through the pumps when not working is stopped by the valves of the valve nest; that the return line from pumps to storage tanks is higher than both vent pipes and contains a check valve to prevent back flow in case of excessive pumping of solvent into the storage tank. The venting of all the miscella tanks, condensers and water separating tanks prevents siphoning and activated carbon absorption system will be installed to dispose of the solvent vapors before they become dangerous. Stuffing boxes of pumps will be provided with pressure lubrication using lubricants resisting action of the solvent; that should a leak of solvent occur a combustible gas alarm system will detect the vapors before they reach the lower explosive concentration; that this installation will have sampling stations at a number of points in the cooking room and the analyzing element will analyze the samples continuously in rotation at brief intervals giving an alarm when the concentration reaches the predetermined point and indicating the station at which this occurs; and

WHEREAS, the applicant contends that a continuous line rate-of-rise type fire alarm system will be installed to signal fires not discovered immediately by the operating personnel; that fire extinguishing equipment installed will include a steam extinguishing system consisting of pipe lines along the wall near the floor and along the center row of columns as low as possible. These pipes will be perforated and the steam will be supplied from the boiler used for operating the plant; that in case of fire the line used for operating purposes will be shut off by one valve outside the cooking room in the boiler room and adjoining valve controlling the fire extinguishing line open; that in addition wheeled type portable CO_2 extinguishers will be set up at various points; that regular inspection, maintenance and fire drill schedules will insure the prompt functioning of all of these devices.

Resolved, that the Board recommends to the Commissioner of Marine and Aviation that his decision dated July 6, 1945 on an application for the installation of one 20,000 gallon, two 1500 gallon naphtha storage tanks and one 10,000 gallon fuel oil tank and the distillation of solvents be *modified on condition* that the premises and the operation of the equipment shall be installed and maintained substantially as proposed and to the satisfaction of the Commissioner of Marine and Aviation and the fire commissioner; that the tanks to be buried adjacent to the one story building as indicated on plans submitted with this appeal, shall be anchored to prevent floating and supported to the satisfaction of the Commissioner of Marine and Aviation; that in addition to the construction as indicated, the top of the tanks shall be covered with either reinforced concrete or at least 12 in. of other material or clean fill, as the Commissioner of Marine and Aviation shall determine; that such manholes in the top of the tank as he may determine, shall be installed for inspection and cleaning; that such manholes shall be securely bolted to the tank and lead gaskets or other equivalent gaskets shall be employed; that such tanks should comply with the requirements of the Oil Burner Rules as to construction and all other requirements for tanks of such size, except as may be required under the rules of the Administrative Code for the protection of tanks used for the storage of naphtha; that while such oil is being stored, live steam with a pressure of approximately 125 lbs. shall be kept on at all times to provide means for fire protection as proposed.

754-45-A

APPLICANT—Sam Giambalvo, for J. Amendolara, owner.

SUBJECT—Appeal from a decision and order of the fire commissioner re Transportation of Kerosene in Tank Truck in New York City (capacity of Tank not in confomity with Administrative Code requirements covering Tank Trucks).

APPEARANCES—

For Applicant: Sam Giambalvo and Giuseppe Amendolara.

For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (754-45-A)

WHEREAS, Sam Giambalvo, for J. Amendolara, owner, filed December 7, 1945, an appeal from a decision of an order of the fire commissioner re: Transportation of kerosene in tank truck in New York City (capacity of tank not in conformity with Administrative Code requirements covering tank trucks); and

WHEREAS, Order 42843-LC, issued by the fire commissioner, on September 26, 1945, reads:

"An inspection of truck No. 1 on a Ford chassis used for the transportation of any liquid products of petroleum, shale oil or coal tar, as required by Section C19-52.0-a, Title C, Part 1, Article 8 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued.

1. Discontinue the use of cargo tank in excess of three hundred (300) U. S. Gallons. Section 14.41."

and

WHEREAS, a decision of the fire commissioner, dated November 29, 1945, referring to Order 42843-LC, was filed with this appeal; and

WHEREAS, the applicant requests permission to transport kerosene in a 400 gallon tank truck, which complies with the requirements of the fire commissioner in all respects, except that it exceeds 300 gallons capacity; that the tank is constructed of 10 gauge plates, except the bottom, which is 3/16 in.; that the tank is welded throughout and structually safe for the proposed use and will be installed on the owner's 1½ ton 1944 Ford chassis, which has been adequately reinforced to carry the proposed load.

Resolved, that Order 42843-LC issued by the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the truck in all other respects, shall comply with the requirements therefor.

MINUTES

475-44-A

APPLICANT—Leo H. Schoen, for Reliable Remover and Lacquer Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner re Packaging of Inflammable Mixtures, known as "Reliable Paint, Varnish and Lacquer Remover" in 8 oz., 16 oz., 32 oz. and 128 oz. glass containers (previously withdrawn).

PREMISES AFFECTED—42-56 Crescent street, west side, 84 ft. north of 43d avenue (1st floor, rear building); (Block 429, Lot 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Leo H. Schoen.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

Negative: Commissioner Savage 1

THE RESOLUTION (475-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 42-56 Crescent street, west side, 84 ft. north of 43rd avenue (1st floor, rear building); (Block 429, Lot 31), Long Island City, Borough of Queens, was withdrawn on February 14, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar; and

WHEREAS, this case was reopened by vote of the Board on March 20, 1945 and restored to the calendar, subject to usual procedure; and

WHEREAS, on June 20, 1945, this appeal was granted on certain conditions, for a term of six months; and

WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 20, 1945, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"*Granted* for a term of six months from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of June 20, 1945, shall be complied with."

MATERIAL AND APPLIANCE SUBMITTED FOR APPROVAL.

310-40-SM

APPLICANT—United States Gypsum Company.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Approval of U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank.

APPEARANCES—

For Applicant: David C. Ossman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (310-40-SM)

WHEREAS, the U. S. Gypsum Company, owner, filed March 26, 1940, an application with the Board of Standards and Appeals, for approval of the material known as U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank; and

WHEREAS, this material was approved by the Board on July 2, 1940, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution; and

WHEREAS, the Report of the Committee on Tests, reads:

REPORT OF COMMITTEE ON TESTS.

December 8, 1945.

Re: Cal. 310-40-SM

Subject: U.S.G. Two Inch Medium and Long Span, Tongue and Groove, Metal Bound Gypsum Plank, approval of.

The applicant on December 5, 1945 requested reopening of the aforementioned application for the purpose of eliminating from the body of the report, the words reading "Planks wherever used shall be placed so as to provide a minimum of two bearing points for each plank," contending that this limitation reduces the strength of a roof deck since it does not have the stiffening effect of the negative moments normally developed over the supports because in order to meet the requirements for a minimum of two supports for each plank, the planks have to be cut and because of the cutting the metal tongue and groove connection with adjacent planks is eliminated and consequently no continuity can be developed. The applicant requests permission for the planks to be laid on the roof in a manner similar to the method of laying observed in the original tests which permitted planks to be laid as in the tests: namely, there were certain of the planks which had the one bearing point and the integrity of the construction was predicated upon the tongue and groove connections between adjacent planks regardless of the bearing points.

The Committee has considered the foregoing data and recommends that the sentence reading, "Planks wherever used shall be placed so as to provide a minimum of two bearing points for each plank" be eliminated from the report adopted by the Board July 2, 1940 and that in lieu thereof, the following wording be substituted: Planks wherever used shall be so placed as to allow the use of full lengths. Where a cut section of plank has but one bearing point, such cut section shall be drawn tight so as to fully engage adjoining tongues and grooves and when cut pieces are so used adjacent planks shall have bearing at two or more supports.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 2, 1940 in accordance with the recommendation set forth in the Report of Committee dated December 8, 1945.

538-45-SA

APPLICANT—Cyclotherm Corporation, owner.

SUBJECT—Cyclotherm Steam Generator (Oil Burner), Models OHM and OL, approval of.

APPEARANCES—

For Applicant: V. N. Connors.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee of Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (538-45-SA)

WHEREAS, the Cyclotherm Corporation, owner, filed on September 7, 1945, an application with the Board of Standards and Appeals for approval of the appliance known as the Cyclotherm Steam Generator (Oil Burner), Models OHM and OL; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. #538-45-SA.

SUBJECT: Cyclotherm Steam Generator (Oil Burner), Models OHM and OL, Approval of.

The Cyclotherm Corporation of New York filed an application with the Board of Standards and Appeals for approval of the Cyclotherm Steam Generator (Oil Burner), Models OHM and OL, under the provision of C26-178.0b and Art. 12, Heating, Combustion and Chimneys, Administrative Building Code and the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

The Cyclotherm Oil Burner is designed for use as an integral part of a heating unit such as a heating boiler, a hot water heater, or air heater. It is equipped with a complete set of controls and auxiliaries for automatic operation. The Model OL oil burner is furnished in varying sizes arranged for burning from one to eighteen gallons of light fuel oil (28 to 44 A.P.I. Gravity) per hour. The Model OHM oil burner is furnished in sizes burning from eighteen to one hundred fifty gallons of light or heavy fuel oil (14 to 26 A.P.I. Gravity) per hour.

The burner consists of five main assemblies:

The Burner Assembly
The Nozzle and Electrode Assembly
The Ignition Transformer Assembly
The Power Unit Assembly
Control Equipment

The Burner Assembly consists of an integral blower and burner housing of welded steel. The outlet of the blower housing is bolted to the inlet of the burner housing. Thus the air from the blower fan passes to the burner housing tangentially, imparting a whirling motion to the air as it enters the furnace.

The blower fan is mounted within the blower housing and is directly connected to the shaft of the motor.

The burner head is mounted on the burner housing and is so designed that a portion of the air from the burner housing is led through a small integral duct to the nozzle opening in the burner head. This provides the primary air for initial ignition for the fuel, final combustion taking place within the furnace after the fuel has been properly mixed with the remaining air from the blower. The burner head is lined with cast refractory to insulate the head. Various sizes of blower-burner housings and burner heads are furnished, designed to provide for the most efficient firing of each burner at its rated capacity.

The Nozzle and Electrode Assembly is bolted to the burner head. The nozzle is locked in place in the burner head with a set screw. Model OL burner is furnished with an atomizing type fixed capacity nozzle, consisting of a nozzle body, a fine mesh strainer, a slotted insert and a nozzle tip. Model OHM is furnished with a fixed capacity pilot nozzle and a variable capacity atomizing main nozzle. This nozzle is designed to vary the amount of fuel delivered to the combustion chamber. A return port in the whirl chamber of the nozzle is connected to a return oil line and a regulating valve which changes setting response to steam demand. Thus the oil discharge from the nozzle to the furnace is varied by controlling the amount returned from the nozzle to the tank. The electrodes are nichrome, cemented into ceramic insulators or spark plug bodies. The steel bushing of the spark plug is securely screwed into the nozzle and electrode assembly.

The Ignition Transformer is of the high voltage (110 or 220 volts—10,000 volts) type, with mid-point of the secondary grounded. The windings are fully insulated and shielded to eliminate radio interference. The ignition transformer is mounted on the burner assembly, so located that the armored high tension wires are as short as possible. It is arranged for intermittent or continuous service.

The Power Unit assembly consists of a burner motor, a fuel unit and the blower fan. The burner motor is a constant speed, continuous duty, induction type mounted on a pressed steel base, which is attached to the blower housing. The double end shaft extension is arranged with one end directly connected to the blower fan; the other end is fitted with a V pulley to drive the fuel unit through a V-belt.

The fuel unit for Model OL oil burner consists of a compact assembly of strainer, two stage, gear type oil pump and pressure regulating valve. The fuel unit is securely attached to the burner motor base by means of a mounting flange. It draws oil from the fuel oil supply tank, strains it and delivers it under a pressure of 100 p.s.i. to the atomizing nozzle when the burner is in operation. Excess oil is by-passed back to the tank. A pressure gauge and an oil solenoid valve are on the pressure line near the pump.

Model OHM oil burners are arranged to burn light oil 28-44 A.P.I. gravity (or gas) for ignition and start and heavy oil 14-28 A.P.I. gravity for normal operation. A fuel unit similar to Model OL is provided for the light oil. For the heavy oil, a gear type, positive displacement fuel pump is provided, driven by a separate motor. A duplex strainer is on the suction side of the pump and a pressure regulating valve, pressure gauge and oil solenoid valve on the discharge side. The blower fan is a paddle type wheel of aluminum of substantial construction, accurately balanced and light in weight.

Control Equipment: Model OL

Control equipment consists of a limit control (Pressure or temperature), low water cut-off and a flame safety control.

Operation:

The normal operation of the Model OL oil burner when started by the control system is as follows:

Connection is made for the ignition circuit and spark is produced at the tips of the ignition electrodes. The burner motor, blower fan and the fuel pump start, delivering fuel oil to the pressure regulator valve which, when pressure is built up, opens the valve and forces oil under pressure of 100 p.s.i. through the atomizing nozzle. The blower fan forces air for combustion through the burner housing imparting a whirling motion to the air as it enters the combustion chamber, where it is mixed with the spray of oil from the nozzle and ignited by spark from the electrodes. When the burner stops the oil supply to the nozzle is shut off by the pressure regulating valve and the oil solenoid valve. Under normal conditions the burner is started and stopped by the steam pressure limit control, providing "on" and "off" cycles in response to steam demand. If the water in the boiler drops below the normal operating level the burner will be stopped by the low water level cut-off. In case of ignition failure or flame failure the burner will be stopped by the flame safety control. In such cases the burner will not re-cycle, the flame safety control must be "reset" for further operation.

Control Equipment: Model OHM

Control equipment for Model OHM oil burner provides for automatic modulation and control of the firing rate with the following equipment:

Steam Pressure Control (High Limit)
Modulating Pressure Control controls oil regulating valve in return oil line
Modutrol Relay activates modutrol motor
Modutrol Motor
Oil regulating valve controls amount of oil that returns to tank
Fire Control linkage and automatically adjusted air damper
Protectorelay controls ignition in case of ignition failure
Photo-electric eye shuts down entire unit in case of flame failure

The modutrol motor, oil regulating valve, oil pressure gauge, and the fire control linkage are mounted beside the burner housing. The modutrol motor, under control of the modulating pressure control, operates the air damper (in the duct at the entrance to the burner housing) and the regulating valve. These are synchronized to supply the correct amount of air and fuel to the burner for the most efficient combustion at any firing rate.

Operation:

Normal operation of the Model OHM oil burner is as follows:

Ignition spark is established, the burner motor, light oil fuel unit and blower fan start and the light oil (or gas) solenoid valve opens. Fuel is drawn from the tank through the strainer to the light oil pump and forced through the pressure regulating valve to the pilot nozzle where it is atomized, mixed with air and ignited by the electric spark.

Steam generated by the firing is run through a pressure reducing valve, through the coils of the oil heater.

The heavy oil pump is started manually and heavy oil is drawn from the tank, through the strainer to the pump and forced through coils in the heater and back to the tank. When the circulating oil temperature reaches 170° to 190° F., the burner may be stopped and restarted for full automatic operation under control of the protectorelay and other auxiliaries.

When restarted, ignition is established and fuel oil (or gas) is ignited at the pilot nozzle as above. Approximately 30 seconds after the pilot flame has ignited the solenoid valve on the heavy oil pressure line opens and oil is delivered to the main nozzle at a pressure of 300 p.s.i., where it is atomized, mixed with air and ignited by the flame from the pilot nozzle. This also places the modutrol motor in operation to control the air and heavy oil supply to the burner. The modutrol motor in turn is controlled by the modulating pressure control which responds closely to the boiler steam pressure and steam demand. After approximately 2½ minutes (if flame is well established) the ignition circuit and the light oil fuel unit will be stopped. Operation of the burner will continue subject to recycling or shutdown under control of the steam pressure limit control, low water level control and flame safety control.

INSPECTION TEST

The burner was inspected and tested at the plant of the Marlon Confection Corporation, 321 West 54th Street, in the presence of the Committee on Tests, Commissioner Blum and Chief Engineer Huber and of the manufacturers and was found to operate as designed.

RECOMMENDATION

On the basis of this inspection and test, it is recommended that the Cyclotherm Steam Generator Oil Fired Models OHM & OL be approved under Sec. C26-191.0a for use in New York City when installed in accordance with the requirements of the Oil Burner Rules of the Board of Standards and Appeals and with this report, and that any boiler installed shall be approved and conform to the requirements of the Administrative Building Code Art. 12, Sub-Art. 1 and provided that each installation shall have a label permanently affixed reading 'Approved by the Board of Standards and Appeals for use in New York City under Cal. #538-45-SA.'

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Clyclotherm Steam Generator (Oil Burner), Models OHM and OL, *on condition* that the appliance be manufactured, equipped, installed, used and labeled in accordance with the above report.

ADJOURNED: 1:20 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 11, 1945

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEALS FROM ADMINISTRATIVE DECISIONS

625-45-A

APPLICANT—Samuel B. Lincoln, for Wallerstein Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 1, 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond.

APPEARANCES—
For Applicant: Samuel B. Lincoln and Harold E. Smith.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (625-45-A)

WHEREAS, Samuel B. Lincoln, for Wallerstein Co., Inc., owner, filed October 15, 1945, an appeal from a decision of the borough superintendent, affecting premises: 351 Walker street, northeast corner of Lake avenue (Block 1161, Lots 1, 3, 6, 9 and part of Lot 34), Mariners Harbor, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, acting on N. B. Applic. 198-45, dated October 8, 1945, reads:

"1. The proposed erection of this fireproof new building to be used for storage and manufacturing is not permitted as it is contrary to a Board of Standards and Appeals resolution which, states in part 'that the lot to the south shall remain unbuilt upon for a width of

at least 33 ft.' (Board of Standards and Appeals, Cal. 1197-39-A)."

and

WHEREAS, the applicant states that the proposed building will be 4 stories and basement (62 ft.) in height, 156 ft. 4 in. by 108 ft. to 94 ft. in depth at the 1st and 2nd floors; 149 ft. front by 108 to 94 ft. in depth at the 3rd and 4th floors, of Class 1 construction; located in an unrestricted use, A area, and a Class 1½ height district and used for the storage and manufacturing of chemicals, 6 persons in the basement and 30 persons on each of the upper floors; that the building will be equipped with a one source sprinkler system, two 44 in. fireproof stairs from the roof bulkhead, leading directly to the street; and

WHEREAS, the applicant contends that a standard fire wall will be constructed between the new building and the existing building C2, as indicated on plans filed with this appeal; that in granting permission to erect building C2 as an addition to building C-1 without a dividing fire wall, the Board required a 33 ft. space on the south side of Building C-2 to remain unbuilt upon; that Buildings C-1 and C-2 are occupied for chemical manufacturing, where all processes are wet and operations are carried in general, in large steel tanks and consequently there is no particular or unusual fire hazard from the process; that the proposed building will be used partly for storage and partly for manufacturing and will carry the storage of materials to be used in process in Buildings C-1 and C-2, and it will be a serious handicap to manufacturing operations, if the owner were required to maintain a 33 ft. open space between the proposed building and building C-2; that permission is therefore requested to build on the 33 ft. space referred to in the Board's resolution under Cal. 1197-39-A, and at the same time, increase the combined area of Building C-1 and C-2 from 31,967 sq. ft. to 37,327 sq. ft., by the addition of process mezzanines, constructed with steel framing and reinforced concrete floor slabs, as indicated on plans filed with this appeal, marked "Received November 26, 1945."

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 198-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the building shall comply with all laws, rules and regulations applicable thereto; that a sprinkler system, standpipe and fire alarm systems, if required by the Code, shall be installed and such other fire fighting equipment as the fire commissioner shall direct; that any openings between this building and the one adjoining to the north, shall be protected with self-closing opening protective assemblies, as approved for three hours; that this building may be located as proposed, irrespective of the requirement in the resolution adopted by the Board under Cal. 1197-39-A, provided plant streets shown on plans filed with this appeal, shall be maintained as shown and in addition, a means of access to such plant street shall be provided from Walker street or Granite avenue, adjacent to the intersection of Granite avenue and Walker street; that in all other respects, the building and occupancy shall comply with all laws and rules applicable thereto.

643-45-A

APPLICANT—Lama and Proskauer, for Green Bus Lines Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Far Rockaway, Borough of Queens (Under section 35, General City Law re bed of mapped street—Beach 49th street).

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (643-45-A)

WHEREAS, Lama and Proskauer, for Green Bus Lines, Inc., owner, filed October 23, 1945, an application pursuant to Section 35 of the General City Law, to permit the erection of an extension to and the maintenance of an existing extension and a portion of the main building within the bed of a mapped street (Beach 49th street), affecting premises 48-09 Rockaway Beach boulevard, southeast corner of Beach 49th street, (Block 336, Lot 60), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 15, 1945, on Alt. Applic. 1490-43, reads:

"4. Position of building appears to be in bed of mapped street. Secure permission of the Board of Standards and Appeals for the proposed alteration, as per Art. 3, Sect. 35 of General City Law.

"6. Bus parking shed is within the bed of mapped street contrary to Article 3, Sect. 35 of General City Law."

and

WHEREAS, the applicant states that the building is 1 story (16 ft.) in height, 86.29 ft. by 165.17 ft. in area, of Class 3 construction, erected in 1918, located in a residence use, C area and Class 1 height district and used as a bus garage; and

WHEREAS, the plans filed with this appeal indicate that the building is 82 ft. in width, 162 ft. in depth, with an existing extension 18 ft. by 117.10 ft. in area, proposed new tire storage building to be erected 28 ft. by 18 ft. in area, within the bed of Beach 49th street and new coal storage building 6 ft. 3 in. by 58 ft. in area, new stock room, 6 ft. 6 in. by 31 ft. in area, and an existing boiler room 6 ft. 6 in. by 18 ft. 4 in. in area; and

WHEREAS, the applicant states that the portion of the building which is in the bed of a mapped street, is an open shed measuring approximately 18 ft. by 160 ft. in area, erected many years ago and has been in existence prior to the purchase of the parcel by the present owner; that at the time of the erection of this open shed, the premises was zoned unrestricted and changed to residence use on December 28, 1939; that the present owner has occupied the building since 1936 and purchased the same in 1943; that in view of the fact that the condition is existing, having been erected prior to the change of zone, it is requested that this application be granted; and

WHEREAS, Beach 49th street is shown on the Final Map Section 228, of the Borough of Queens, for a width of 60 ft., under date of July 15, 1925; and

WHEREAS, File Map No. V-162, filed December 10, 1915, No. 3311, Drawing 72, indicated the proposed widening of Beach 49th street; and

WHEREAS, examination of the records of the borough superintendent forwarded to this office, indicates the following: Misc. Application 4441, approved June 25, 1935, was for the installation of two 550 gallon gasoline tanks at the easterly side of the building and plans filed with this application indicate the building to be 80 ft. by 155 ft. in area, set back from Beach 49th street building line a distance of 20 ft. and do not indicate the existence of the wood shed; N.B. Applic. 13244, filed July 30, 1926, to erect one building, 100 ft. front, 100 ft. rear and 100 ft. deep, to be occupied as a garage and was approved September 18, 1926, work commenced August 24, 1926, work completed March 25, 1927; that the building was to be erected on a plot 106 ft. fronting on Rockaway boulevard with a depth of 106 ft. fronting on Beach 50th street, now known as Beach 49th street; that there appears to have been no amendment filed to the approved application which would increase the build-

ing in area to its present size; that there appears, however, a drawing filed as an amendment October 10, 1926, approved October 10, 1926, indicating the building to be 86 ft. front on Rockaway Beach boulevard and 105 ft. in depth fronting on Beach 49th street with 20 ft. vacant along the westerly side of the lot, extending into Beach 49th street; that Building Notice 2456 filed April 7, 1937, was to erect a 10 ft. by 10 ft. brick cashier's office in the present public garage and indicated the garage to be 100 ft. front on Rockaway Beach boulevard and 100 ft. front on Beach 49th street; that Alteration 1278-43 was filed to extend existing boiler rooms and enclose existing approved roofed over section of building; that this application indicated existing building to be 90 ft. by 160 ft. in area and plans filed therewith, indicate an existing open shed east of the building line of Beach 49th street; that the plot plan filed with this application and examined by the Topographical Bureau, indicates the plot to be located on the southeast corner of Beach 49th street and Rockaway Beach boulevard; that Beach 49th street is shown to a width of 60 ft.; that Misc. Applic. 2690-43, filed October 6, 1943, approved May 10, 1944, after action by the Board under Cal. 509-43-A, indicated the building to be 86 ft. by 165 ft. in area; that this application was for the installation of gasoline storage tanks and the use of existing fuel oil storage tank; that Alteration 1490-43, which is the alteration application now in question and which was the subject of variance granted by the Board under Cal. 598-43-BZ, was further examined by the borough superintendent subsequent to the decision of the Board on December 19, 1944, with the result that the objections herein appealed, were issued

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1490-43, objections 4 and 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers vested in the Board under section 35 of the General City Law, to permit the continuance of the portion of the building within the bed of Beach 49th street and the proposed extension, as indicated on plans filed with this application (2 sheets) marked "Received October 23, 1945," *on condition* that in the event the bed of Beach 49th street as now laid out, is acquired by the city for street purposes, that all extension of the building, existing and proposed, westerly of the main wall of the building, shall be removed at the expense of the owner and no claim made therefor, other than for the fair value of the land on which such extensions exist, as may be determined by the court; that the wall, if required to be removed, shall be subject to such award for condemnation as the court may determine, including the cost of removal of the wall and construction of a new wall outside the lines of the proposed street; that an application shall be made promptly to the City Planning Commission, for relocation of proposed Beach 49th street, so as not to include the main westerly wall of the building within the bed of the street: that a copy of such application to the City Planning Commission shall be filed with the Board and the borough superintendent; that the proposed extension as indicated, referred to in objection 4, shall not be increased in height or area and shall be used solely for the use proposed in connection with the use of the main building as a bus terminal; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cals. 509-43-A and 598-43-BZ, as granted by resolution dated December 19, 1944, and as may be hereafter amended.

677-45-A

APPLICANT—Lama and Proskauer, for Frieda I. Bader, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (677-45-A)

WHEREAS, Lama and Proskauer, for Frieda I. Bader, owner, filed on November 2, 1945, an appeal from a decision of the borough superintendent, affecting premises 509 Liberty avenue, northwest corner of Van Sicklen avenue (1st floor); (Block 3961, Lot 26), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 2, 1945, on Alt. Applic. 2959-44, reads:

"1. Extension of public occupancy in 1st floor of frame structure, is contrary to 4.2.1 and 2.1.3.5 of the Bldg. Code."

and

WHEREAS, the applicant states the building is 2 stories (19 ft.) in height; 25 ft. by 100 ft. in area at 1st floor, 25 ft. by 53 ft. in area at 2nd floor, of Class 4 construction; erected 1890; located in a business use, C area and Class 1½ height district, and used and occupied as follows: cellar, ordinary; 1st floor, chapel, 30 persons; 2nd floor, one family dwelling and storage of coffins since 1890, and now proposed to be used and occupied as follows: cellar, ordinary; 1st floor, funeral chapel, 30 persons; 2nd floor, front, dwelling, one family; 2nd floor rear, storage of coffins; that the building is equipped with two wood interior stairs, enclosed in partitions of plaster on wood studs, equipped with wood doors which are not self-closing; that the southerly stairway is 3 ft. wide and provided with a ladder and scuttle to the roof, and the westerly stairway is 3 ft. 6 in. in width; and

WHEREAS, the applicant contends that it is proposed to legalize an extension made to the chapel, which originally covered an area of 11 ft. by 50 ft. and now covers an area of approximately 24 ft. by 48 ft.; that the building has been devoted to this use since its erection in 1890; that the owner at that time, occupied part of the 1st floor for living purposes and rented the 2nd floor for living purposes; that the alteration was made without obtaining a permit; that inasmuch as the building was primarily constructed as an undertaking establishment and not increased in area and is occupied by the owner, it is requested that this appeal be granted; and

WHEREAS, it appears from information received that the building has been occupied since 1925 as a funeral chapel for the full length of the building along Van Sicklen avenue and with a portion of the first floor occupied for living purposes, which have since been eliminated and it is now proposed to occupy the building as a funeral chapel on the first floor and as a residence for one family on the front portion of the 2nd floor and for storage on the rear portion of the 2nd floor, separated from the front portion by an intervening roof.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 2959-44, objection 1, be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be occupied only as proposed and as indicated on plans filed with this appeal, marked "Received November 2, 1945"; that within the 2nd floor storage space, such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the cellar ceiling shall be fireretarded throughout and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

686-45-A

APPLICANT—Philip Freshman, for Tessie Maronia, owner (Joseph and Abraham Friedberg, lessees).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Freshman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (686-45-A)

WHEREAS, Philip Freshman, for Tessie Maronia, owner (Joseph and Abraham Friedberg, lessees), filed November 8, 1945, an appeal from a decision of the borough superintendent, affecting premises 330 37th street, south side, 125 ft. east of 3rd avenue (Block 700, Lot 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on Alt. Applic. 3172-45, dated November 5, 1945, reads:

"1. Two fireproof enclosed stairs required, as per Sec. 270 Labor Law."

and

WHEREAS, the applicant states the building is two stories (28 ft. 10 in.) in height; 25 ft. by 80 ft. in area; of Class 3 construction; erected in 1916, located in an unrestricted use, B area and Class 1 height district, and used and occupied as follows: Cellar, 1st and 2nd floors, storage of baled rags, 3 persons on the 1st floor, 5 persons on the 2nd floor; that it is proposed to be used and occupied as follows: Cellar, storage of luggage; 1st floor, storage and shipping, 3 persons; 2nd floor, office and factory, 30 persons (luggage manufacturing throughout); that the building is equipped with one 3 ft. 8 in. wide wood stairs, enclosed in fire retarded partitions on the 1st floor, equipped with one hour self-closing fireproof doors; and

WHEREAS, the applicant states that the interior stairs are enclosed with fire retarded partitions on 1st floor, will be fully enclosed with stud, metal lath and ¾ in. cement plaster on both floors, including all ceilings under stair halls and exposed stair soffits; that all doors to such enclosure will be one hour test self-closing in steel bucks; that it is proposed to provide a 3 ft. 8 in. wide open iron stairs at the rear, leading to a 20 ft. deep yard with egress through a 4 ft. wide opening in the fence to the adjoining property, accessible to 38th street, consent for which is filed with this appeal; that it is proposed to enclose existing cellar stairs with fireproof blocks, equipped with one hour self-closing fireproof door and to provide a 2 ft. by 3 ft. scuttle with a fixed iron ladder to the roof, in the public hall; that all other provisions of the Labor Law will be complied with; that the maximum occupancy will be 30 persons on the 2nd floor; and

WHEREAS, the applicant contends that in view of the non-hazardous nature of the proposed occupancy and the relatively small area of the building to be used for factory, that a modification of the requirements of the decision of the borough superintendent is respectfully requested.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 3172-45, objection 1, and that the appeal be and it hereby is *granted on condition* that the exits shall be maintained as proposed and indicated on plans filed with this appeal (2 sheets) marked "Received November 8, 1945"; that in addition, a ladder shall be provided from the roof at the rear, to the platform at the second floor level on the proposed rear iron stair; that a second means of exit from the cellar shall be provided, which shall lead to the rear yard; that consent to cross adjoining premises shall be filed with the borough superintendent; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

699-45-A

APPLICANT—Artograph Paper Box Co., Inc. (lessee); 35 Steuben Street Realty Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Gardstein and Louis Barnett.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (699-45-A)

WHEREAS, Artograph Paper Box Company, Inc., lessee, for 35 Steuben Street Realty Corp., owner, filed November 9, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 401 Lexington avenue, north side, 225 ft. west of Tompkins avenue (Block 1799, Lot 55), Borough of Brooklyn; and

WHEREAS, Order 15559-LF, issued by the fire commissioner, August 6, 1945 and referred to in a decision of the fire commissioner, dated October 11, 1945, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire throughout the premises, satisfactory to the Fire Commissioner. Section C19-161.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 2 stories (23 ft. 6 in.) in height, 105 ft. 3 in. by 100 ft. in area, of Class 3 construction, erected in 1925, located in an unrestricted use, C area and Class 1¼ height district and used and occupied without a certificate of occupancy, as follows: cellar-boiler room; 1st floor—paper cutting and storage—2 persons; 2nd floor—paper box manufacturing—16 persons, and proposed to be used and occupied: cellar—same; 1st floor—paper cutting and storage—10 persons; 2nd floor—paper box manufacturing—30 persons; that the building is equipped with one 3 ft. 2 in. and one 5 ft. 6 in. fireproof stairs, leading directly to the street, one of which leads to the roof; and

WHEREAS, the applicant contends that under Calendar 556-44-A, the Board permitted the change of use of the premises from public garage to manufacturing of paper boxes, on condition that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the applicant relied on the decision of the Board and made the alterations required by the Board's resolution and sought a certificate of occupancy; that in connection with the application for a certificate of occupancy, a letter was sent by the borough superintendent, informing the fire department that he was about to issue such certificate and although more than eight months had elapsed since the adoption of the Board's resolution, the Fire Department issued an order requiring a fixed fire extinguishing system; that since 1925, the building has been used as a public garage including the storage of gasoline, lubricants and other inflammable items, which made the building more dangerous in its use than the manufacturing of paper boxes, with the two means of egress and the installation of portable fire-fighting appliances; that the building is fireproof, exclusive of the roof; that the installation of a fixed fire extinguishing system would work a hardship on the applicant, because such installation is expensive and because they relied on the resolution of the Board; that there is nothing in the law requiring the installation of a fixed fire extinguishing system; it is therefore requested that the Board supersede the order of the fire commissioner or in the alternative, direct the issuance of a certificate of

occupancy, on condition that the premises be maintained with portable fire-fighting appliances to the satisfaction of the fire commissioner.

Resolved, that **order 15559-LF** of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to item 1, *on condition* that the requirements of the resolution adopted by the Board under Cal. 556-44-A, shall be complied with and that the portable fire-fighting appliances installed in accordance therewith, shall meet the requirements of the fire commissioner; and *granted* only so long as the premises are used as proposed and no other use is installed in the building other than this stated; that the building shall not be increased in height or area; that the dumbwaiter installed in the rear, as indicated on plans filed with this appeal, marked "Received November 9, 1945" shall comply with the requirements of the Building Code therefor.

1197-39-A

APPLICANT—Lockwood Greene Engineers, Inc., for Wallerstein Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—175 Lake avenue, east side, 150 ft. north of Walker street (Block 1161, Lots 9, 11 and part of 34), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: Samuel B. Lincoln and Harold E. Smith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (1197-39-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 175 Lake avenue, east side, 150 ft. north of Walker street (Block 1161, Lots 9, 11 and part of 34), Mariners Harbor, Borough of Richmond, was granted by the Board on October 10, 1939, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted October 10, 1939, by adding thereto:

". . . that nothing in this resolution shall be deemed to prohibit the construction of mezzanine areas within the building, as indicated on plans marked "Received November 26, 1945", provided the building is not increased in height or area and in all other respects, complied with the resolution adopted October 10, 1939, other than as modified by the resolution adopted this day under Cal. 625-45-A."

685-41-S

APPLICANT—Arthur Weil, for David Weil's Sons Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Variation of the labor law as cited in a decision of the borough superintendent, previously granted on condition for a temporary term of two years.

PREMISES AFFECTED—313-323 Berry street and 96-102 South 3rd street, southeast corner (Block 2430, Lot 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Weil and Herbert Sachs Hirsch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (685-41-S)

WHEREAS, this application from a decision of the borough superintendent, affecting premises 313-323 Berry street and 96-102 South 3rd street, southeast corner (Block 2430, Lot 2), Borough of Brooklyn, was granted by the Board on December 2, 1941, on certain conditions; and

WHEREAS, on December 7, 1943, the permit was extended for a term of two (2) years, to permit the continuance of the wood partitions; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 2, 1941, as amended December 7, 1943, only in so far as it has reference to the term of the variance, to permit the continuance of the wood partitions, so that as amended, this portion of the resolution shall read:

". . . *on condition* that all wood partitions not legally permitted shall be removed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolutions of December 2, 1941 and December 7, 1943, shall be complied with".

492-42-A

APPLICANT—A. Michael Katz, for Emanay Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123d street and 254 St. Nicholas avenue (Block 1949, Lot 33), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Michael Katz.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (492-42-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123rd street and 254 St. Nicholas avenue (Block 1949, Lot 33), Borough of Manhattan, was granted by the Board on July 23, 1942, on certain conditions; and

WHEREAS, the resolution was amended on April 10, 1945 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 23, 1942, as amended April 10, 1945, by adding thereto:

"that nothing in this resolution shall prevent the occupancy of the balance of the building for such uses as may be legally permitted therein and are not deemed to be extra hazardous by the fire commissioner and that other than as herein *amended,* the conditions of the resolutions of July 23, 1942 and April 10, 1945, shall be complied with".

MINUTES

751-44-A

APPLICANT—Abe Rothenberg, for J. Stern, owner.

SUBJECT—Appication for consideration—reopening and consideration of new order of Fire Department—re Appeal from an order of the Fire Commissioner (previously granted on condition).

PREMISES AFFECTED—1681-1683 McDonald avenue, east side, 180 ft. north of Avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn.

APPEARANCES—
For Applicant: Abe Rothenberg.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (751-44-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 1681-1683 McDonald avenue, east side, 180 ft. north of avenue O (1st floor); (Block 6583, Lots 67 and 68), Borough of Brooklyn, was granted by the Board on April 24, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 24, 1945, by adding thereto:

"that the blow torch as manufactured by the Precision Scientific Company of Chicago shall be maintained to the satisfaction of the fire commissioner; that the number of such torches of this make used on the premises shall not exceed thirty (30); that this variance is predicated on the manufacturer's filing an application for general approval at once, as stated in his letter of December 3, 1945 and that the torches shall be removed from the premises promptly and torches of approved make substituted in the event the torches as manufactured by the Precision Instrument Company are not approved by the Board."

20-45-A

APPLICANT—Abraham Farber, for Granville B. Winthrop, Jr., and Fulton Trust Co. of New York, trustees (Etched Products Corp., lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (1st floor); (Block 191, Lot 19), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Abraham Farber.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution of February 6, 1945, rescinded.

THE VOTE TO REOPEN AND RESCIND RESOLUTION OF FEBRUARY 6, 1945—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (20-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 43-01 to 43-11 39th street and 39-02 to 39-10 43rd avenue, southeast corner (1st floor); (Block 191, Lot 19), Long Island City, Borough of Queens, was granted by the Board on February 6, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment or rescindment of the resolution of February 6, 1945, based on a new decision of the borough superintendent, re Alt. Applic. 1914-45, dated November 17, 1945.

Resolved, that the Board of Standards and Appeals does hereby *rescind* the resolution adopted by the Board on February 6, 1945.

1078-40-A

APPLICANT—Brown and Matthews, Inc., for Long Island Railroad Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—52-15 Grand avenue, north side, 465.30 ft. east of 49th street (Owens) (Block 2594, Lots 1 and 34; Block 2593, Lots 1 and 34; Block 2605, Lot 1; and Block 2606, Lot 1), Maspeth, Borough of Queens. (under section 35, Gen. City Law—re bed of mapped street).

APPEARANCES—
For Applicant: Arthur Bickel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

692-45-A

APPLICANT—Charles A. Levitt, for Celuplex Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: Charles A. Levitt.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 18, 1945, at 2 P.M. for further consideration. Applicant to file plans.

712-45-A

APPLICANT—Arthur Jovis, for Milton Steiner, owner (Anna Hoffmann, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—5440 Independence avenue, east side, 315.46 ft. north of West 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

APPEARANCES—
For Applicant: Arthur Jovis.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946, at 2 P.M. for an inspection by a committee of the Board.

714-45-A

APPLICANT—Irwin Clavan, for Stuyvesant Town Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

MINUTES

PREMISES AFFECTED—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st Avenue, Avenue C and East River drive (Blocks 946-951, inclusive, 972-977 inclusive and 982-987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

APPEARANCES—

For Applicant: Irwin Clavan, F. H. Frankland and Joseph Di Stasio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 18, 1945, at 2 P.M., for further consideration.

729-45-A

APPLICANT—Harry P. Jaenike, for The Guaranty Trust Co. of New York, trustee u/w of Elmer E. Smathers, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry P. Jaenike.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 3, 1946, at 2 P.M. for report by the Board.

ZONING APPLICATIONS

94-19-BZ

APPLICANT—Herman Kron, for Bergen Management Co., Inc., owner. (Bronxville Motor Sales Co., Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition under section 7i of the zoning resolution, permitting in a business use district, the change of occupancy from a garage for more than five motor vehicles, to a garage for more than five motor vehicles and motor vehicle repair shop for a temporary term of two years and the maintenance of a 2nd story on a portion of the building.

PREMISES AFFECTED—1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (94-19-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1776 Eastern parkway and 2122-2128 Bergen street, southeast corner (Block 1455, Lot 24), Borough of Brooklyn, was granted by the Board on March 26, 1919, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, to permit the inclusion of a motor vehicle repair for a temporary term of two years and the maintenance of a 2nd story on a portion of the building; and

WHEREAS, on February 6, 1945, the resolution was amended under section 7i of the zoning resolution; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 26, 1919, as amended February 6, 1945, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that most of the work as required by the Board's resolution of February 6, 1945, has been completed, all permits shall be obtained and all work completed within six (6) months from the date of this *amended* resolution and that other than as herein *amended*, the conditions of the resolution of February 6, 1945, shall be complied with."

368-19-BZ

APPLICANT—Herman Kron, for Douglaston Sales and Service Inc., owner.

SUBJECT—Application reopened May 9, 1944, for consideration as to amendment of resolution (decision of the borough superintendent) to permit in a business use district, the change of occupancy from garage for more than five motor vehicles (previously granted by Board) to a temporary occupancy as manufacturing for a temporary period (duration of war) and garage occupancy to be restored thereafter.

PREMISES AFFECTED—1935-1937 Coney Island avenue, east side, 20 ft. north of Avenue P (Block 6758, Lot 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (368-19-BZ)

WHEREAS, this application, under section 7e of the zoning resolution, permitting in a business use district, the erection and maintenance of a garage for more than five motor vehicles, affecting premises 1935-1937 Coney Island avenue, east side, 20 ft. north of Avenue P (Block 6758, Lot 52), Borough of Brooklyn, was granted by the Board on June 26, 1919; and

WHEREAS, the applicant requested an amendment of the resolution, to permit a temporary occupancy of manufacturing for the duration of the war and the present garage occupancy to be restored after this period; and

WHEREAS, this application was reopened by vote of the Board on May 9, 1944, restored to the calendar and set for hearing June 6, 1944, at 10 A.M.; and

WHEREAS, the premises were inspected by a committee of the Board, whose recommendation was that the application should follow the usual procedure for public hearing, with the usual notices by registered mail to owners in the areas of notification, in view of the type of work now being carried on without sanction; and

WHEREAS, the applicant requested a withdrawal of the application.

Resolved, that the application be and it hereby is *withdrawn*.

586-42-BZ

APPLICANT—Socony-Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and conversion of an accessory building on an existing gasoline service station from store room to car washing and lubritorium.

MINUTES

PREMISES AFFECTED—168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block 12, Lot 11), St. George, Borough of Richmond.

APPEARANCES—
For Applicant: Wm. Leppin.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE—TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (586-42-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the alteration and conversion of an accessory building on an existing gasoline service station from store room to car washing and lubritorium, affecting premises 168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block 12, Lot 11), St. George, Borough of Richmond, was granted by the Board on December 1, 1942, on certain conditions; and

WHEREAS, time to complete the work was extended on December 7, 1943 and December 5, 1944; and

WHEREAS, the appllicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 1, 1942, as amended December 5, 1944, only in so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained from the borough superintendent, all work shall be completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of December 1, 1942, shall be complied with."

700-29-BZ

APPLICANT—Herman Kron, for Milgow Realty Co., new owner.

SUBJECT—Application for consideration—reopening for consideration of change of use—re Application (decision of the superintendent of buildings) previously granted on condition, under sections 7a and 21 of the zoning resolution, permitting in a business use district, the extension of a garage for storage of more than five motor vehicles and the installation of a gasoline service station.

PREMISES AFFECTED—67-71 Kenmare street and 196-204 Mulberry street, northeast corner, (Block 480, Lot 9), Borough of Manhattan.

APPEARANCES—
For Applicant: Herman Kron.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

401-31-BZ

APPLICANT—Sidney L. Strauss, for Webster Committee, Incorporated and Wilson and Company, owners (Fifth Atlantic Corporation, lessee; Thomas Karas, sub-lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution, under section 7f—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—624-626 Atlantic avenue and 9 Fifth avenue, northeast corner and 627 Pacific street (Block 1119, Lots 1 and 64), Borough of Brooklyn.

APPEARANCES—
For Applicant: Sidney L. Strauss
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

503-38-BZ

APPLICANT—Henry Nordheim, for Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Corpy and Gertrude Hughes, owners (Allen C. Gordon, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under sections 7c and 7h of the zoning resolution, permitting partly in an unrestricted use and partly in a business use district, for a temporary term of two years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Hassford avenue (Block 3053, Lots 28, 31, 32 and 49), Borough of The Bronx.

APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 22, 1946 at 10 A.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

982-39-BZ

APPLICANT—Julius Eckmann, for Chapmald Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and rehearing—re new decision—re Application (decision of the borough superintendent, under section 7h of the zoning resolution, to permit in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles (previously denied by the Board under section 21).

PREMISES AFFECTED—406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block 1064, lots 37-42, inclusive), Borough of Manhattan.

APPEARANCES—
For Applicant: Julius Eckmann and O. W. Robertson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

MINUTES

1181-39-BZ

APPLICANT—Henry Nordheim, for Jefferson Associates, Inc., and Orada Realty Corporation, owners (Max Goldstein, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in business use and partly in unrestricted use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—Northwest corner of Sedgwick avenue and West 167th street (Block 2540, Lots 16, 21 and 24), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 22, 1946, at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

151-41-BZ

APPLICANT—James H. McKillop, for Anna Klonoski, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re Application (decision of the borough superintendent) previously granted on condition, under sections 7f and 7i of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop and the parking of more than five motor vehicles for servicing.

PREMISES AFFECTED—546-548 Morgan avenue, northeast corner of Anthony street (Block 2810, Lots 1 and 2) Borough of Brooklyn.

APPEARANCES—

For Applicant: James H. McKillop.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on January 15, 1946 at 10 A.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Comimssioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

721-41-BZ

APPLICANT—Samuels and Samuels, for Yale Land Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of years, the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—260-01 to 260-09 Horace Harding boulevard and 54-49 to 54-65 Little Neck parkway, northeast corner (Block 8274, Lot 128), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

772-41-BZ

APPLICANT—Lama and Proskauer, for Murray and Fay Bloom, Joe and Victoria Filosa; William and Emeline Jones and Jennie Mateyko, owners.

SUBJECT—Application for consideration—reopening and restoration to calendar re new proposal—Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a retail and residential use, C area district, the extension of a wet wash laundry into a residence use district.

PREMISES AFFECTED—429 Ralph avenue and 1805-1823 Bergen street, northeast corner (Block 1445, Lots 1 and 64 to 68, inclusive, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

598-43-BZ

APPLICANT—Lama and Proskauer, for Green Bus Lines, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the extension (in area) of an existing garage for more than five motor vehicles (buses).

PREMISES AFFECTED—48-09 to 48-17 Rockaway Beach boulevard, southeast corner of Beach 49th street (Block 336, Lot 60), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and restored to calendar for further consideration.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

Adjourned: 5:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 23, 1945, as they appeared in Bulletin No. 44, Vol. 30, are hereby corrected to read as follows:

577-45-A

APPLICANT—George Keister, for Domenica Mauceri, owner (Standard Switchboard Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

MINUTES

PREMISES AFFECTED—134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); Block 3154, Lots 18-22), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Keister and Milton Schwartz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative 0

THE RESOLUTION (577-45-A)

WHEREAS, George Keister, for Domenica Mauceri, owner (Standard Switchboard Company, lessee), filed October 1, 1945, an appeal from a decision of the borough superintendent, affecting premises: 134-142 Noll street, south side, 250 ft. west of Central avenue (4th floor); (Block 3154, Lots 18-22), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, acting on B.N. App. 825-45, dated October 5, 1945, reads:

"2. Proposed reduction of liveload capacity to 75 lbs. per square foot, is contrary to Sec. C26-345.0 Admin. Code."

and

WHEREAS, the applicant states the building is 4 stories and cellar (57 ft. 6 in.) in height, 125 ft. by 90 ft. in area on a lot 125 ft. by 100 ft. in area, of Class 3 construction; erected in 1927; located in an unrestricted use, B area and Class 1½ height district; used and occupied; Cellar, heating plant; 1st floor, manufacture of switchboards, 50 persons; 2nd floor, manufacture of men's trousers, 75 persons; 3rd floor, manufacture of trousers, 60 persons, and manufacture of women's apparel, 15 persons; 4th floor, manufacture of switchboards, 40 persons; that no change in use or occupancy is proposed; that the building is equipped with a two-source sprinkler system and a standpipe system, two 4 ft. wide iron and cement stairs, enclosed in brick, equipped with fireproof, self-closing doors and extending from the roof bulkhead, to the street and one fire-escape, leading to the roof by stairs and to the yard by stair, windows and doors on the course thereof are fireproof, self-closing; and

WHEREAS, the applicant contends that the paint spraying installation was approved by the Fire Department, with the requirement that the applicant file plans with the Borough Superintendent for construction of the paint spray room; that the lessee of the 4th floor has no control over the 3rd story and cannot obtain consent to reinforce the floor under the new spray room; that the floor construction has been approved for a liveload of 120 lbs. per square foot and the dead load added by the new construction of the spray room, is not more than 35 lbs. per square foot; that the occupancy of this spray room is never more than two persons and the weight of the materials treated not more than 200 lbs., so that a liveload of 75 lbs. per square foot would be adequate; it is therefore requested that the Board grant a variation for this room only, while used for its present purpose, and permit the liveload of 75 lbs. per square foot to be posted in the spray room.

Resolved, that the decision of the borough superintendent acting on B.N. App. 825-45, Objection 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be maintained as proposed; that all floor loads shall be posted throughout, including the 75 lb. liveload, where the spray room is proposed to be located on the 4th floor; that within such spray room, the 75 lb. floor load shall be posted; that this variance is granted only so long as the premises are occupied as proposed and upon vacating the 4th floor, the spray booth shall be removed; that all spray booths and paint storage shall comply with the rules of the Board therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioners shall direct.

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* Correction—"4th *floor, manufacture of switchboards,* 40 *persons;"* inserted in line 21 of the resolution and in reference the dead floor load in line 40 of the resolution, the weight is changed from "25 lbs." to "35 lbs."

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936

(108-16-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on *Tuesday afternoon, January 22*, 1946, at 2 P. M., in Room 1013, Municipal Building, Manhattan, on the Proposed Amendments to Rules Governing the Installation of Interior Fire Alarm Signal Systems.

New matter is indicated in *italics*.

Section 279 *State Labor Law* Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The Board of Standards and Appeals in the City of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

Rule 16. Alarm Boxes.

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron *or cast No. 43 aluminum* and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-5600.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m.
Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman

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PUBLIC HEARINGS

Tuesdays at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to December 18, 1945.

Cal. No. *Dept.* *Premises Affected*

765-45-SM—Metal Lath Manufacturers Association 2 inch Solid Metal Lath Partitions (erected with Standard Channels, Metal Lath and Gypsum Plaster), manufactured by Metal Lath Manufacturers Association, Material.

766-45-BZ—H.B.Bx—640 West 249th street (Spaulding lane), south side, 162 ft. west of Arlington avenue (Block 3419, part of Lot 290), Borough of The Bronx, Alt. 763-45.

767-45-SA—Eisler Ampoule Making Machine No. 161-ABL (Oxygen Blowpipe for Melting Glass), Appliance.

768-45-A—H.B.Bx—1005-1007 Intervale avenue, west side, 102.03 ft. south of East 165th street (1st and 2nd floors); (Block 2699, Lot 43), Borough of The Bronx, Amendment to Alt. 32-45.

769-45-SM—Chase Type B Seamless Copper and Red Brass Tube, manufactured by Chase Brass and Copper Co., Material.

770-45-SM—Cortland Emery Aggregate Type C, also known as CP Emery Aggregate, Maguire Emery Aggregate, Emery Aggregate for Emeri-Crete Flooring, manufactured by Walter Maguire Co., Inc., Material.

771-45-SA—Vacuum Shelf Dryer, Appliance.

772-45-SM—Knapp Brothers Manufacturing Co., Sheet Metal Building Specialties, Window Trim and Stools, Metal Base, Chair Rail, Metal Door Bucks, Wyr-Way Base and Metal Blackboard Trim, manufactured by Knapp Brothers Manufacturing Co., Material.

773-45-SM—Knapp Brothers Manufacturing Co., "Stair-builders" (prefabricated steel form used in construction of concrete stairs), manufactured by Knapp Brothers Manufacturing Co., Material.

774-45-A—F.D.—96 Prince street, south side, 70.41 ft. west of Mercer street (basement); (Block 499, Lot 18), Borough of Manhattan, 42694-LC and Decision.

775-45-A—H.B.Q.—97-05 Queens boulevard, 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (1st and 2nd floors); (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens, N.B. 986-45.

776-45-BZ—H.B.M.—East Houston to East 6th street, between Avenue D and East River (Franklin D. Roosevelt) drive; (Block 356, Lot 1), Lillian Wald Houses, Borough of Manhattan, Amendment to N.B. 55-45 to N.B. 71-45, inclusive.

777-45-BZ—H.B.Q.—198-73 Foothill terrace, east side, 98 ft. north of Hillside avenue (rear); (Block 10532, Lots 128 and 131), Queens Village, Borough of Queens, Alt. 1641-43.

778-45-BZ—H.B.M.—19-20 Gramercy Park South and 86-88 Irving place, southeast corner (Block 875, Lot 61), Borough of Manhattan, Amendment to Alt. 666-45.

779-45-BZ—H.B.M.—60-62 5th avenue and 9-11 West 12th street, northwest corner (Block 576, Lots 46 and 48), Borough of Manhattan, Alt. 1867-45.

780-45-BZ—H.B.Q.—1818-1820 Bleecker street, east side, 155 ft. north of Seneca avenue (Block 3435, Lots 21 and 22), Ridgewood, Borough of Queens, Alt. 545-45.

781-45-BZ—H.B.Q.—115-06 to 115-18 101st avenue and 101-02 to 101-08 116th street, southwest corner (Block 9433, Lots 3 and 5), Richmond Hill, Borough of Queens, N.B. 1407-45.

782-45-BZ—H.B.B.—196-202 Grand Street Extension and 373 South 1st street, southeast corner (Block 2399, Lot 24), Borough of Brooklyn, Alt. 3065-45.

783-45-BZ—H.B.B.—7602-7608 4th avenue, southwest corner of 76th street (Block 5950, Lot 44), Borough of Brooklyn, Alt. 3639-45.

784-45-A—H.B.Q.—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (cellar); (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens, Alt. 1347-44.

785-45-SA—Faraday Single Stroke AC and DC Bells, Nos. 2005 and 2010 and Faraday AC Vibrating Trouble Bells, Nos. 2000-4, Appliance.

786-45-BZ—H.B.Q.—311 Beach 149th street, west side, 90 ft. north of Neponsit avenue (Block 751, Lot 30), Neponsit, Borough of Queens, N.B. 1757-45.

787-45-BZ—H.B.Q.—63-17 Woodhaven boulevard, north side, 135.45 ft. east of 63rd avenue and 63-16 to 63-20 Fitchett street (Block 3113, Lot 8), West Forest Hills, Borough of Queens, Alt. 569-44.

788-45-BZ—H.B.Q.—89-05 to 89-07 Parsons boulevard and 159-02 Farmers boulevard, southeast corner (Block 9758, Lots 6, 9, 11 and 13), Jamaica, Borough of Queens, N.B. 1944-45.

789-45-BZ—H.B.Q.—56-02 to 56-20 Broadway and 34-01 to 34-05 56th street, southeast corner, (Block 1195, Lots 44, 46, 50 and 52), Woodside, Borough of Queens, N.B. 1882-45.

790-45-BZ—H.B.Q.—178-68 to 178-90 South Conduit boulevard (avenue) and 144-76 to 144-82 Farmers boulevard, southwest corner (Block 4510, Lots 1 and 201), Springfield, Borough of Queens, N.B. 1880-45.

791-45-BZ—H.B.Q.—1881 Catalpa avenue, north side, 103.57 ft. west of Woodward avenue (Block 3473, Lot 50), Ridgewood, Borough of Queens, Alt. 1412-45.

792-45-BZ—H.B.M.—346 East 114th street, south side, 175 ft. west of 1st avenue (Block 1685, Lot 36), Borough of Manhattan, Alt. 984-45.

CALENDAR

793-45-BZ—H.B.Q.—51-19, 51-29 and 51-45 Marathon parkway, northeast and southeast corners of VanZandt avenue and northeast corner of Sanborn (51st) avenue (Block 8236, Lot 21 and Block 8237, Lots 26 and 34), Little Neck, Borough of Queens, N.B. 1134, 1135 and 1139-45.

794-45-BZ—H.B.M.—32-36 East 65th street, south side, 60 ft. east of Madison avenue (Block 1379, Lots 48, 49 and 50), Borough of Manhattan, N.B. 143-44.

795-45-BZ—H.B.Q.—93-11 to 93-25 Rockaway boulevard and 103-30 to 103-38 94th street, northwest corner (Block 9144, Lot 19), Woodhaven, Borough of Queens, N.B. 1881-45.

Restored to Calendar.

37-41-BZ—H.B.Bx—3349-3359 Webster avenue, west side, 176.98 ft. south of Gunhill road (Block 3355, Lot 126), Borough of The Bronx, Decision re Certificate of Occupancy.

743-42-BZ—H.B.B.—51-59 Maujer street and 451-457 Lorimer street, northwest corner (Block 2785, Lots 32, 35 and 36), Borough of Brooklyn, Alt. 2558-42.

107-42-BZ—H.B.B.—401-413 Dahill road and 2-12 Cortelyou road, southeast corner (Block 5384, Lot 1), Borough of Brooklyn, N.B. 2546-41.

1205-39-SA—Bake-O-Heat Oil Burner, Model BOH-A, Appliance.

347-39-SM—Lone Star Portland Cement, Type 1, manufactured by Lone Star Cement Corp., Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...Dec.	28, 1943—Vol. 28, No. 52A

Approved appliances and materials are printed in the Supplement to the Bulletin of April 10. 1945, Vol. 30, No. 15A.

JANUARY 3, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday morning, January* 3, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

345-36-BZ—Application of Ira B. Livingston, applicant, on behalf of John Seinfeld, owner, reopened July 3, 1945, under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of basement of existing multiple dwelling to stores; premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx.

352-45-BZ—Application, May 29, 1945, under section 7c of the zoning resolution, of Lama & Proskauer, applicants, on behalf of Nathan Ossip, owner, to permit in a business use district, the reconstruction of gasoline station with a new building, to install two additional 550 gallon gasoline storage tanks and to rearrange pumps; premises 81-22 Rockaway boulevard, 94-38 82nd street, southwest corner and 81-09 to 81-17 95th avenue (Block 9010, Lot 26), Woodhaven, Borough of Queens.

618-45-BZ—Application, October 18, 1945, under sections 7c and 7e of the zoning resolution, of Albert J. Appell, applicant, on behalf of Charlotte H. Appell, owner, to permit in a residence use district, the change of occupancy from club, bowling alleys, banquet hall and dwelling to retail stores, offices and dwelling; premises 448 West 51st street, south side, 243 ft. 9 in. east of 10th avenue (Block 1060, Lot 154), Borough of Manhattan.

588-45-BZ—Application, October 4, 1945, under sections 7a and 7c of the zoning resolution, of Norman Lederer, applicant, on behalf of Far Rockaway Lumber Co., owner, to permit in a business use district, the erection of a shed to store lumber; premises 2106 New Haven avenue, north side, 250 ft. west of Beach 20th street, (Block 215, Lot 4), Far Rockaway, Borough of Queens.

701-45-BZ—Application, November 14, 1945, under sections 7c and 7i of the zoning resolution, of R. J. Farrington, applicant, on behalf of Krause Service Station, Inc., owner, to permit in a business use district, the change of occupancy from stores and welding to auto showroom and service station, motor vehicle repair shop and

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garage for more than five cars; premises 700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1), Borough of The Bronx.

593-45-BZ—Application, October 1, 1945, under sections 7c and 21 of the zoning resolution, of M. Martin Elkind, applicant, on behalf of Home Life Insurance Co., owner, to permit in a business use, D area, the erection of a garage and laundry to occupy the entire lot; premises 104-03 101st street and 101-02 Liberty avenue, southeast corner (Block 9522, Lot 1), Richmond Hill, Borough of Queens.

51-30-BZ—Application of T. H. Engelhardt, applicant, on behalf of Cord Meyer Development Co., owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence, business and retail use district, the extension of the kitchen facilities into the garage area (garage previously granted by the Board); premises 112-01 to 112-19 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lots 73 and 79), Forest Hills, Borough of Queens.

556-45-BZ—Application, September 13, 1945, under section 21 of the zoning resolution, of Joel D. Marder, applicant, on behalf of Newspaper Realty Corp., owner, to permit in a retail use district, B area, the erection of a six story fireproof addition to existing five-story factory building fronting West 34th street; to connect the two buildings at each floor with fireproof horizontal exit; to replace present wood stairway with lawful fireproof enclosed stairway, to install subdividing partitions and an elevator; premises 410-412 West 34th street, south side, 120 ft. west of 9th avenue, and 405-407 West 33rd street (Block 731, Lots 53, 36 and 37), Borough of Manhattan.

Appeals from Administrative Decisions.

609-45-A—2106 New Haven avenue, north side, 250 ft. west of Beach 20th street (Block 215, Lot 4), Far Rockaway, Borough of Queens.

675-45-A—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

722-45-A—207-217 West 25th street, north side, 102 ft. west of 7th avenue (11th floor); (Block 775, Lot 28), Borough of Manhattan.

Material for Approval.

304-44-SM—Cemesto Board (Asbestos Cement Clad Insulation Board).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Thursday afternoon, January 3,* 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

73-38-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block 5133, Lot 14), Borough of Brooklyn.

1175-39-BZ—Application of Paul Friedman, applicant, on behalf of Sears, Roebuck and Co., owner, reopened December 4, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a temporary term of two years, in a business use district, the parking and storage of more than five motor vehicles; premises 2201-2209 Beverly road and 149-175 East 22nd street, northeast corner (Block 5133, Lots 38 to 49, inclusive), Borough of Brooklyn.

Appeals from Administrative Decisions.

718-45-A—58-66 Sedgwick street, south side, 125 ft. east of Van Brunt street (1st floor); (Block 318, Lot 10), Borough of Brooklyn.

163-45-A—54-31 to 54-37 Myrtle avenue, 343-359 Woodbine street, northwest corner and 350 St. Nicholas avenue, southwest corner of Woodbine street (2nd floor); (Block 3445, Lots 1 and 32), Ridgewood, Borough of Queens.

712-45-A—5440 Independence avenue, east side, 315.46 ft. north of 254th street (1st and 2nd floors); (Block 3425, Lot 284), Borough of The Bronx.

729-45-A—562 5th avenue and 1 West 46th street, northwest corner (Block 1262, Lot 34), Borough of Manhattan.

764-45-A—North side of East 6th street to south side of East 13th street, from Avenue D to Franklin D. Roosevelt (East River) drive (Block 367, Lot 1 and Block 362, Lots 1 and 100); (Jacob Riis Houses), Borough of Manhattan.

255-43-A—23-53 216th street, north side, 477.32 ft. east of 38th avenue (Block 6019, Lot 1), Bayside, Borough of Queens (reopened February 20, 1945).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 8, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

559-45-BZ—Application, September 20, 1945, under section 21 of the zoning resolution, of Koch and Wagner, applicants, on behalf of Fresh Pond Holding Co., Inc., owner, to permit in a business use, C area, the erection of a one story and cellar building, to occupy more than 60% of the area of the lot; premises 1589-1591 Broadway, north side, 17 ft. east of Halsey street (Block 3408, Lots 8 and 9), Borough of Brooklyn.

460-45-BZ—Application, July 20, 1945, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Harry Winkler, owner, to permit in a business use district, the erection of a new building to house an office, lubritorium and laundry; to enlarge site and relocate and add to present number of storage tanks; premises 2130-2148 Atlantic avenue and 273-277 Saratoga avenue, southeast corner (Block 1433, Lots 6, 7, 8, 9, 10 and 109), Borough of Brooklyn.

1205-40-BZ—Application, of Jack Z. Cohen, applicant, on behalf of Geno Arditi, owner, reopened October 2, 1945, under section 7c of the zoning resolution, to permit in a residence and unrestricted district, the change of occupancy from public garage for more than five motor vehicles, to storage garage for more than five motor vehicles, in conjunction with auto service, sale of new and used cars, service and motor vehicle repair shop; premises 421-427 East 93rd street, north side, 133 ft. 4⅝ in. west of East River drive (Block 1573, Lot 14), Borough of Manhattan.

313-19-BZ—Application, of Frank Randazzo, applicant, on behalf of Roswin Realty Corp., owner (Anthony F. Mayo and Harry Sharp, lessees,, reopened September

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11, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of display and sale of more than five motor vehicles in a garage and gasoline service station (previously granted by the Board); premises 1223-1231 Coney Island avenue, west side, 140 ft. north of Avenue I (Block 6695, Lot 56), Borough of Brooklyn.

759-45-BZ—Application, December 7, 1945, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Sackett Realty Corp., owner, to permit in a business use, C area, the erection of an extension in the rear of existing building to cover more than the permitted area; premises 1536-1538 Flatbush avenue, west side, 205 ft. 2½ in. north of Germania place (Block 7557A, Lots 60 and 61), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 8, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 8, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

731-45-A—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

581-45-A—938 Fulton street, south side, 64 ft. east of St. James place (Block 2014, Lot 13), Borough of Brooklyn.

672-45-A—1120 Shore boulevard, southwest corner of Jaffrey street (Block 7517, Lot 941), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 15, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

289-40-BZ—Application of Irving N. Fenichel, applicant, on behalf of Lerad Realty Corp., owner, reopened November 13, 1945 for consideration as to amendment of resolution—re Application, under section 21 of the zoning resolution, to permit in a C area district, the extension of an existing building without conforming to the area and yard requirements of the zoning resolution, the Board having granted a variation but the work was not started until the area and yard requirements were changed; premises 103 Bruckner boulevard, north side, 195 ft. west of Brown place (formerly 447-457 East 133rd street, north side, 200 ft. west of Brown place); (Block 2278, Lots 64 and 69), Borough of The Bronx.

58-39-BZ—Application of Anfred Realty Corp., applicant and owner, reopened November 20, 1945, for consideration as to extension of permits—Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

151-41-BZ—Application of James E. McKillop, applicant, on behalf of Anna Klonoski, owner, reopened December 11, 1945, for consideration as to extension of time to obtain permits and complete work (expired by limitation)—Application, previously granted on condition, for a term of ten years, under sections 7f and 7i of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station and a motor vehicle repair shop; premises 546-548 Morgan avenue, northeast corner of Anthony street (Block 2810, Lots 1 and 2), Borough of Brooklyn.

84-45-BZ—Application, February 20, 1945, under section 7h of the zoning resolution, of F. P. Platt & Brother, applicants, on behalf of T. L. & L. Corp., owner, to permit in a partly residence and partly restricted retail use district, the parking of more than five motor vehicles; premises 1-5 Greenwich avenue, southwest corner of Christopher street (Block 593, Lot 13), Borough of Manhattan.

557-45-BZ—Application, July 20, 1945, under sections 7a and 21 of the zoning resolution, of John T. Clancy, applicant, on behalf of Slattery Contracting Co., owner, to permit in a residence and business use district, the extension of garage for more than five trucks for owner's use and repair shop; premises 51-01 72nd place and 72-28 to 72-36 51st road, southeast corner (Block 2465, Lots 1 to 5), Woodside, Borough of Queens.

668-45-BZ—Application, October 31, 1945, under sections 7e and 21 of the zoning resolution, of Max Siegel, applicant, on behalf of Park Web Co., Inc., owner, to permit in a residence district, the change of use from stable to store, first floor, office, showroom and light manufacturing on upper floors; premises 322-324 West 48th street, south side, 250 ft. west of 8th avenue (Block 1038, Lot 43), Borough of Manhattan.

205-42-BZ—Application of Benjamin Antin, applicant, on behalf of 1748 Jerome Avenue Corp., owner, reopened October 30, 1945 under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a non-flashing neon electric sign extending more than eighteen (18) inches beyond the building line; premises 1754 Jerome avenue and 1-7 East 175th street, northeast corner (Block 2850, Lot 1), Borough of The Bronx.

Appeals from Administrative Decisions.

741-45-A—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

627-45-A—3179 Atlantic avenue, north side, 175 ft. west of Logan street (Block 4137A, Lot 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 15, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 15, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

727-45-A—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street, entire block (Block 19, Lot 1), Borough of Brooklyn.

472-45-A—3094-3100 Richmond terrace, south side, 183.63 ft. east of Mersereau avenue (Block 1238, Lot 44, and part of Lot 47), Mariners Harbor, Borough of Richmond (under section 35, General City Law, re bed of proposed widening on Richmond terrace).

744-45-A—North and South sides of 67th avenue, from 189th to 192nd streets (Blocks 7118, 7119, 7096 and 7097, Lots 1), Flushing, Borough of Queens (Under section 35, General City Law re bed of mapped street—67th avenue).

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784-45-A—39-12 to 39-16 Main street, west side, 53.48 ft. north of Roosevelt avenue and 135-33 to 135-37 Roosevelt avenue (cellar); (Block 4976, Lots 3, 6, 7 and 53), Flushing, Borough of Queens.

801-45-A—3908-3912 8th avenue (rear), west side, 50 ft. 2 in. south of 39th street (Block 915, Lot 34), Borough of Brooklyn.

798-45-A—590 Madison avenue, southwest corner of East 57th street (20th floor); (Block 1292, Lot 56), Borough of Manhattan.

726-45-A—36-20 to 36-46 33rd street (Washington avenue), northwest corner of 37th (Webster) avenue (basement); (Block 601, Lot 1), Long Island City, Borough of Queens.

805-45-A—2500 Nostrand avenue, southwest corner of avenue K (cellar); (Junior High School, No. 240); (Block 7629, Lots 1-80 inclusive), Borough of Brooklyn.

16-46-A—216-03 to 219-13 130th avenue, north side, and 216-04 to 219-16 130th avenue, south side, 130-03 to 130-15 Springfield boulevard (Block 12825, Lot 480, Block 12892, Lot 41, Block 12893, Lot 121, Block 12894, Lot 29 and Block 12897, Lot 20), Springfield, Borough of Queens.

807-45-A—831-851 65th street, north side, 180 ft. west of 9th avenue (1st floor); (Block 5742, Lot 54), Borough of Brooklyn.

814-45-A—266-267 West street, east side, 44 ft. 2½ in. north of Vestry street (Block 223, Lot 5), Borough of Manhattan.

815-45-A—62-68 Vestry street, north side, 85 ft. 1-¾ in. east of West street (Block 223, Lot 1), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 22, 1946, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

503-38-BZ—Application of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners, reopened December 11, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under sections 7c and 7h of the zoning resolution, for a temporary period of two years, permitting partly in an unrestricted use and partly in a business use district, the parking and storage of more than five motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block 3053, Lots 28, 31, 32 and 49), Borough of The Bronx.

1181-39-BZ—Application of Henry Nordheim, applicant, on behalf of Jefferson Associates, Inc. and Orada Realty Corp., owners, reopened December 11, 1945 for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the parking and storage of more than five motor vehicles; premises Northwest corner of Sedgwick avenue and West 167th street (Block 2540, Lots 16, 21 and 24), Borough of The Bronx.

635-45-BZ—Application, October 18, 1945, under sections 7a, 7c and 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 480 Realty Corp., owner, to permit in a residence use district, the erection of a one-story shipping room building as an extension to an existing factory building; premises 395 Brook avenue, 477-489 East 143rd street, northwest corner and 482-498 East 144th street (Block 2288, Lot 57), Borough of The Bronx.

745-45-BZ—Application, December 4, 1945, under section 21 of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Leasing Corp., owner, to permit in a business use, C area, the extension (in the rear) of an existing building (stores) to cover more than permitted area; premises 95-16 to 95-24 Queens boulevard, south side, 140 ft. east of 63rd avenue (Block 3080, Lot 12), Rego Park, Borough of Queens.

746-45-BZ—Application, December 4, 1945, under sections 7c and 21 of the zoning resolution, of William I. Hohauser, applicant on behalf of Penelope Realty Corp., owner, to permit in a partly residence and partly business use district, the erection of a building (stores) exceeding the area requirements, and, also the omission of the required rear yard; premises 96-52 to 96-68 Queens boulevard, southwest corner of 64th road (Block 3082. Lots 71 and 79), Rego Park, Borough of Queens.

747-45-BZ—Application, December 4, 1945, under section 7c and approval of playground as per Art. 4, Section 13(c) and 14(d) of the zoning resolution, of William I. Hohauser, applicant, on behalf of Saunders Park Estate, Inc., owner, to permit in a partly residence and partly business use district, the extension of stores from a business use into a residential use of proposed stores and the approval of recreational space as suitable; premises 64-41 Saunders street, and 97-02 to 97-22 Queens boulevard, southeast corner of 64th road (Block 3084, Lots 2, 9, 11, 54, 56 and part of 13, 46 and 64), Rego Park, Borough of Queens.

Appeal from Administrative Decision.

716-45-A—243-245 Glenmore avenue, northeast corner of Snediker avenue (5th floor); (Block 3698, Lot 32), Borough of Brooklyn.

Appliances for Approval.

331-45-SA—Fostoria Even Ray System, Infra Red Heating Equipment.

267-45-SA—Standard 3 Circuit "Surete" Indirect Fuel Oil Heating System (Oil Preheater).

690-45-SA—Atomic Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 22, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 22, 1946, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

Rules.

108-16-SR—Interior Fire Alarm Rules, reopening and amendment.

Appeals from Administrative Decisions.

721-45-A—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

461-45-A—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan (reopened and restored to Calendar October 2, 1945; previously dismissed for lack of prosecution).

742-45-A—100-02 Rockaway boulevard, southwest corner of 101st street (basement); (Block 9539, Lot 1), Ozone Park, Borough of Queens.

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751-45-A—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

757-45-A—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floor); (Block 2690, Lot 96), Borough of The Bronx.

758-45-A—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

416-45-A—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx (reopened October 9, 1945; previously denied).

671-45-A—916-918 (910-912 displayed) Lincoln place, south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

812-45-A—501-521 West 16th street, 500-528 West 17th street and 97-111 10th avenue, entire block (Block 688, Lot 21), Borough of Manhattan.

7-46-A—540-550 West 58th street, south side, 175 ft. east of 11th avenue (5th and 6th floors); (Block 1086, Lot 52), Borough of Manhattan.

693-45-A—270-272 West 19th street, south side, 150 ft. east of 8th avenue (1st floor); (Block 768, Lots 75 and 76), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January* 29, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan on the following matters:

Zoning Applications.

185-31-BZ—Application of Lama and Proskauer, applicants, on behalf of Koster's Bakery Co., owner, reopened April 11, 1944, under section 7c of the zoning resolution, to permit in a residence and business use, C area district, the extension of existing business building (bakery), previously granted by the Board to cover more than permitted area; premises 1155-1161 Madison street, north side, 75 ft. east of Central avenue (Block 3360, Lots 52 and 55), Borough of Brooklyn.

563-45-BZ—Application, September 21, 1945, under sections 7a and 7c of the zoning resolution, of William O. Staber, applicant, on behalf of Edward W. Winkle, owner, to permit in a residence and business use district, the extension of an existing gasoline service station to gasoline service station, brake and battery service and lubritorium; premises 217-48 Hempstead turnpike, southeast corner of 217th place (Block 11096, Lot 1), Queens Village, Borough of Queens.

755-45-BZ—Application, December 6, 1945, under section 21 of the zoning resolution, of Skidmore, Owings and Merrill, applicants, on behalf of Board of Education, City of New York, prospective owner, to permit in a residence use, E area district, the erection of a proposed elementary school covering a greater percentage of the lot on upper floors than is permitted and the erection of the building nearer than 10 feet from the street line; premises 1410-1424 Caton avenue, south side, from Rugby road to Marlborough road, 9-29 Rugby road, and 12-22 Marlborough road (Block 5075, Lots 1, 6, 12, 14, 16, 19, 21, 57, 59, 61 and 63), Borough of Brooklyn (P. S. 249).

793-45-BZ—Application, December 11, 1945, under section 21 of the zoning resolution, of Stanley H. Klein, applicant, on behalf of Vanzan Realty Corp., owner, to permit in a business use, E area district, the erection of a one family dwelling and garage without required setback from street line; premises 51-19, 51-29 Marathon parkway, northeast and southeast corners of Van Zandt avenue, and 51-45 Marathon parkway, northeast corner of 51st (Sanborn) avenue (Block 8236, Lot 21 and Block 8237, Lots 26 and 34), Little Neck, Borough of Queens.

806-45-BZ—Application, December 19, 1945, under sections 7a, 7c and 7i of the zoning resolution, of Paul Friedman, applicant, on behalf of Key Holding Corp., owner (Autocraft Sales and Service, lessee), to permit in a partly business and partly unrestricted use district, the change of occupancy from garage for more than five motor vehicles, gasoline selling station and lubritorium to garage for more than five motor vehicles, gasoline selling station, lubritorium, auto showroom and motor vehicle repair shop; premises 6410-6424 (6408 displayed) 4th avenue and 369-379 65th street, northwest corner (Block 5817, part of Lot 36), Borough of Brooklyn.

738-45-BZ—Application, November 20, 1945, under section 7g of the zoning resolution, of James Whitford, applicant, on behalf of Philip F. Harling, owner, to permit in a residence and business use district, the parking of more than five motor vehicles for patrons of proposed drive-in theatre; premises 2865 Richmond avenue, and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

107-42-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony-Vacuum Oil Co., Inc., owner, reopened December 18, 1945, under section 7c of the zoning resolution, to permit in business use district, the reconstruction of existing gasoline service station in proximity to a playground; premises 401-415 Dahill road and 2-12 Cortelyou road, southeast corner (Block 5384, Lot 1), Borough of Brooklyn.

Appeals from Administrative Decisions

816-45-A—2865 Richmond avenue and 10 Yukon avenue, southeast corner (Block 2460, Lot 100), New Springville, Borough of Richmond.

820-45-A—120-55 Queens boulevard, northeast corner of Union turnpike (1st floor); (Block 2274, Lot 2), Kew Gardens, Borough of Queens.

5-46-A—448-456 Kent avenue, northwest corner of South 10th street (1st floor); (Block 2143, Lot 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 29, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January* 29, 1946, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Appeals from Administrative Decisions.

520-45-A—704 East 13th street, south side, 103 ft. east of Avenue C (ground floor); (Block 382, Lot 10) Borough of Manhattan.

809-45-A—102-14 to 102-16 37th avenue, south side, 50.05 ft. west of 103rd street (Block 1768, Lot 9), Corona, Borough of Queens.

632-45-A—1326 and 1330 Ocean parkway, west side, 205 ft. south of Avenue M (1st and 2nd floors); (Block 6568, Lots 21 and 22), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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FEBRUARY 5, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 5, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

547-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Socony Vacuum Oil Co., Inc., owner, reopened October 9, 1945, under section 7c of the zoning resolution, to permit in a business use district, the inclusion of parking and storage of more than five motor vehicles, on gasoline service station (previously granted by the Board); premises 4519-4525 Broadway, southwest corner of Bennett avenue (Block 2180, Lot 652) Borough of Manhattan.

766-45-BZ—Application, December 12, 1945, under section 7e of the zoning resolution, of Albert E. Wheeler, applicant, on behalf of Marie P. Campagna, owner (Monitor Institutes, Inc., under contract to purchase, lessee), to permit in a residence use district, the alteration and change of occupancy from multiple dwelling to business use (offices for research bureau); premises 640 West 249th street (Spaulding lane), south side, 162 ft. west of Arlington avenue (Block 3419, part of Lot 290), Borough of The Bronx.

819-45-BZ—Application, December 29, 1945, under sections 7a and 21 of the zoning resolution, of T. H. Engelhardt, applicant, on behalf of United National Bank of Long Island, owner, to permit in a business use, D area district, the extension of an existing building (Bank) to occupy more than permitted area; premises 103-48 Lefferts boulevard, west side, 93.66 ft. north of Liberty avenue (Block 9556, Lots 26 and 27), Richmond Hill, Borough of Queens.

1000-40-BZ—Application of Oscar Goldschlag, applicant, on behalf of Eckert Realty Corp., owner, reopened July 14, 1942, under sections 7e and 21 of the zoning resolution, to permit in a residence use, B area district, the conversion of apartments to retail stores in basement, which is the street floor facing the Grand Concourse; premises 2337 Grand Concourse, 164 Field place, southwest corner (Block 3164, Lot 19), Borough of The Bronx.

442-45-BZ—Application, June 28, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Grandboro Realty Corp., owner, to permit in a residence use, B area district, the conversion of apartments to retail stores on first floor facing the Grand Concourse; premises 2327 Grand Concourse, west side, 150 ft. south of Field place (Block 3164, Lot 25), Borough of The Bronx.

443-45-BZ—Application, July 5, 1945, under section 21 of the zoning resolution, of Oscar Goldschlag, applicant, on behalf of Andart Realty Corp., owner, to permit in a residence, B area district, the conversion of apartments to retail stores on the first floor facing the Grand Concourse; premises 2331 Grand Concourse, west side, 100 ft. south of Field place (Block 3164, Lot 23), Borough of The Bronx.

411-45-BZ—Application, July 2, 1945, under section 21 of the zoning resolution, of Emil Koeppel, applicant, on behalf of General Outdoor Advertising Co., owner, to permit in a business use and residence use district, the extension of an existing garage for more than five cars; for storage and paint shop; premises 538 Washington avenue, west side, 80 ft. south of Fulton street and 898-902 Fulton street (Block 2012, Lots 32, 35, and 39), Borough of Brooklyn.

927-22-BZ—Application of Herman Kron, applicant, on behalf of Rogers Place Corporation, owner, reopened October 9, 1945, under section 7b and 7c of the zoning resolution, to permit in a residence and business use district, the alteration and conversion of occupancy from public baths to factory; premises 913-915 Westchester avenue, north side, 93.47 ft. west of Rogers place (Block 2698, Lot 79), Borough of The Bronx.

Appliance and Materials for Approval.

703-45-SA—Watson Electro-Mechanical Interlock, Type 5-B.

145-45-SM—Atlas Mortar Masonry Cement.

432-45-SM—Alpha Mortar Cement.

706-45-SM—Flexicore Floor and Roof Slabs.

496-39-SM—Alpha Type I Portland Cement (reopening and amendment).

604-44-SM—Alpha High Early Strength Portland Cement, Type III (reopening and amendment).

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 13, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, February* 13, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications

503-44-BZ—Application, August 30, 1944, under section 7c of the zoning resolution, of Ettore Mazzei, applicant and owner, to permit in a retail use district, light manufacturing, not incidental to sale or retail business, occupying more than permitted floor area; premises 82 Seaview avenue, southwest corner of Jefferson street (Block 3306, Lot 44), Grant City, Borough of Richmond.

739-45-BZ—Application, November 30, 1945, under section 21 of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Mayfry Estates, Inc., owner, to permit in an unrestricted use, B area district, the extension of present building to cover entire plot for one (1) story; premises 407 West 38th street, north side, 100 ft. west of 9th avenue (Block 736, Lot 29), Borough of Manhattan.

633-45-BZ—Application, October 20, 1945, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Julius Spilka, owner, to permit in an unrestricted use, C area district, the extension of present building to occupy more area than permitted at curb level; premises 1474-1476 60th street, south side, 60 ft. west of 15th avenue (Block 5720, Lot 38), Borough of Brooklyn.

736-45-BZ—Application, November 3, 1945, under sections 7e, 7f, 7i and 21 of the zoning resolution, of John Kadel, applicant, on behalf of The Rector, Churchwardens and Vestrymen of Trinity Church in the City of New York, owner, to permit in a business use district, the erection of a gasoline service station, lubritory, office, repairs for four (4) cars and car washing; premises 3740 Broadway, northeast corner of West 155th street (Block 2114, Lot 1), Borough of Manhattan.

797-45-BZ—Application, December 19, 1945, under section 21 of the zoning resolution, of Queens Avenue Realty Corporation, applicant and owner (Lievendag Motors, Inc., lessee), to permit in a business use, C area district, the erection of a building to occupy more

CALENDAR

area than permitted at curb level; premises 164-26 Northern boulevard, and 164-27 Sanford avenue, southwest corner (Block 5337, Lot 17), Flushing, Borough of Queens.

9-46-BZ—Application, January 9, 1946, under section 21 of the zoning resolution, of Irvin L. Scott, applicant, on behalf of Charles F. Noyes, owner (51 West 51st Street Corporation, lessee), to permit in retail use, B area district the alteration and extension of an existing business building (restaurant) to cover more than permitted area; premises 51-55 West 51st street, north side, 153 ft. east of Avenue of The Americas (6th avenue); (Block 1267, Lots 8 and 107), Borough of Manhattan.

982-39-BZ—Application of Julius Eckman, applicant, on behalf of Chapmald Realty Corp., owner, reopened December 11, 1945, under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board under section 21 and again denied by the Board under section 7h of the zoning resolution); premises 406-420 West 55th street, south side, 100 ft. west of 9th avenue (Block 1064, Lots 37, 39, 40, 41, 42 and 141), Borough of Manhattan.

40-46-BZ—Application, January 17, 1946, under section 21 of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of North River Savings Bank, owner, to permit in a retail use, B area district, the erection of an addition to an existing building covering more than 65% of the lot area; premises 206-212 West 34th street, south side, 100 ft. west of 7th avenue and 209-211 West 33rd street (Block 783, Lots 33 and 50), Borough of Manhattan.

398-45-BZ—Application, June 20, 1945, under sections 7A, 7f and 7i of the zoning resolution, of Stanley Kilburn, applicant and owner, to permit in a business use district, the alteration and extension of an existing building occupied as a restaurant, and the change of occupancy to showrooms, gasoline service station, repair shop and dwelling, and to permit show windows and entrances more than 25 ft. from the intersection of the residence and business use districts; premises 209-01 to 209-19 Northern boulevard, north side, between Corporal Kennedy street (Stewart avenue) and 209th street (Wright avenue); (Block 6279, Lot 21), Bayside, Borough of Queens.

48-46-BZ—Application, January 23, 1946, under section 21 of the zoning resolution, of Samuel Rosenblum, applicant, on behalf of 13 East 53rd Street Realty Corp., owner (Olmsted Restaurant, Inc., lessee), to permit in restricted retail use, B area districts, the proposed extension exceeding permitted area coverage of lot at curb level, and also omitting required 10 feet rear yard; premises 13 East 53rd Street, north side, 225 ft. east of 5th avenue (Block 1289, Lot 10), Borough of Manhattan.

Appliance for Approval.

821-45-SA—Instant Heat Oil Burner.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 13, 1946, 2 P. M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, February* 13, 1946, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

Appeal from Administrative Decision.

796-45-A—22-32 Buckingham road, west side, 172 ft. 7 in. south of Caton avenue (cellar and 1st floor); (Block 5076, Lot 14), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

FEBRUARY 19, 1946, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, February* 19, 1946, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

Zoning Applications.

37-41-BZ—Application of Henry Nordheim, applicant, on behalf of Ardea Realty Corp., owner, reopened December 18, 1945, for consideration as to extension of variance (expired by limitation)—Application, previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 3349-3359 Webster avenue, west side, 176.98 ft. south of Gun Hill road (Block 3355, Lot 126), Borough of The Bronx.

743-42-BZ—Application of Kitzler and Nurick, applicants, on behalf of D. J. Leary (Arthur Leary, Executor) and John Teague, owners, reopened December 18, 1945, for consideration as to extension of variance (expired by limitation)—Application previously granted on condition, under section 7h of the zoning resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles; premises 51-59 Maujer street and 451-457 Lorimer street, northwest corner (Block 2785, Lots 32, 35 and 36), Borough of Brooklyn.

687-45-BZ—Application, November 8, 1945, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Andrew Ercolino, owner, to permit in an unrestricted use, C area district, the extension of present building to occupy more area than permitted at curb level; premises 3712-3714 13th avenue, west side, 70 ft. and 90 ft. south of 37th street (Block 5295, Lots 37 and 38), Borough of Brooklyn.

735-45-BZ—Application, November 28, 1945, under section 21 of the zoning resolution, of Herbert E. Matz, applicant, on behalf of St. Pauls Evangelical Lutheran Church, owner, to permit in residence and retail use, D area district, the erection of Church Parish House and Parsonage to occupy a greater percentage of area of lot than is permitted; premises 1355 Virginia avenue, and 1891 McGraw avenue, northwest corner (Block 3936, Lots 32, 35 and 38), Borough of The Bronx.

688-45-BZ—Application, November 9, 1945, under section 21 of the zoning resolution, of Edward J. Farrell, applicant, on behalf of Emil Kupprat, owner, to permit in a business use district, the change of occupancy from office and marble storage to permit cutting, polishing and lettering of stones and monuments in addition to office and marble storage; premises 162-34 Pidgeon Meadow road, west side, 289.54 ft. south of 46th avenue (Block 5461, Lot 40), Flushing, Borough of Queens.

44-46-BZ—Application, January 22, 1946, under section 21 of the zoning resolution, of Boris W. Dorfman, applicant, on behalf of Daumar Realty Co., Inc., owner, to permit in a residence and business use, D area district, the extension of present buildings to cover more area than permitted at curb level; premises 1609-1611 Avenue U, north side, 96 ft. and 112 ft. west of East 17th street (Block 7321, Lots 45 and 46), Borough of Brooklyn.

367-38-BZ—Application of Koch and Wagner, applicants, on behalf of John F. Trommer, Inc., owner, reopened January 8, 1946, under section 7c of the zoning resolution, to permit in a business use district, the extension in height of an existing building; premises 88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block 3476, part of Lot 16), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 18, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning and Tuesday afternoon, November 13, 1945, were approved as printed in Bulletin No. 47, Vol. 30.

ZONING APPLICATIONS

58-39-BZ

APPLICANT—Anfred Realty Corp., owner.

SUBJECT—Application reopened November 20, 1945 for consideration as to extension of permits—Application (decision of the borough superintendent), previously granted on condition, under section 21 of zoning resolution, permitting in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop, for a temporary term of years.

PREMISES AFFECTED—1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block 2887, Lot 165), Borough of The Bronx.

APPEARANCES—

For Applicant: I. I. Braff.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 15, 1946 at 10 A.M. at request of applicant's representative.

701-45-BZ

APPLICANT—Robert J. Farrington, for Krause Service Station, Inc., owner.

SUBJECT—Application (decision of the borough superintendent under sections 7c and 7i of the zoning resolution, to permit in a business use district, the change of occupancy from stores and welding, to auto showroom and service station, motor vehicle repair shop and garage for more than five cars.

PREMISES AFFECTED—700-710 Southern boulevard and 1031 Leggett avenue, northeast corner (Block 2729, Lot 1). Borough of The Bronx.

APPEARANCES—

For Applicant: R. J. Farrington, Harry Tipperwitz and Allen Bates.

For Opposition: S. H. Kaltman, S. Kaufman and Anthony Valenti.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. for applicant to file revised plans.

67-45-BZ

APPLICANT—Alphonse Rapp, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, an automobile repair shop in the existing building on the first floor, and a two-family dwelling on two other floors, also to permit more than 55% of area of lot at curb level to be used in proposed change of occupancy.

PREMISES AFFECTED—322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Pokorny and Alphonse Rapp.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3

THE RESOLUTION (67-45-BZ)

WHEREAS, Alphonse Rapp, owner, filed on February 13, 1945, an application under section 21 of the zoning resolution, to permit in a residence use district, an automobile repair shop in the existing building on the first floor and a two-family dwelling on the other two floors, also to permit more than 55% of area of lot at curb level to be used in proposed change of occupancy; affecting premises 322 Monroe street, south side, 88 ft. east of Corlears street (Block 264, Lot 5), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Monroe street is in a residence use, D area and Class 1 height district and Corlears street is in a residence use district, D area and Class 1 height distirct; and

WHEREAS, the decision of the borough superintendent, dated, January 11, 1945, re Alt. Applic. 2200-41, reads:

"3. The use of the first floor as an automobile repair shop, office and garage, is prohibited in a residence district, as per Article II, Sec. 3 zoning resolution.

"5. Building being in a 'D' area district and proposed change of occupancy is prohibited, as it occupies at curb level more than 55% of area of lot, contrary to Sec. 14, Art. IV, zoning resolution."

and

WHEREAS, the applicant states the premises consist of a plot, 22 ft. frontage by 70 ft. in depth, on which is located a vacant building 3 stories, 30 ft. in height, 22 ft. front by 44 ft. deep, of Class 3 construction and that it is proposed to erect a modern automobile repair shop and a two-family dwelling in existing building; and

WHEREAS, the applicant contends that if the premises are to be used only for the purpose allowed in this zone, that is as residences, it cannot yield a reasonable return; that the property is in a neighborhood which has greatly changed; that in the immediate vicinity of the property are factories, garages, warehouses and vacant lots; that trucks are parked continually on the streets surrounding the property; that so far as residential property is concerned, conditions are very bad and residents have moved out of the neighborhood, because of the changed character of the neighborhood; that the use of the street floor of the premises for automobile repair shop will not alter the essential character of the neighborhood; that the establishment of the proposed automobile repair shop will not endanger the safety or impede the health of residents in the vicinity; that adjoining properties will be helped, rather than hurt, by the erection of the automobile repair shop, because it will substitute a brand new modern place for a vacant, dilapidated building which has become an eye-sore in the neighborhood and it will alleviate the depressing effect that such a vacant building has on surrounding property values; that there is no demand for any residences in this neighborhood; that the property was unrestricted until April 5, 1935, when changed to residence zone and continued by amendment March 1, 1939; that due to unique circumstances, and not to general conditions existing in the neighborhood, there is no market

for this property and it cannot be disposed of; and if permitted by the Board, the applicant will build an attractive, fireproof modern automobile repair shop which will enhance the neighborhood and add to the value of surrounding property; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 2200-41, objections 3 and 5, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

310-45-BZ

APPLICANT—Josephine Linnemeyer, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a retail use district, the erection of a one-story brick building to be used as a store and gasoline service station, with auto laundry and lubritorium.

PREMISES AFFECTED—258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: C. Pokorny, Josephine Linnemeyer and M. Leed.

For Opposition: David Postal, Robert Postal and E. E. Major.

For Administration: F. Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

THE RESOLUTION (310-45-BZ)

WHEREAS, Josephine Linnemeyer, owner, filed May 23, 1945, an application under section 7f of the zoning resolution, to permit in a retail use district, the erection of a one-story brick building to be used as a store and gasoline service station, with auto laundry and lubritorium; affecting premises: 258-15 Hillside avenue and 83-60 259th street, northwest corner (Block 8770, Lot 1), Queens Village, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Hillside avenue is in a retail use, D area and Class 1 height district and 259th street is in a retail and residence use, D area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1945, re N.B. Applic. 135-45, reads:

"1. The use of the above located plot for a gasoline service station, auto washing and lubrication is contrary to Article 2, section 4 of the B.Z.R.

"2. Provide rear yard as per sect. 14 and 17 of B.Z.R.

"3. Vehicle entrances and business entrances more than 25 ft. back from Hillside avenue on 259 street contrary to Sect. 7A of B.Z.R."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. frontage by 100 ft. in depth, to be occupied by a building one-story (15 ft. to 19 ft.) in height, 67 ft. front by 50 ft. deep, of Class 3 construction and that it is proposed to use the proposed building as a store and gasoline service station, with auto laundry and lubritorium; and

WHEREAS, the applicant contends that practical difficulty and unnecessary hardship exists to warrant the variance; that the owner is a widow and in feeble health; the taxes on subject property have not been paid since 1934 and owner is about to lose the property; that a prospective buyer is willing to construct the building at his own cost in accordance with plans filed, amounting to $25,000; that this tenant will immediately clear up all tax arrears and start paying rent for the property as soon as a building permit is issued; that Hillside avenue is a much travelled thoroughfare and has a lot of transient and vehicular traffic passing over this roadway; that few people live in vicinity of the subject property and there is no demand for stores or any business; that the proposed use will not alter the essential character of the neighborhood or endanger the safety or impair the health of its residents; that the granting of the application is in harmony with the general purpose and intent of the Zoning Law, because it permits a reasonable use of property without adversely affecting nearby property owners; that the location is suitable for a gasoline service station and if permitted by this Board, an attractive modern station will be built, thus adding to the value of surrounding property; that objections 2 and 3 of decision have been eliminated on the new plans; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision f of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on N.B. App. 135-45, objections 1, 2 and 3, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

541-45-BZ

APPLICANT—Samuel Rosenblum, for Lillie Seicke, owner.

SUBJECT—Application (decision of the borough superintendent) under sections 7f and 21 of the zoning resolution, to permit in a business use district, the erection of a gasoline service and selling station.

PREMISES AFFECTED—302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum, L. Seicke, Elsie Dock and S. Bixbaum.

For Opposition: H. Klorfein, D. Riordan, A. Hoffman and F. Falkenburg.

For Administration: F. Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

THE RESOLUTION (541-45-BZ)

WHEREAS, Samuel Rosenblum, for Lillie Seicke, owner, filed September 6, 1945, an application under sections 7f and 21 of the zoning resolution, to permit in a business use district, the erection of a gasoline service and selling station; affecting premises 302-306 East 161st street, southwest corner of Park avenue (Block 2420, Lot 129), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that East 161st street is in a business use, B area and Class 1½ height district and Park avenue is in a business and unrestricted use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated August 6, 1945, re N.B. App. 74-45, reads:

"1. Proposed use of these premises as a Gasoline Service and Selling Station in a business district, is contrary to Article 2, Section 4(a) (46) of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 129.98 ft. frontage by 96.03 ft. in depth (irregular), on which it is proposed to erect a building 61 ft. by 24 ft., one story (14 ft.) in height, of Class 3 construction and that it is proposed to tear down the frame dwellings and erect a gasoline service station; and

WHEREAS, the applicant contends that the present old frame dwellings have outlived their usefulness; that the owner has owned the property for approximately 40 years and the present income is not enough to meet the carrying charges, taxes, interest, etc.; that Park avenue, through which the N. Y. Central Railroad tracks runs, is developed as a commercial artery to take the overflow of traffic from the main lines now running north and south; that East 161st street is also in the same category and forms a connecting link between the west side parkways, Jerome avenue, the Grand Concourse and the easterly main thoroughfares; that it is in close proximity to the Yankee Stadium with the heavy traffic flowing from the same, both summer and winter, so that the erection of a gasoline service station here would serve a useful community function; that the property to the west, occupied to a great extent by the N. Y. Central freight yards, is all unrestricted, and the property to the south, on the same block, is all unrestricted; that the property on the other side of Park avenue, 100 ft. south of East 161st street is also unrestricted, indicating that the development of such areas would be with heavy commercial uses; that at the southerly end of the block on which subject site is located, there is at present a one-story garage and automobile repair shop; that inasmuch as the property is practically surrounded by unrestricted property which cannot be used because of the freight yards of the railroad, and as the same is a junction point of the traffic arteries leading to it, and that the present uses have become obsolete, compared to the value of the property, it is respectfully requested permission be granted to erect a gasoline service station as outlined, and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision f, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 74-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

602-45-BZ

APPLICANT—James Allen Tuck, for United Grocers Co., owner.

SUBJECT—Aplication (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use and C area district, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot.

PREMISES AFFECTED—1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: James A. Tuck and Herman F. Kuzel.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (602-45-BZ)

WHEREAS, James Allen Tuck, for United Grocers Co., owner, filed October 10, 1945, an application under section 21 of the zoning resolution, to permit in an unrestricted use C area district, the extension of an existing warehouse, occupying more than the prescribed percentage of area of the lot, affecting premises 1630 Cody avenue, east side, 274 ft. west of Wyckoff avenue (Block 3557, Lot 28), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Cody street is in an unrestricted use, C area and Class 1 height district and Wyckoff avenue is in an unrestricted use, C area and Class 1 height district; and

WHEREAS, the decision of the borough superintendent, dated September 14, 1945, re Alt. Applic. 1495-45, reads:

"1. The proposed extension is not permitted, as not more than 60% of the lot may be occupied by any building or buildings. Sec. 13b—zoning law."

and

WHEREAS, the applicant states the premises consist of a plot, 50 ft. frontage by 100 and 126 ft. in depth, on which it is proposed to erect a building 50 ft. front by 100 and 126 ft. in depth, 2 stories (32 ft. 6 in.) in height, of Class 1 construction, to be made part of an existing building 100 ft. by 192 ft. 11 in. deep, irregular in area and that it is proposed to build a two story fireproof building as an extension to the present two story warehouse; and

WHEREAS, the applicant contends that the proposed building, together with the existing one, will form a complete unit for the conduct of the business; that consideration be given to the total area of the property occupied in the application of the zoning resolution provisions; that if in the interpretation of the Board, this property, due to its location at the termination or apex of the block, is designated a corner lot, the 1st floor with 74% of coverage is 1% under the required 75% for this type of lot; that for the 2nd floor, the coverage of 84.3% is only 9.3% in excess; that due to the width of the railroad right-of-way of 120 ft. and a 50 ft. street beyond, giving a total distance of 170 ft. of unobstructed light and air at the rear of the building; that taking the property as a whole, the fact that the triangular areas of the existing building on the northerly end, both 1st and 2nd floors are only of limited value to the owner; that to overcome these space limitations and meet competitive forces, the more spacious areas on the southerly end of the property must be utilized to the fullest; that the railroad embankment is 16 feet above curb level of Cody Avenue and would make a rear yard on the 1st floor level entirely useless and impractical; that if access to the railroad siding is to be secured, which is absolutely essential to the owners' business and a rear yard cannot be created on the street level (1st floor), because any platform erected on the 2nd floor level to reach tracks, will simply cover the area below; that from the standpoint of practical utility, a platform against the railroad tracks for unloading purposes has no value, since the spur track in a reverse curve again joins the straight track and the railroad will not permit any freight car to project beyond a certain point; that a derail limits the movement of freight cars to a confined length on the spur track serving the building; thus it becomes necessary to anticipate the possible location of cars for unloading and place two doors at the rear, where such unloading can be done with safety, directly into the building; that for the conduct of the business, the owner has no need of lighting from the side or south wall of the building and no windows or openings of any kind will be provided in this wall; that an occupancy of only 60% of the now vacant lot, as required under Section 13b of the Zoning Resolution, will create a serious hardship and cause unnecessary expense to the owner; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was therefore entitled to relief as to use and area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district requirements of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, to permit the extension as proposed and as indicated on plans filed with this application marked "Received October 10, 1945" (three sheets), *on condition* that the building shall not exceed two stories in height as proposed and shall be constructed of class 1 construction; that the loading and unloading space as shown shall be provided and maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

610-45-BZ

APPLICANT—Samuel Rosenblum, for Bridge 60th Street Realty Corp., owner.

SUBJECT—Application (decision of the borough superintendent) under section 7e of the zoning resolution, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store.

PREMISES AFFECTED—1133-1141 2nd avenue, southwest corner of East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Pincus Cashman and Charles Haber.

For Opposition: K. Mertig.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (610-45-BZ)

WHEREAS, Samuel Rosenblum, for Bridge 60th Street Realty Corp., owner, filed February 9, 1945, an application under section 7e of the zoning resolution, to permit in an unrestricted use district, the erection of an electric sign on front of multiple dwelling and store; affecting premises: 1133-1141 2nd avenue, southwest corner East 60th street (Block 1414, Lots 25, 26, 126, 27 and 28), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that 2nd avenue is in an unrestricted use, B area and Class 1½ height district and East 60th street is in a business and unrestricted use, B area and Class 1½ height district; and

WHEREAS, the decision of the borough superintendent, dated October 4, 1945, re Electric Sign App. 227-45, reads:

"1. Sign is prohibited under Section 21B of the Zoning Resolution."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. 5 in. frontage by 58 ft. in depth, on which is located a building of same size, 4 stories (45 ft.) in height, Class 3 construction and that it is proposed to erect a sign on the front of the premises; and

WHEREAS, the applicant contends that the premises at present are used for stores, storage and dwellings; that the proposed sign is intended to cover the front of the building and all regulations pertaining to its construction will be complied with; that this property is located in an unrestricted district, so that there can be erected on this property and block, uses that would be obnoxious by reason of type of manufacture, such as celluloid manufacture, crematories, blacksmithing, fat rendering, sulphuric acid manufacturing and in fact, a great many industries that would be far more obnoxious and unpleasant than the erection of a sign on the front of the building; that while the terminus of the Queensboro Bridge is on Second avenue, this bridge with its terrific congestion of traffic, does not in itself present any aesthetic appearance, in fact, the entire neighborhood alongside the Bridge has no prepossessing appearance; there are at present on the roof of the site, signs which have been there for a great many years and therefore under the provisions of the zoning resolution can remain there; that to the south of the premises and on the roof of existing structures, there are additional signs; that north of 60th street are big advertising signs painted on the side walls of the structures, all of which can remain, pursuant to the zoning law, so nothing will be gained by prohibiting a sign on the front of this structure; that photographs reveal how congested traffic is at this point and nothing short of the demolition of the entire block would add anything to the beauty of the situation; that while the proposed regulation may be of value along the river front where the highways are used for pleasure traffic, the Queensboro Bridge is so palpably a commercial highway that it would be guilding the lily to prevent any signs from going up, as the inherent use of the structure itself for commercial purposes prevents any beautiful landscaping effects; that as the restriction will not obviate the existing conditions and as the property is unrestricted and adjoining properties as well as this property, now have existing advertising signs, it is respectfully requested that a variation be granted; and

WHEREAS, the premises and area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent, acting on E. S. Applic. 227-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

612-45-BZ

APPLICANT—Sidney L. Strauss, for Henry J. Pfistner, owner.

SUBJECT—Application (decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five motor vehicles.

PREMISES AFFECTED—94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard, northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, Lots 32 and 33), Corona, Borough of Queens.

APPEARANCES—

For Applicant: S. L. Strauss and John R. M. Mullen.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3

THE RESOLUTION (612-45-BZ)

WHEREAS, Sidney L. Strauss, for Henry J. Pfistner, owner, filed October 15, 1945, an application under section 21 of the zoning resolution, to permit in a residence and business use district, the erection of a gasoline service station and parking for more than five (5) motor vehicles;

directing premises: 94-15 to 94-23 Northern boulevard, 32-45 to 32-61 Junction boulevard northeast corner and 32-44 to 32-60 95th street, northwest corner of Northern boulevard (Block 1424, lots 32 and 33), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 18, 1945, after due notice by publication in its Bulletin; and

WHEREAS, the district maps accompanying the zoning resolution show that Northern boulevard is in a business use, C area and Class 1½ and 1¼ height district; Junction boulevard is in a business use, C area and Class 1½ height district and 95th street is in a residence and business use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated September 27, 1945, re N.B. Applic. 352-45, reads:

"1. The erection of a gasoline service station and parking for more than five cars in a business and residence use district, is contrary to Art. II, sec. 3 and sec. 4, B.Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot 97.75 ft. frontage by 186.11 ft. in depth (irregular), on which it is proposed to erect a building 36 ft. front by 60 ft. deep (irregular) one-story (20 ft.) in height, of Class 3 construction and that it is proposed to restrict the service station to the Northern boulevard frontage; and

WHEREAS, the applicant contends that the premises is located in an area dotted with non-conforming uses; that Junction boulevard is a principal traffic artery leading to LaGuardia Field and in addition, a trolley line runs north and south on this street; that on the easterly side of 95th street, directly across from subject premises, is a lumber yard; that on the westerly side of Junction boulevard, directly opposite subject premises, the block is almost totally vacant, with the exception of the corner of Junction and Northern boulevard, where there is a one-story brick garage and a one-story brick automobile showroom and adjoining this showroom to the west, is a used car lot; that there is a great amount of vacant land on both sides of Northern boulevard in both directions from the property affected; that the general area is one in which the introduction or proper improvement of the site affected with a suitable gasoline service station, will in no way be affected; that it is proposed to restrict the service station to the Northern boulevard frontage as shown on plans filed with this application; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent acting on N.B. Applic. 352-45, objection 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

644-45-BZ

APPLICANT—Julius Eckmann, for Marguerite Corporation, owner.

SUBJECT—Application (decision of the borough superintendent) under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing factory.

PREMISES AFFECTED—801 Bartholdi street, northeast corner of Barnes avenue (Block 4633, Lot 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Julius Eckman, J. Lawrence, W. Shroder and S. Maggin.

For Opposition: R. Ippolita and S. Ippolita.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and G. Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (644-45-BZ)

WHEREAS, Julius Eckmann, for Marguerite Corporation, owner, filed October 22, 1945, an application under section 7(a) of the zoning resolution, to permit in residence use district, the extension of existing factory; affecting premises: 801 Bartholdi street, northeast corner Barnes avenue (Block 4633, Lot 11), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 18, 1945, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the zoning resolution show that Barnes avenue is in a residence use, C area and Class 1¼ height district; Bartholdi street and Magenta street are in a residence use, C area and Class 1¼ height district; and

WHEREAS, the decision of the borough superintendent, dated October 15, 1945, re Alt. Applic. 521-45, reads:

"1. Proposed extension of existing factory is contrary to Board of Standards and Appeals resolution 192-36-BZ, adopted Sept. 15, 1942.

"2. Proposed extension of factory in a residence use district is contrary to Article 2, Section 3 of the Zoning Resolution."

and

WHEREAS, under Cal. 192-36-BZ the Board on September 29, 1936, granted a variation under section 7a, permitting the extension of an existing factory 216 ft. by 50 ft. in area, one clere story in height, by erecting a 2-story extension 240 ft. by 30 ft. in area, the roof of the top story to be approximately 13 ft. above grade, on certain conditions; and

WHEREAS, on September 15, 1942, a further variation was granted under this Cal. 192-36-BZ, Vol. 2, to permit an extension at the south end 28 ft. by 43 ft., one story, nonfireproof; and on October 31, 1944, time was extended to install the sprinkler system; that the extension proposed under Cal. 192-36-BZ, Vol. 1, covered the same but larger area as that now proposed under Cal. 644-45-BZ; and

WHEREAS, the applicant states the premises consist of a plot 120 ft. frontage by 240.04 ft. in depth, on which is located a building 43 ft. by 240 ft. in depth, 1 story (16 ft.) in height, of Class 3 construction, and that it is proposed to erect a new building 40 ft. front by 160 ft. deep, one story, (16 ft.) in height, of Class 3 construction; and

WHEREAS, the applicant contends that on the plot is located a one-story nonfireproof lace factory, 43 ft. by 240 ft. in area; that it is proposed to increase the area of the building by an addition to the west, fronting on Barnes avenue for a distance of 160 ft., extending south from Magenta street; that this addition would be 40 ft. wide, as the present factory wall is 40 ft. back (east) from Barnes avenue; that this building has always been used as a lace factory, erected for the Excelsior Lace Works; that from 1910 to 1930, it was occupied as a factory by Martin Henkel; that since 1930, it has been occupied for same by Carver Lace Works, a subsidiary of the Marguerite Corporation, owners of the premises; that owing to the expansion of business, an increase in floor space is required; that the present floor is set about 8 ft. below the sidewalk level and the roof extends about 8 ft. above the sidewalk; that enlarging the building as proposed will bring the structure to the streets, thus filling in an unsightly gap and improving the appearance of the structure; that the present factory is equipped with numerous machines and looms with substantial foundations, and the established improvement represents a considerable investment; that the proposed expansion to the west would be augmenting the established equipment without adversely affecting any property owners; that the

proposed addition will be of incombustible materials, brick walls, steel roof purlins and girders and precast light weight concrete or gypsum roof slabs; that the present structure is being equipped with automatic sprinklers and the proposed addition would be similarly equipped; that the Board did grant a variation in June, 1936, to build a 2-story addition along Barnes Avenue front, set back about 6 ft. from the property line; that the now proposed one-story structure would close the gap between the retaining wall on Barnes avenue and the then proposed front wall; that the two-story structure was not erected, but a small one-story expansion to the south, fronting on Bartholdi street and 28 ft. by 43 ft. in area was approved by the Board in September, 1942, and subsequently constructed; that for the foregoing reasons, the applicant submits that the proposed extension will not injuriously affect the neighborhood in any respects, rather it would improve the existing conditions; that the premises have been used and occupied over 45 years as a lace factory up to the present date; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision a, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7a thereof, to permit the proposed extension of an existing factory into the residence use district as proposed and as indicated on plans filed with this appeal marked "Received October 22, 1945," (3 sheets), *on condition* that the building shall not be further increased in height or area; that no signs shall be erected on the premises, except that there may be a neat sign not over 15 sq. ft. in area attached to the building near the existing entrance door on Bartholdi street; that the boiler room shall be cut off from the balance of the building by fireproof construction and enterable only from the exterior; that the sprinkler system shall be extended through the entire premises; that in all other respects, the building and occupancy shall comply with the requirements of the zoning resolution and all other laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 192-36-BZ, Vol. II, as to the extension since erected to the south facing Bartholdi street; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS

675-45-A

APPLICANT—Isidore Klein, lessee, for Charles Polivy, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—922 East 169th street, south side, 63.47 ft. west of Fox street (Block 2718, Lot 43), Borough of The Bronx.

APPEARANCES—
For Applicant: Robert H. Berger.

ACTION OF BOARD—Laid over to January 3, 1946 at 10 A.M. at request of applicant's representative.

741-45-A

APPLICANT—Ellis L. Lavine, for Ruco Management Corp., owner (Springfield Electric Specialties, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—120-126 Wooster street, east side, 25 ft. south of Prince street (2nd floor); (Block 500, Lots 11 and 13), Borough of Manhattan.

APPEARANCES—
For Applicant: Ellis L. Lavine.
For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 15, 1946 at 10 A.M., for further consideration.

623-45-A

APPLICANT—Lama & Proskauer, for 1083-1087 Willoughby Avenue Corp., owner (Style-Rite Optical Corp., lessee).

SUBJECT—Application reopened and restored to calendar December 4, 1945—re Appeal from an order of the fire commissioner and a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama and L. Leonard.
For Administration: E. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (623-45-A)

WHEREAS, Lama and Proskauer, for 1083-1087 Willoughby Ave. Corp., owner (Style-Rite Optical Corp., lessee), filed October 16, 1945, an appeal from an order of the fire commissioner, affecting premises 1083-1087 Willoughby avenue, north side, 100 ft. west of Wilson avenue (4th floor); (Block 3196, Lot 38), Borough of Brooklyn; and

WHEREAS, this appeal was withdrawn on November 7, 1945, to permit the applicant to file plans with the borough superintendent; and

WHEREAS, this case was restored to the calendar and set for hearing on December 4, 1945; and

WHEREAS, Order 503-LC issued by the fire commissioner, September 21, 1945, reads:

> "With reference to your application for permit to store and use nitro-cellulose on the above premises, this department regrets that it is without authority to grant the permit, since Sec. C19-110(b)-4 of the Administrative Code prohibits the issuance of such permit in any building within the fire limits which is not of fireproof construction, if more than 3 stories in height.
>
> 1. YOU ARE THEREFORE HEREBY ORDERED, to discontinue the storage and use of nitro-cellulose (celluloid) on these premises. C19-110-b-4, Administrative Code."

and

WHEREAS, the applicant filed a decision of the borough superintendent, dated November 23, 1945, on B.N. Applic. 804-45, which reads:

> "1. Upon inspection by Fire Dept.—Bldg. does not fully comply with Art. 19 of Ch. 19.
>
> 1-A Bldg. 4 stories in height and of Class 3 construction (non fireproof) C19-110 b-4.
>
> 1-B Bldg. within 50 ft. of a place of public assembly. C19-110. b.2.
>
> 1-C Existing sprinkler system does not comply with Ch. 26-1375.0 Adm. Bldg. Code."

and

WHEREAS, the applicant states that the building is 4 stories (55 ft. 7 in.) in height, 54 ft. 4 in. by 90 ft. in area, of Class 3 construction, erected in 1922, located in a business use, C area and Class 1 height district and used and occupied since 1945 as follows: cellar—ordinary; 1st floor—manufacturing net goods—20 persons; 2nd floor—manufacturing bathrobes—20 persons; 3rd floor—manufacturing ladies jackets—40 persons; 4th floor—manufacturing optical frames—25 persons; that the building is equipped

with a two source sprinkler system, two 3 ft. 8 in. wide interior iron stairs, brick enclosed, equipped with self-closing, fireproof doors and leading from the roof bulkhead, directly to the street; and

WHEREAS, the applicant contends that it is proposed to install two cabinets on the 4th floor, each 3 ft. by 2 ft. 4 in. in area, 5 ft. 10 in. in height, to be used for the storage of nitro-cellulose which is used in the manufacture of optical frames; that the cabinets will be constructed of 18 gauge metal and will be of an approved type, which cabinet will be equipped with a sprinkler head, supplied by the existing sprinkler system; that these cabinets are essential in order to conduct the business and therefore it is requested that the Board grant a variance; and

WHEREAS, it appears that the building is protected by a two source sprinkler system consisting of a street main and a roof gravity tank with a capacity of 10,000 gallons and the usual required siamese.

Resolved, that the decision of the fire commissioner as to Order 503-LC and the decision of the borough superintendent on Bldg. Notice. Applic. 804-45, Objections 1, 1-A, 1-B and 1-C, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the storage of cellulose products shall be restricted to the top floor of the building as proposed and as indicated on plans filed with this appeal marked "Received October 16, 1945"; that the amount of such celluloid material on the premises shall not exceed 400 lbs.; that such material shall be stored within approved steel cabinets as indicated, except for the amount necessary for daily work in process; that such cabinets shall be protected by a regular sprinkler head each and shall be located so as to be not nearer than 10 ft. to any stair entrance and approximately midway between the stairs and adjacent to the wall; that the windows on the northerly wall facing the court and in the elevator shaft shall be fireproof windows, self-closing and glazed with wire glass; that the sprinkler system with a 10,000 gallon roof tank shall be maintained in accordance with the requirements therefor and to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 273-24-S and 244-38-A.

695-45-A

APPLICANT—Modern Carpet Sweeper Co. (lessee), for Rebecca Gussack, Nathan Gussack and Henry W. Gussack, owners.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. R. Meyer and E. Anthony.
For Administration: E. A. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (695-45-A)

WHEREAS, Modern Carpet Sweeper Co. (lessee), for Rebecca, Nathan and Henry W. Gussack, owners, filed November 9, 1945, an appeal from a decision re an order of the fire commissioner, affecting premises 17-19 Rush street, north side, 123 ft. east of Kent avenue (5th floor); (Block 2163, Lot 35), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, acting on Order 00010-C, dated July 3, 1945, reads:

"4. Discontinue the use of open flame within 25 ft. of spray, dip or coating space or paint storage room or cabinet except when separated by fireproof construction. Rule 4.5.1, Spray Rules."

and

WHEREAS, the applicant states the building is 5 stories and basement (60 ft.) in height; 56 ft. by 125 ft. in area; of Class 3 construction; located in an unrestricted use, A area and Class 2 height district; erected prior to 1913 and used and occupied since 1934 as follows: cellar, storage, no persons; 1st floor, storage and punch press, no persons; 2nd floor, office and storage, 4 persons; 3rd floor, storage and assembly, 1 person; 4th floor, assembly, 6 persons; 5th floor, punch presses, 2 persons; and proposed to be used without change and occupied as follows: cellar, no persons; 1st floor, 3 persons; 2nd floor, 4 persons; 3rd floor, 3 persons; 4th floor, 25 persons; 5th floor, 15 persons; that no certificate of occupancy has been issued; that the building is equipped with a one source sprinkler system and approved interior fire alarm system but that fire drills are not maintained; that there is one 37 in. wide steel stairs, brick enclosed, equipped with fireproof, self-closing doors and leading directly to the street; that this stairway does not extend to the roof; that there is also a fire escape on the south wall leading to the roof by stair and to the street through a fire passage in the cellar; that windows and doors on the course of the fire escape are fireproof self-closing; that the building to the north is one story and basement; to the east, five stories and to the west, a vacant lot; and

WHEREAS, the applicant contends that the order requires separation of an apartment on the 1st floor where the caretaker resides, from the remaining portions of the plant, by fireproof construction; that the use of this apartment will be discontinued; that an order has been placed to provide a simultaneous switch on the spray booth fan and the switch of the spraying gun; that this appeal is made particularly with reference to the requirement to discontinue the use of an open flame gas burner used for heating a degreasing tank within 25 ft. of the dip tank; that this gas flame is so arranged as to be enclosed on all sides and top by a heavy gauge sheet metal welded box; that while the degreasing tank is less than 25 ft. from the dipping tank, the hazard is not as much as to require a fireproof separation; that the present enclosure should be equivalent to a vapor-tight separation which is usually accepted for an open flame segregation; that the distance between the flame and the dip tank is approximately 20 ft.; that the material used is a synthetic enamel having a rather high flash point; that an exhaust system is provided over the dip tank to carry directly to the outer air any fumes, which might escape from the tank; that the products manufactured could not be completed without these facilities; that the dip tank is located in a conveyor in a baking unit about 80 ft. long, 12 ft. high and 8 ft. wide, and constructed of heavy steel on fireproof base, and is located in the only place in the building that has sufficient head room to accommodate it; it is therefore requested that the Board grant this appeal.

Resolved, that the decision of the fire commissioner as to Order 00010-C, Item 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the equipment shall be maintained to the satisfaction of the fire commissioner and substantially as proposed; that such equipment shall be on the fourth or top floor; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. 79-26-S, 80-26-A and 754-41-A.

704-45-A

APPLICANT—Interborough Engineering Co., for John Robertson Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Vince Perotto.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (704-45-A)

WHEREAS, Interborough Engineering Co., for John Robertson Co., owner, filed November 15, 1945, an appeal from an order of the fire commissioner, affecting premises 133 Water street, northwest corner of Adams street (1st floor); (Block 28, Lot 23), Borough of Brooklyn; and

WHEREAS, Order 747-LC, issued by the fire commissioner, dated October 16, 1945, reads:

"You are hereby notified that an inspection of the above premises, used to store and use Acetylene, Oxygen, Hydrogen, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

"1. Discontinue use of hydrogen gas, as its use is deemed not in the interest of public safety by this department. C19-11.0, Admin. Code."

and

WHEREAS, the applicant states the building is 3 stories (35 ft.) in height, 55 ft. 8 in. by 100 ft. in area; Class 3 construction; located in an unrestricted use, A area, Class 2 height district; erected in 1890; used and occupied: Cellar, storage; 1st floor, machine shop, 15 persons; 2nd floor, office, 5 persons; 3rd floor, same; that the building is equipped with one 36 in. and 42 in. interior wood stairs, enclosed with partitions of metal lath and plaster, equipped with wood, self-closing doors and leading from the top story, directly to the street, with a ladder and scuttle to the roof; that there is no fire escape; that the building adjoining to the west is three stories and to the north two stories in height; that no certificate of occupancy has been issued for the present use and occupancy; and

WHEREAS, the applicant contends that the tenant has been using hydrogen, in connection with welding of monel metal to alloy steel, for the past fifteen years without an accident; that the process consists of welding a monel metal sleeve to a heat-treated alloy steel piston in an atmosphere of hydrogen; that the process is used approximately eight hours every two weeks; that the hydrogen will rise to the highest point in the building and if by chance it was to leak out of the skylights which are located along the entire length of the shop, there are numerous windows on two sides for free escape of the gas; that there will be not more than two cylinders of hydrogen on the premises at any one time; that if the entire contents of the hydrogen cylinder were to leak, it would not injure anyone in the shop and would not cause any accident.

Resolved, that the decision of the fire commissioner as to Order 747-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than two cylinders of acetylene, two cylinders of oxygen and two cylinders of hydrogen shall be stored on the premises; that of these, only one cylinder of each shall be in use at one time and the others shall be spare; that such cylinders, where in use or as spares, shall be properly supported to the satisfaction of the fire commissioner, by means of non-ferrous bands; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

728-45-A

APPLICANT—Ellis L. Lavine, for Yorke Terminal Warehouse, Inc., owner (N. Y. Progressive Wood Heel Corp., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1155 Manhattan avenue, northwest corner of Commercial street (Block 2476, part of Lot 60), (Building No. 4, 4th floor); Borough of Brooklyn.
APPEARANCES—
For Applicant: Ellis L. Lavine.
For Administration: E. A. Meyer, Fire Dep't.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (728-45-A)

WHEREAS, Ellis L. Lavine, for Yorke Terminal Warehouse, Inc., owner (N. Y. Progressive Wood Heel Corp., lessee), filed November 20, 1945, an appeal from an order and decision of the fire commissioner, affecting premises 1155 Manhattan avenue, northwest corner of Commercial street (Bldg. No. 4, 4th floor); (Block 2476, part of Lot 60), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated October 25, 1945, re Order 99986-LC, issued June 26, 1945, reads:

"With reference to your letter of October 9th, 1945, relative to the premises 1155 Manhattan avenue, Brooklyn, I have to advise you that no permit will be issued by this Department to the New York Progressive Wood Heel Co. for the storage and use of lacquers, etc., until Item 1 of Order 99986-LC, which reads as follows, has been complied with:

"1. Provide that the exhaust fan control shall be interconnected with the spray gun, so as to operate simultaneously and shall in addition, be arranged to operate independently of spray gun. Rule 3.2, Spray Rules."

Before this item will be dismissed it will be necessary to make the following change:

"1. Replace the thin wall conduit with standard weight rigid iron treaded conduit."

"A certificate issued by the Dept. of Water Supply, Gas and Electricity will not relieve you from complying with the above recommendation."

and

WHEREAS, the applicant states the building is six stories (80 ft.) in height, 145 ft. and 32 ft. front by 65 ft. and 50 ft. deep; of Class 6 construction; erected in 1879; located in an unrestricted use, A area and Class 2 height district; and used and occupied since 1913: Cellar, storage, 3 persons; 1st floor, storage, manufacturing cosmetics and office, 15 persons; 2nd floor, manufacturing sweaters and office, 80 persons; 3rd floor, manufacturing paper boxes and office, 30 persons; 4th floor, manufacturing wood heels, 25 persons; 5th floor, office, 10 persons; 6th floor, manufacturing braid and office, 15 persons; that the building is equipped with a two-source sprinkler system, standpipe system, and interior fire alarm system, but that fire drills are not maintained; and there is one 4 ft. wide steel stairs with slate treads, enclosed in brick, equipped with Underwriter's labeled fire doors, which are self-closing; that this stairway leads from the roof bulkhead, directly to the street; that the building is also equipped with one fire escape at the front, leading to the roof by a ladder and to the street by stairs; that there are no windows on the course of the fire escape; and

WHEREAS, the applicant contends that when installation was made to comply with Rule 3.2 of the Paint Spray Rules, as shown on diagram filed with this appeal, this installation conformed with the Board's approval under Cal. 2-45-SA (Fig. 1); that the installation if satisfactory to the fire commissioner, except that a wall conduit was used, which is not in accordance with the requirements of the Paint Spray Rules, although the installation has been ap-

proved by the Department of Water Supply, Gas and Electricity; that the electric wiring in question is all run outside the room in which paint spraying is done and no part of this wiring is in a hazardous location; that the wiring installed complied with section b-30-52.0 of the Electric Code; it is therefore requested that the decision of the fire commissioner be modified, so that the permit may be issued for the storage of paint.

Resolved, that the decision of the fire commissioner as to Order 99986-LC, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the requirements of the Paint Spray Rules of the Board and all other laws, rules and regulations shall be complied with; that the conduit shall be located as indicated on plans filed with this appeal marked "Received November 20, 1945" (two sheets), so as to be outside the area where the spray booths are located; that in all other respects, the requirements of Order 99986-LC shall be complied with and all electrical work shall comply with the code requirements.

734-45-A

APPLICANT—Ellis L. Lavine, for Gretsch Building No. 4, Inc., owner (Lewyt Corp., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ellis L. Lavine.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (734-45-A)

WHEREAS, Ellis L. Lavine, for Gretsch Building No. 4, Inc., owner, filed November 23, 1945, an appeal from an order and a decision of the fire commissioner, affecting premises 54-82 Broadway (60 displayed) and 407-419 Wythe avenue, southeast corner (10th floor); (Block 2130, Lot 5), Borough of Brooklyn; and

WHEREAS, Order 14257-LF, issued by the fire commissioner, on January 24, 1945, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, within 30 days from the date of the service of this order, to:

"1. Have exhaust fan control interconnected with spray gun so as to operate simultaneously. Exhaust fan shall, in addition, be arranged to operate independently of spray gun."

and

WHEREAS, the decision of the fire commissioner, dated October 26, 1945, reads:

"With reference to your visit to this office on October 24th, in connection with the above mentioned order, you will please be informed that no reply was sent you in response to yours of August 3rd for the reason that you had been informed on several occasions that the valves which you installed in the spray booth could not be accepted, for the reason that they have not been approved by the Board of Standards and Appeals. The records also indicate that under date of September 7, 1945, a communication was sent you by the Chairman of the Board advising you fully in the matter.

"The valves now in place cannot be accepted by this Department unless they are approved for use in the City of New York by the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is 10 stories (115 ft.) in height, 259 ft. 8 in. by 77 ft. 8 in. in area; Class 1 construction; erected in 1915; located in an unrestricted use, B area and Class 1½ and 2 height district; used and occupied as follows: Basement, manufacture of metal products and boiler-room, 200 persons; 1st floor, manufacturing chewing gum, 350 persons; 2nd to 10th floors, manufacturing metal stamping and screw machine products, 350 persons each floor; that the building is equipped with a two source sprinkler system, a standpipe system and five 5 ft. wide interior stairs of steel and concrete, enclosed with concrete and gypsum partitions, equipped with fireproof, self-closing doors and leading from the roof bulkhead, directly to the street and five exterior stairs leading to the roof by stairs and to the street and yard by stair, with egress to the street from the yard through an alleyway; that windows and doors on the course of the fire escapes are fireproof, self-closing; and

WHEREAS, Certificate of Occupancy 112265, issued April 5, 1945, on N.B. App. 3628-15, permits the present occupancy; and

WHEREAS, the applicant contends that in February 1945, it made several installations to comply with Rule 3.2 of the Paint Spray Rules, as indicated on the diagram filed with this appeal and at that time, the Board had not approved any Solenoid valves for automatic interlocking of Paint Spray Gun and Ventilating equipment; that the Board did, however, at a later date approve such a valve and the method which was used on the installation now in question is substantially the same as the layout approved by the Board under Cal. 2-45-SA; that the Solenoid valve which has been installed was No. 681 as manufactured by the Detroit Lubricator Co., which varies from the type approved by the Board under Cal. 2-45-SA, in that it has a manually operated set screw by which the seat of valve could be kept open without current flowing through the magnetic coil; that the Solenoid valves in question were altered so that the installation serves the purpose of complying with Rule 3.2; it is therefore requested the Board modify the decision of the fire commissioner and accept the installation of the Solenoid valves as installed and altered, as being in compliance with Rule 3.2 of the Paint Spray Rules.

Resolved, that the decision of the fire commissioner as to Order 14257-LF, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the installation of the valve and all other equipment complies with the requirements of the Paint Spraying Rules of the Board and that the system shall be maintained to the satisfaction of the fire commissioner and *granted on condition* that an application shall be promptly filed by the Detroit Lubricator Co. for test and approval of their Solenoid Valves for use under the Paint Spray Rules.

273-45-A

APPLICANT—Tobias Goldstone, for Bond Adhesive Co., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from an order of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2249, Lots 42 and 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry Joseph and Harry Greenberg.

For Administration: E. A. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal reopened and resolution amended.

MINUTES

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (273-45-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 255-257 Wallabout street, north side, 150 ft. west of Harrison avenue (1st floor); (Block 2249, Lots 42 and 43), Borough of Brooklyn, was granted by the Board on May 29, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution, based on Order 1058-C of the fire commissioner, dated November 27, 1945.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 29, 1945, so that as amended, the resolution shall read:

"*Granted* as to Order 1058-C, Item 1, *on condition* that there shall be no openings in the easterly wall of this building; that the existing doorway, from this building to the adjoining yard, shall be bricked up with approved masonry; that all inflammable materials shall be maintained as proposed, toward the westerly portion of the building as far removed as possible from the westerly wall of the building adjacent to the east; that such quantities of inflammable materials as are proposed shall either be stored in a buried system as required, or if approved by the fire department, in an approved fireproof vault; that a storage and mixing room shall be constructed and maintained in accordance with the requirements therefor; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no open flames shall be maintained within 40 ft. of such mixing and storage room; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

MATERIALS SUBMITTED FOR APPROVAL.

304-44-SM

APPLICANT—A. P. Green, for Celotex Corporation, owner.
SUBJECT—Cemesto Board (Asbestos Cement Clad Insulation Board) approval of.
APPEARANCES—
For Applicant: A. P. Green.
ACTION OF BOARD—Laid over January 3, 1946 at 10 A.M.

678-45-SM

APPLICANT—Klaff and Sons, owner.
SUBJECT—Klaff and Sons, 275 Gallon Fuel Oil Tank, Obround with Flanged and Dished Heads, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (678-45-SM)

WHEREAS, Klaff and Sons, owner, filed on October 18, 1945, an application with the Board of Standards and Appeals for approval of the material known as Klaff and Sons, 275 Gallon Fuel Oil Tank, Obround with Flanged and Dished Heads; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

November 30, 1945.

Re: Cal. 678-45-SM
Subject: Klaff and Sons, 275 Gallon Fuel Oil Tanks Obround with Flanged and Dished Heads, approval of.

Klaff and Sons of 443 East 100th Street, Brooklyn, New York, filed an application with the Board of Standards and Appeals for approval of the Klaff and Sons 275 Gallon Obround Fuel Oil Tank with flanged and dished heads, under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

The tanks are constructed of No. 10 U. S. Gauge commercial grade hot rolled sheet steel. The heads are dished of No. 10 U. S. gauge steel with weld offset 1½ inch. Tanks have one lateral welded seam ⅞ inch lap. The tanks are provided with four 2 in. spuds welded on top of tank. A ¾ inch feed coupling is welded in the head at bottom, and there are four pressed steel pipe support legs, seams and spuds are welded. The tanks are 26 in. by 42 in. head and 63 inch long. The weight of the tank without legs is 386 lbs.

TEST

A sample tank was subjected to a hydraulic pressure test at applicant's plant in the presence of the Committee on Tests of the Board and successfully met the requirements of Rule 10.31 of the Oil Burner Rules. Details of construction, workmanship and protection of steel were found to comply with the Rules of the Board.

RECOMMENDATION

On the basis of the foregoing data, the Committee on Tests recommends that the Klaff and Sons 275 Gallon Obround Fuel Oil Tank be approved for use in fuel oil installations in New York City, when constructed in conformity with the details of this report and drawings filed with this application, but nothing herein shall be deemed to waive any requirements of the Oil Burner Rules of the Board. It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanent affixed plate required by Rule 5.3.2 of the Oil Burner Rules, in addition to the wording therein shall have the following wording: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. 678-45-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Klaff and Sons, 275 Gallon Obround Fuel Oil Tank, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

711-45-SM

APPLICANT—James J. Johnsen, for Lancaster Heat Transfer Company, owner.
SUBJECT—Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH, approval of.
APPEARANCES—
For Applicant James J. Johnsen.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (711-45-SM)

WHEREAS, James J. Johnsen, for Lancaster Heat Transfer Company, owner, filed on November 5, 1945, an application with the Board of Standards and Appeals for approval of the material known as the Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

December 5, 1945

Cal. 711-45-SA.

Subject: Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH, approval of.

The Lancaster Heat Transfer Co., Inc., filed an application with the Board of Standards and Appeals for approval of the Lancaster Horizontal Rotary Oil Burner, types WP, LP, LPH and WPH under the provisions of C19-57-0 of the Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

DESCRIPTION

The Lancaster Oil Burner consists of a plate on which is mounted the fan housing containing as an integral part, air baffle vanes, and fan wheel to supply primary air for the proper combustion of fuel oil. The outer housing is bolted to the inner housing. Gear housing containing shaft and gears for speed reduction of the pump are fastened and carried by the outer housing. Fan wheel and oil nozzle are mounted on the shaft. This shaft derives its driving force by power furnished through the motor, which is coupled within coupling housing with flexible coupling. To the gear housing is attached a pump bracket on which is mounted the oil pump. These housings are of cast iron and steel. The pump is a Brown & Sharp or any standard approved pump of proper capacity for the model of burner and is connected to a shaft with a flexible coupling. The shaft is a part of the reduction gear assembly. The fan is of aluminum of centrifugal type. The replacement of the motor is accomplished by removing bolts holding motor which is attached to coupling housing. Within the inner housing an oil feed fitting is attached which acts as an oil receptacle to receive the oil supply after processing to oil nozzle. The primary air intake is controlled by an air shutter. Within the gear housing are 3 ball bearings which are supported by spacers and bearing lock covers. In some designs 2 bearings may be utilized. In the case of #5 or lighter oils, swing fittings are utilized on top and bottom of the burner hinge, and the bottom swing fitting is for the supply of oil from the suction line to the pump to the burner. The top swing fitting is for the relief of excess unused oil back to its source, or for the relief of any excessive pressure. The burner is equipped with strainer, strainer basket, the area of which is 6 times greater than the diameter of the supply pipe.

With #6 oil, 2500 or 5,000 watt electrical approved preheater is used and controlled by a means of a thermostatic device. The electrical preheater is provided with a relief valve to take care of any excessive pressure, and relieved to the return line. This electrical preheater is also connected to a primary approved heat exchanger, or any other means used for preheating as a primary media which is also provided with a relief valve to conform with rule 7.2.2 of the Oil Burner Rules as adopted by the Board of Standards and Appeals.

The burners are made in four types, WP, LP, LPH and WPH and in four sizes ranging in capacity from 6000 to 41000 square feet of radiation, or an equivalent of 45 to 300 HP for use with low or high pressure steam boilers.

Type LP is a burner with separate motor pump set installed remotely. WP has an integral fuel oil pump. Type LPH and WPH are the same as LP and WP except that they have an approved electrical preheater incorporated in the assembly as an integral part.

Controls consist of: oil regulating valve
solenoid electric oil valve operated and synchronized electrically
overall protector relay 161.B
pressuretrol 410
stack switch C40
low water cut off
aquastat L416A

The ignition is gas electric. An air and oil interlocking device is used when burners are installed with remote pump set conforming with 8.6 of the Oil Burner Rules.

TEST

A type WP model of the burner was inspected and tested at 2105 Linden Street, Brooklyn, N. Y. in the presence of Commissioner Blum and Chief Engineer Huber of the committee on tests, and Inspector Sklamerk the representative of the Division of Combustibles of the Fire Department, and a representative of the manufacturer. With the oil supply cut off, and a cold combustion chamber, the burner was put into operation; and on successive tests, the controls functioned to shut the burner down in 45 seconds. The burner was then put into normal operation and the burner functioned as designed. During the period of tests, there were no flare backs due to faulty ignition, and on examination the combustion chamber showed no undue carbon deposits. A test of the CO_2 contained in the fuel gases indicated not less than 11% throughout the operating range of the capacity of the burner.

RECOMMENDATION

On the basis of the inspection and tests, the committee on tests recommend that the Lancaster Horizontal Rotary Oil Burner, types WP, LP, LPH and WPH be approved for domestic and commercial use in New York City with fuel oil not heavier than #5 cold, and #6 preheated, United States Department of Commerce standards when installed in accordance with this report, and with the Oil Burner Rules of the Board of Standards and Appeals, provided the burner has a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 711-45-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Lancaster Horizontal Rotary Oil Burner, Types WP, LP, LPH and WPH, *on condition* that the material be manufactured, installed, used and labelled in accordance with the above report.

Adjourned: 1:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

MINUTES

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 18, 1945.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPPEALS FROM ADMINISTRATIVE DECISIONS.

135-45-A

APPLICANT—Arnold W. Lederer, for Peter Crispino, owner.

SUBJECT—Application reopened and restored to calendar July 17, 1945—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (135-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 225 Duffield street, east side, 229 ft. south of Willoughby street (1st and 2nd floors); (Block 2077, Lot 16), Borough of Brooklyn, was withdrawn after discussion, on June 12, 1945; and

WHEREAS, the applicant requested a reopening of the appeal and restoration to the calendar, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, dated July 2, 1945, on Alt. Applic. 1872-45, reads:

"1. Provide at least two means of exit complying with Sect. 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is two stories (23 ft.) in height; 21 ft. by 95 ft. in area at 1st floor, 21 ft. by 43 ft. 6 in. in area at typical floor; of Class 3 construction; erected in 1941; located in an unrestricted use, B area and Class 1 height district and used and occupied since 1941 at follows: cellar, storage and boiler room, no persons; 1st floor, shoe repair shop, 12 persons; 2nd floor, dress factory, 8 persons and that no change in use or occupancy is proposed; and

WHEREAS, Certificate of Occupancy 102284 was issued August 26, 1941, permitting the use and occupancy of the building as follows: cellar, ordinary; 1st floor, store, 10 persons, 120 lb. liveload; 2nd floor, offices, 7 persons, 120 lbs. liveload; and

WHEREAS, Violation 5486-44 issued December 1, 1944 was issued for occupying the second floor for manufacturing contrary to Certificate of Occupancy 102284; and

WHEREAS, the applicant contends that there is an interior wooden stair from the cellar to the 1st floor and a vertical wrought iron ladder located in the front area, leading to the street; that from the 1st floor there are two 2 ft. 6 in. doors at the front and two 2 ft. 6 in. doors leading to a 5 ft. yard in the rear; that the 2nd floor has a 4 ft. and 3 ft. 11 in. wide steel stairway, enclosed in fire retarding materials, leading to the street and a stationary iron ladder to scuttle and roof; that the main roofs of adjoining buildings are approximately 12 ft. higher and these buildings have front extensions one story and basement in height, with safe egress to such extension roofs from the main roof of the building in question, which is approximately 5 ft. higher than the adjoining front extension roofs; that it is proposed to alter the building as follows: cellar: enclose interior cellar stairs with 4 in. terra cotta blocks and one hour self-closing door at the bottom; that the risers of these stairs are to be closed; that these stairs on the 1st floor are to have proper guard rails around same in addition to the present trap door; that the 1st floor—store doors at the front to be made double acting, instead of swinging in; that it is proposed to fire retard underside of steel stairs leading to second floor, with metal lath and two coats of Portland cement plaster, because the space under these stairs is used for a clothes closet at the present time; that a spray booth was installed about a month ago by the present lessee which booth is to be legalized by the proper authorities; that a fire escape balcony is to be provided on the front of the 2nd floor, with a 2 ft. by 5 ft. 6 in. fireproof wire-glass casement door leading to the same; that the balcony is to be provided with a sliding drop ladder in guides; that the balance of this single sash, containing the cosement door, is to be kalamein, wire-glazed; that exit signs and exit lights are to be provided at the new fire escape and at the present stair exit door; that a 3 ft. clear passageway is to be maintained to all exits at all times; and

WHEREAS, the applicant contends that 5 quarts of lacquer are stored, but only 6 ounces are sprayed per day, to glaze shoes; that the building substantially complies with the requirements of the Administrative Code; that to provide two fireproof stairways in a building of such limited area, is impracticable and would create an unnecessary hardship on the owner; that the proposed fire escape with sliding drop ladder from the 2nd floor, as indicated on plans filed with this appeal, should be acceptable, as the 2nd floor is only 11 ft. 6 in. above the sidewalk; that in view of the small area of the building and the low occupancy and the fact that there is no connection between the 1st floor and 2nd floor occupancy and in view of the proposed fire retarding, it is requested that the Board accept the conditions as herein proposed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1872-45 and that the appeal be and it hereby is *granted* as to objection 1, *on condition* that the primary means of exit shall be maintained substantially as proposed herewith and in accordance with the requirements therefor; that a second means of exit shall be provided from the 2nd floor, by means of an exterior balcony on Duffield street, with a sliding drop ladder in guides to the street; that a goose-neck ladder from such balcony to roof shall be provided; that the number of persons on the 2nd floor shall be limited to the capacity of the primary means of exit, but in no event exceeding 10 persons; that in addition, a goose-neck ladder shall be provided from the rear yard to the roof of the first story extension and from the roof of the first story extension to the roof of the second story of the building; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

689-45-A

APPLICANT—Caye Construction Co., Inc., for Anna Sirotkin, owner (New York Cleaning and Dyeing Co., lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Engle.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (689-45-A)

WHEREAS, Caye Construction Co., Inc., for New York Cleaning and Dyeing Co., lessee, filed November 9, 1945, an

appeal from a decision of the fire commissioner, affecting premises 378-392 Flushing avenue, south side, 116 ft. 11 in. west of Franklin avenue and 33-37 Little Nassau street (first floor); (Block 1884, Lots 43, 46 and 48), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated November 7, 1945, reads:

"In response to your communication of October 31st, 1945, you are advised that no approval may be issued for the stationary guards erected on the windows of the above mentioned premises which is occupied as a factory. The provisions of the Labor Law are mandatory and the Fire Commissioner is without authority to make modifications. Therefore, your request is herewith denied."

and

WHEREAS, the applicant states the building is one story (14 ft.) in height; 72 ft. by 82 ft. 9 in. in area, of Class 3 construction; erected 1921; located in an unrestricted use, B area and Class 1¼ height district and used and occupied: cellar, storage and boiler room; 1st floor, pressing and assorting room and boiler room, 35 persons, and proposed to be used and occupied without change 47 persons; that use and occupancy is accessory to a dry cleaning plant located in the adjoining building to the west; and

WHEREAS, the applicant states that there are 11 windows affected, 8 on the street front and 3 on the rear wall; that egress from the portion affected consists of 3 large driveway doors, two pair of doors and one large rolling steel shutter and one sliding tin clad door; and

WHEREAS, Certificate of Occupancy 96881 issued June 20, 1940, on Alt. Applic. 1155-40, permitted the use of the building on Lot 43 as a dry cleaning plant with an occupancy of 40 persons; and

WHEREAS, the applicant contends that the windows affected by this appeal are 4 on Flushing avenue, 4 on Franklin avenue and 3 on side lot line adjacent to adjoining building, all as indicated on plans filed with this appeal; that the remaining 5 windows on the side lot line are old windows which were reused from the old building before the construction of the extension and are equipped with removable guards; that the building in question is an extension on an existing building which houses a cleaning and dyeing establishment; that the new addition, as indicated on plans filed with this appeal, is used for pressing and sorting of clothes; that a new certificate of occupancy will be applied for; that the stationary iron guards in question were installed on this building in error; that this appeal is filed to avoid the considerable expense necessary to change these guards to make them removable and that the owner requires the maintenance of the stationary guards as a protection against theft.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated November 7, 1945, and that the appeal be and it hereby is *granded on condition* that all exits as indicated on plans filed with this appeal, marked "Received November 9, 1945" (2 sheets) shall be maintained openable at all times during working hours, including the horizontal exit to the adjoining section of the building under the same ownership; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

692-45-A

APPLICANT—Charles A. Levitt, for Celuplex Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles A. Levitt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative 0

THE RESOLUTION (692-45-A)

WHEREAS, Charles A. Levitt, for Celuplex Co., Inc., owner, filed October 3, 1945, an appeal from a decision of the borough superintendent, affecting premises 176 Hope street, south side, 84 ft. 9½ in. west of Union avenue (Block 2387, Lot 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 1, 1945, on amendment to Alt. Applic. 1649-45, reads:

"1. Comply with superintendent's approval of 8/14/45, indicated on waiver of examiner's objection #2. (Provide two fireproof stair exits—Sec. 270 Labor Law.)"

and

WHEREAS, the decision of the borough superintendent, dated June 8, 1945, on Alt. Applic. 1649-45, reads:

"2. Provide two fireproof stair exits—Sec. 270 Labor Law."

and

WHEREAS, on August 14, 1945, Objection 2, dated June 8, 1945, was waived by the borough superintendent and a fire retarded stairway proposed at the rear, together with an exit through the rear yard, based on an affidavit from owner at the rear, permitting access to his property; and

WHEREAS, on September 21, 1945, an amendment was filed to Alt. Applic. 1649-45, to eliminate the front stair construction and its brick enclosure and substitute a door opening and a counterbalanced ladder to grade and a ladder to the roof; and

WHEREAS, the applicant states the building is 2 stories (25 ft.) in height; 25 ft. by 80 ft. in area; of Class 3 construction; erected 1921; located in an unrestricted use, B area and Class 1 height district and used and occupied since August, 1945, as follows: 1st floor, offices, shipping and manufacturing, 10 persons; 2nd floor, fabricating celutex, 10 persons; that no change in use or occupancy is proposed; that the building is equipped with one 4 ft. wide wood stairs, enclosed in fire retarded material, equipped with fireproof, self-closing doors and leading to the rear yard, and that a ladder and scuttle to the roof is provided; and

WHEREAS, the applicant contends that it is proposed to install a steel balcony at the 2nd floor, with counterbalanced ladder to the street and an inclined ladder to the roof at the front of the present building; that there is a rear exit from 2nd floor, which leads to the yard in the rear; that all necessary easements have been secured from the adjoining owners, to permit access to the street; that by planning the exits as proposed, space will be provided to operate and it is therefore requested that the Board accept these conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the borough superintendent, acting on amendment to Alt. Applic. 1649-45, objection 2, dated June 8, 1945, and that the appeal be and it hereby is *granted on condition* that a fire escape, complying with the requirements of the Labor Law, shall be erected on the front of the building, as indicated on revised plans marked "Received December 13, 1945" and that the existing enclosed stairway, toward the rear with a ladder and scuttle to the roof, shall be maintained; that such stairway, exiting to the rear yard, shall have access to the street through the property in the rear, known as 475 Grand street, in accordance with the agreement filed with this appeal, marked "Received December 18, 1945"; that a copy of same shall be filed with the borough superintendent and also recorded with the County Register; that the occupancy of the second floor shall not exceed the permitted occupancy of the primary means of exit, but in no event more than ten (10) persons; that the building shall not be increased in height or area; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable, other than as modified by the Board under Cal. 432-26-A.

MINUTES

714-45-A

APPLICANT—Irwin Clavan, for Stuyvesant Town Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—Block bounded by East 14th street, north side, to East 20th street, south side, between 1st avenue, Avenue C and East River drive (Blocks 946 to 951, inclusive, 972 to 977, inclusive, and 982 to 987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan.

APPEARANCES—

For Applicant: Irwin Clavan, Joseph DiStasio and F. H. Frankland.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

THE RESOLUTION (714-45-A)

WHEREAS, Irwin Clavan, for Stuyvesant Town Corporation, owner, filed November 13, 1945, an appeal from a decision of the borough superintendent, affecting premises bounded by the north side of 14th street, First avenue, Avenue C, Marginal street (East Rive drive) and the south-side of 20th street (Blocks 946 to 951 inclusive, Blocks 972 to 977 inclusive, Blocks 982 to 987 inclusive, Lots 1); (Stuyvesant Town Houses), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 25, 1945, on amendment to N.B. Applications 11 to 45-45 inclusive, reads:

"14A. Building should be designed for a 20 lbs. per sq. ft. windpressure on the upper 50% of its height, since the height of part of the bldg. is more than 2½ times its least width and since the construction of bldg. is not homogeneous, due to bolting of connections. Sec. 7.3.3.3. B.C.

"15B. Column connections and splices field or shop, should be riveted, since the height of a wing (part of structure) is more than 2½ times its least width. Secs. 7.3.3.1 and 8.6.2.9 B.C."

and

WHEREAS, the applicant states that the premises are located in a business and unrestricted use, A and B area and Class 1½ and Class 2 height district, proposed to be developed with multiple dwellings and stores, storage and garage buildings, Class 1 construction, 12 and 13 stories in height, to be used and occupied throughout as the Stuyvesant Town Housing Development; and

WHEREAS, the applicant has filed a schedule of data on elevations of buildings marked "Received December 6, 1945," indicating that there are 35 buildings involved ranging in height from 112.8 ft. above grade to 126.88 ft. above grade and from 108.75 ft. above datum to 117.58 ft. above datum to the top of the roof steel; that the buildings consist of five types as indicated on drawings 1 to 12, showing the building layout and typical floor site tabulation plan; and

WHEREAS, the applicant contends as to Objection 14A, that in respect to Section 7.3.3.3 of the Building Code, the building heights under consideration are less than 2½ times their width and contends as to objection 15B, as to section 8.6.2.9 of the Building Code, par. a, that the structures are less than 125 ft. high and their width not less than 2½ times the height, as to par. b, that regardless of height or width, there is no prohibition against bolting all connections between beams and between beams and girders; as to par. c (a) that where width governs and the buildings are not over 125 ft. high, connections of beams and girders to columns and beams and girders, bracing columns may be bolted; as to par. C (b) that as these buildings are tier structures less than 200 ft. high and as the width is not less than 2½ times the height, column splices may also be bolted; that the stresses in all bolts at all proposed bolted connections will be less than those provided under Section 7.4.5; and

WHEREAS, in support of this appeal the applicant has filed a statement by F. H. Frankland, Consulting Engineer and a statement by Joseph DiStasio, Engineer for the project; and

WHEREAS, the statement dated November 3, 1945 addressed to the Board by F. H. Frankland, Consulting Engineer, sets forth that the plans of the buildings in question are in the form of one or more crosses, which arrangement provides a superior ability to resist wind forces than rectangular buildings covering equivalent ground area and of the same overall dimensions of height and a width that of the wings alone; that the Merchants Association Advisory Committee, Sub-committee on Steel and Iron at the time of publication of the code had as an objective, the assurance that wind action would not cause tension in the windward column splices which if it occurred, would tend to open the splices and permit extra deflection of the structure; that obviously, wind forces cannot exist unless the walls are in place and the walls cannot be in place unless the floor slabs are in place; that if the floor slabs are in place, transmitting horizontal shear from the projecting cells to the central core cell, there can be no possibility that even the extreme faces of the projecting cells could deflect further than the structure as a whole deflects; therefore if the column splices of the central core cell are safe against opening on the windward side, so are the column splices in the projecting cells; that the buildings in question will resist wind loads as units, as each structure will be rigidly tied together in its entirety by its floor system; that the writers of the code were of the opinion that the true width of buildings with wings was the sum overall dimensions in the last horizontal direction; that in the buildings in question, the height will not be in excess of 120 ft. and the least horizontal width is 104 ft.; that the buildings in question will be in accordance with recognized and sound engineering practice; that the sub-committee on steel and iron unanimously intended that the least width of buildings of the shape under consideration was 104 ft.; and

WHEREAS, report of Joseph DiStasio & Co., Consulting Engineers, addressed to the Board in connection with this appeal, states that drawing 23-11, revised October 3, 1945, filed with this appeal, shows typical column schedule and column connections, including a diagram of the legal wind load of 20 lbs. per sq. ft. of exposed surface from the top of the building, down to the 100 ft. level; that the connections shown on this drawing will resist this wind effect, by the use of unfinished bolts within the allowable unit stresses provided by the Code.

Resolved, that the decision of the borough superintendent, acting on N.B. Application 11 to 45-1945, objections 14A and 15B, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that wind pressure shall be calculated and provided for at 20 lbs. per square foot of exposed surface from the top of the structures down to 100 feet above curb grade, in accordance with the requirements of Section C26-350.0 (7.3.3.2) of the Building Code; that all field connections of beams or girders to columns for their entire height shall be made with snug fitting unfinished bolts with Dardelet thread and lock nut, or other approved thread and lock nut; that these bolts shall have their entire bearing length full-bodied and with the thread outside of the enclosed bearing; that in order there shall be no bearing on the thread, these bolts shall be equipped with a washer under the nut; that all other field connections, including column splices, may be made with snug fitting unfinished bolts; that to insure compliance, all field bolt heads shall be painted or dipped in a paint of a color different from the shop or field coats of the steel; that field erection bolts, used for the purpose of temporarily fastening and plumbing the members, shall be replaced by the special bolts herein required and every hole where the surfaces are not in true alignment shall be reamed, so as to provide for

a snug fit of the special bolts; that all temporary erection bolts shall be painted as above required before delivery to the job.

733-45-A

APPLICANT—Harold P. Zoller, for Optical Products Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33 and 35), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Harold P. Zoller.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative: Commissioner Savage 1

THE RESOLUTION (733-45-A)

WHEREAS, Harold P. Zoller, for Optical Products Co., Inc., owner, filed November 27, 1945, an appeal from a decision of the borough superintendent, affecting premises 39-40 30th street, northwest corner of 40th avenue (1st and 2nd floors); (Block 399, Lots 31, 33, 35), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 19, 1945, re N.B. Applic. 1848-45, reads:

"1. Provide an approved automatic sprinkler system, consisting of two automatic sources, but such sources shall consist of gravity tank and pressure tank supplies or two gravity tank supplies. Art. 15.41."

and

WHEREAS, the applicant states that the building will be two stories (26 ft.) in height, 109 ft. 4 in. by 83 ft. 4 in. in area; Class 1 construction, on a lot 208.78 ft. by 100.10 ft. in area, located in an unrestricted use, B area and Class 1½ height district; used and occupied for manufacture of celluloid eyeglass frames, 50 persons on the first floor and 160 persons on the 2nd floor; that the building will be equipped with a two-source sprinkler system; that there will be two interior stairs, one 5 ft. 6 in. and the other 3 ft. 8 in. in width, enclosed in 8 in. brick and 6 in. terra cotta, plastered on one side, equipped with hollow metal, self-closing doors, leading directly to the street and one of which will lead to the roof bulkhead; and

WHEREAS, the applicant contends that an approved fireproof vault will be installed on the second floor, vented to the roof and equipped with 12 sprinkler heads and baffle treads; that sprinklers will be controlled by O.S. & Y. valve; that the proposed sprinkler system for the building will be supplied by a 6 in. tap to an 8 in. main in 30th street and 6 in. tap to an 8 in. main in 40th avenue; that each of the 8 in. city mains is fed two ways and may be shut down independently of the other: that the water pressure at the curb is 39 lbs. per sq. in. and static pressure at the hydrant head will be 25 lbs.; that each of the 8 in. mains is fed from several larger sources, as indicated on the Grid Plan filed with this appeal; that adequate fire-fighting appliances will be installed and the sprinkler system connected to fire headquarters through an approved central station; that in view of the fact the entire section is so protected in the way of water pressure fed from so many sources and that even with a breakdown at the tunnel shaft several miles away, there would still be pressure sufficient to supply 25 lbs. at the highest sprinkler line, it is felt that the building will have adequate fire protection within the intent of the law; it is therefore requested the Board accept the proposed two-source system in lieu of the two-source system prescribed by the Admin. Code, Section 15.41.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 1848-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the sprinkler system shall be maintained with the two sources as proposed; that the storage vault for nitro-cellulose products shall be constructed as proposed and in accordance with requirements; that no nitrocellulose products shall be within the factory in the open, except such amounts as are necessary for the day's work, and at night all such material shall be placed within the vault; that such cans with water for waste shall be installed and maintained as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct.

750-45-A

APPLICANT—LeRoy A. Perry, for 311 Greene Avenue, Inc., owner (Lincoln Metal Products Corp., lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn.
APPEARANCES—
For Applicant: Leroy A. Perry.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (750-45-A)

WHEREAS, LeRoy A. Perry, for 311 Greene Avenue, Inc., owner (Lincoln Metal Products Corp., lessee) filed December 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 311-317 Greene avenue, north side, 178 ft. 3 in. east of Classon avenue and 136 Clifton place (1st floor); (Block 1953, Lot 64 and part of Lot 16), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 5, 1945, on Alt. Applic. 1772-45, reads:

"11. Comply with Section 270 of the Labor Law as to limiting dimensions of treads and risers."

and

WHEREAS, the applicant states that the building is 1 story and basement (23 ft.) in height, 91 ft. by 193 ft. 10 in. in area, of class 3 construction, erected in 1925, located in an unrestricted use, B area and Class 1½ height district and used and occupied since July 1945 as follows: cellar, boiler room; basement, garage; 1st floor, garage; proposed to be used and occupied: cellar, boiler room; basement, manufacturing sheet metal products, 40 persons; 1st floor, manufacturing sheet metal products and office, 20 persons; that the building is equipped with a standpipe system, two 4 ft. wide steel stairs with cement treads enclosed in 6 in. terra-cotta blocks, equipped with fireproof, self-closing doors and leading directly to the street; that a ladder and scuttle is provided to the roof; and

WHEREAS, Violation XO-70, issued August 22, 1945, was for erecting stair on the Greene avenue side from the street to the 2nd floor, with risers 8 in. high and treads 9 in. wide. instead of having risers 7¾ in. high and treads 10 in. wide; and

WHEREAS, the applicant contends that the building was used since erection in 1925 as a public garage and it is now proposed to alter for factory use; that plans were approved for such alteration under Alt. 1722-45; that the means of egress consist of a 4 ft. wide steel stair with concrete landings, enclosed in 6 in. terra cotta blocks, with fireproof,

self-closing doors leading to Clifton place and a 4 ft. wide steel stairway, with concrete landings, enclosed in 6 in terra cotta blocks, equipped with fireproof, self-closing doors leading to Greene avenue; that it is this stairway leading to Greene avenue that is in question; that the risers are 8 in. high, with 9¾ in. treads including nosing, instead of 7¾ in. risers by 10 in. treads, exclusive of nosing; that in view of these conditions, it is requested that the Board grant a variation, to permit the existing conditions to remain.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1772-45 and that the appeal be and it hereby is *granted,* as to Objection 11, *on condition* that in all other respects, the stair shall comply with the requirements therefor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations relating thereto, and that the building shall not be increased in height or area.

752-45-A

APPLICANT—Samuel Rosenblum, for Penn Zone Management Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4

Negative 0

THE RESOLUTION (752-45-A)

WHEREAS, Samuel Rosenblum, for Penn Zone Management Co., Inc., owner, filed December 5, 1945, an appeal from a decision of the borough superintendent, affecting premises 130-134 Front street, southwest corner of Pine street (Block 38, Lot 35), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 26, 1945, on Alt. Applic. 1482-45, reads:

"1. This building was structurally altered in 1920, and proposal to change use of bldg. for offices and light manufacturing requires that exits comply with Sec. 270 Labor Law as for a bldg. erected after Oct. 1, 1913.

"2. The floors should be good for 120 lbs. per sq. ft. Sec. 7.3.2.3 Bldg Code."

and

WHEREAS, the applicant states that the building is 7 stories (75 ft.) in height, 64 ft. 2 in. by 86 ft. 5 in. in area, of Class 1 and 3 construction, erected in 1888, altered in 1920, located in an unrestricted use, B area and Class 2 height district and used and occupied since 1944 as follows: cellar, storage and boiler room, 1 person; 1st floor, manufacturing electrical supplies, fish hooks and casings, 18 persons; 2nd floor, manufacturing picture frames and toys, 22 persons; 3rd floor, manufacturing radios, 10 persons; 4th floor, manufacturing jewelry and silk flags, 27 persons; 5th floor, manufacturing lamp shades and hats, 21 persons; 6th floor, manufacturing jewelry novelties and lamp shades, 16 persons; 7th floor, manufacturing lamp shades, 14 persons; that the building is equipped with one 3 ft. 8 in. wide fireproof stairs from the roof to the street and one fire escape at the rear, leading to the roof by stairs and to yard by stair, with egress to the street by a passageway through first floor; that windows and doors on the course of the fire escape are fireproof and self-closing; and

WHEREAS, Violation 466 was issued May 13, 1945, for changing the occupancy of the building from offices as authorized in Certificate of Occupancy 3839, to factory use with 68 persons engaged in manufacturing, without having obtained a new Certificate of Occupancy; and

WHEREAS, the owner was convicted and fined in Municipal Term Magistrates Court on December 4, 1945 on a charge of violating section C26-185.0 of the Administrative Code; and

WHEREAS, Certificate of Occupancy 3839 issued on Alt. Applic. 1470-21, permits the use of the building for offices throughout, with an occupancy of 50 persons and a liveload of 60 lbs.; and

WHEREAS, the applicant contends that the building was originally built prior to 1888 and the southerly portion of 24 ft. replaced by fireproof construction in 1920, which made the exits available to both sections; that due to this alteration, the borough superintendent now requires exits should be made to comply with section 270 of the Labor Law; that the exits comply with the requirements of the Labor Law for a factory building in existence prior to 1913; that in order to make every portion of the premises accessible to the exterior stairway, it is proposed to add an additional platform at the rear, as indicated on plans filed with this appeal; that the occupancy per floor is less than the capacity of the interior stairs; that the nature of the occupancy is not heavy manufacturing, but consists of manufacturing jewelry novelties, radios, lamp shades, etc., which does not require any heavy loading; that in no case is the existing bearing capacity of the floors exceeded; that while the permissible floor load is 60 lbs., the building is of such small area with a fireproof wall dividing it into two sections and the southerly section of fireproof construction and since the occupancy will not exceed 60 lbs. liveload and will be posted to that effect, it is requested that a variation be granted from objections 1 and 2 of the borough superintendent.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 1482-45 and that the appeal be and it hereby is *granted,* as to Objection 1, *on condition* that the interior stairway, as a primary means of exit and the exterior iron stairway as a secondary means of exit, shall be maintained through all floors, as indicated on plans filed with this appeal, marked "Received December 5, 1945" (2 sheets); that such stairways shall extend to the roof and shall have fire exits to the street, as indicated on plans; that the primary means of exit shall comply with the requirements therefor, as proposed; that in addition to the platform for providing exit from the rear of the northerly portion of the building to the exterior iron staircase, there shall also be a doorway on Pine street toward the westerly end, so as to make a direct means of escape from the exterior fire escape without passing through the fireproof passageway to Front street; as to objection 2, that the floor loadings shall not exceed 60 lbs. per superficial foot and shall be so posted; that with this loading the floors may be occupied for manufacturing purposes as proposed, provided the manufacturing is of a light type and no heavy machinery or other equipment installed on any floor that would be in excess of 60 lbs. per superficial foot; that such loading shall be posted; and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

753-45-A

APPLICANT—Schuman and Lichenstein, for Bronze Realty Corp., owner (U.S. Bronze Sign Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Simon N. Alderman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (753-45-A)

WHEREAS, Schuman and Lichenstein, for Bronze Realty Corp., owner (U. S. Bronze Sign Co., Inc., lessee), filed December 6, 1945, an appeal from a decision of the borough superintendent, affecting premises 53-05 37th avenue, north side, 125.07 ft. west of 54th street (1st floor); (Block 1192, Lot 80), Woodside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 29, 1945 on Misc. Applic. 4650-45, reads:

"1. A required sprinkler under Art. 4.2.1 in a factory should consist of any two of the automatic sources or one of the automatic sources and a fire pump, as described in Art. 15.12 and 15.13 as provided by Art. 15.36 Bldg. Code."

and

WHEREAS, the applicant states that the building will be one story (13 and 17 ft. 2 in.) in height; 157 ft. 8 in. by 154 ft. 6 in. in area, of Class 3 construction, located on a lot 230.24 ft. by 187.91 ft. in area, in an unrestricted use, A area and Class 1½ height district and used and occupied: Cellar, boiler room; 1st floor, manufacturing bronze tablets, 205 persons; mezzanine, storage, no persons; that the building will be equipped with an approved one source sprinkler system throughout, one interior 3 ft. 8 in. steel stairs, enclosed in 4 in. gypsum block partitions, equipped with fireproof, self-closing doors and leading directly to the street and that a ladder and scuttle to the roof will be installed; and

WHEREAS, the applicant contends that the proposed building will be subdivided into fire areas of 5400 sq. ft. and 11820 sq. ft. which will be 1820 sq. ft. in excess of limits permitted for non-sprinklered areas; that the entire building will be sprinklered from the single automatic source of supply with a direct 6 in. connection to the city water main which is fed two ways; that the water pressure at the curb is 55 lbs.; that the Long Island right-of-way adjoins the proposed building at the north; that at the east there is a right-of-way and underpass leading to maintenance shops and garage of the Queens and Nassau bus lines and at the west there is a 25 ft. strip of open space which will be maintained.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. 4650-45, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed one source sprinkler system shall comply with all requirements therefor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area.

756-45-A

APPLICANT—Wininger and Selby Inc., for Third Avenue Transit Corp., (successor to Third Avenue Railway Co.) owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—2460-2478 2nd avenue, east side, from East 126th street to East 127th street (Block 1803, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: S. Edw. Wininger, Raymond L. Brandes and George L. Epp.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (756-45-A)

WHEREAS, Wininger and Selby, Inc., for Third Avenue Transit Corp., owner, filed December 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 2460-2478 2nd avenue, east side, between East 126th street and East 127 street (Block 1803, Lot 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated December 3, 1945, on Misc. F.P. Applic. 2329-45, reads:

"1. The use of six 5000 gallon tanks for the storage of Diesel oil, is contrary to Fire Department regulations, which require such tanks to be installed as per C19-69.0 of the Adm. Code."

and

WHEREAS, the proposed building will be one story and mezzanine (30 ft.) in height; 200 ft. by 518 ft. in area, of Class 1 construction; located on a lot 200 ft. by 541 ft. in area, in a manufacturing use, A area and Class 2 height district and used and occupied as bus repair and storage on the 1st floor with an occupancy of 60 persons and for offices, recreation, etc. on the mezzanine and locker room floor with an occupancy of 100 persons; that the building will be equipped with an approved two source automatic sprinkler system; that there will be three 3 ft. 8 in. interior fireproof stairs leading directly to the street and a ladder and scuttle to the roof will be provided; and

WHEREAS, it is proposed to install six 5,000 gallon Diesel oil tanks instead of fifty-five 550 gallon tanks; and

WHEREAS, the applicant contends that there will be approximately 50 valves and hundreds of pipe fittings less with the proposed installation than would be required for the number of tanks of 550 gallons capacity necessary to provide the required storage capacity of 30,000 gallons of Diesel oil; that each extra valve and fitting would be a source of leakage and confusion to the operators; that with the larger tanks there will be 6 man holes and the tanks occupy only about 50% of the area required for the smaller tank installation, thus confining the area of any possible hazard to a smaller portion of the building; that no gasoline will be stored at these premises; that the Diesel oil which it is proposed to store will have a flash point of 140 deg. C. and is not considered an inflammable liquid; that the tanks will be constructed and installed as indicated on plans filed with this appeal and strictly in accordance with the requirements of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Misc. F. P. Applic. 2329-45, objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects, the requirements of all laws, rules and regulations shall be complied with; that the installation of tanks shall comply with the requirements of the Administrative Code for gasoline storage tanks, except that the requirements of the Oil Burner Rules of the Board of Standards and Appeals shall be complied with as to the construction, design and tests of the tanks themselves; that the installation shall be substantially as indicated on plan filed with this appeal marked "Received December 7, 1945" for construction in connection with a new building plan filed with the borough superintendent under N.B. Applic. 286-45.

760-45-A

APPLICANT—Dollar Savings Bank of the City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx.
APPEARANCES—
For Applicant: A. L. Muller and C. Loyd Laporte.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (760-45-A)

WHEREAS, Dollar Savings Bank of the City of New York, owner, filed December 7, 1945, an appeal from a decision of the borough superintendent, affecting premises 76 Hugh J. Grant Circle, southeast corner of East 177th street (Block 3795, Lots 13, 14 and 15), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated November 13, 1945, on amendment to N.B. Applic. 110-45, reads:

"4. Provide two stairways, completely enclosed in three hour partitions and leading directly to the street, as per Sections 6.1.2.2.3, 6.4.1.8.1 and 6.4.1.11 of the Building Code."

and

WHEREAS, the applicant states the building will be one story (38.5 ft.) in height; 95.69 ft. by 75 ft. in area on a lot 95.69 ft. by 142 ft. in area, of Class 1 construction; located in a restricted retail, use D area and Class 1¼ height district and used and occupied as follows: basement, machine and boiler room, toilets and locker rooms and safe deposit vault, 6 persons; 1st floor, banking room and working space; that the building will be equipped with two interior stairs, one of which will be enclosed in 6 in. terra cotta, equipped with hollow metal doors and leading directly to the street, and one sloping ladder in the side yard, from grade to the roof, with egress to the street through an open side yard; and

WHEREAS, the applicant contends that the requirement for two stairways leading directly to the street is not necessary for the purpose of fire protection, due to the general plan of the building and the nature of its construction and because of the fact that traffic in the vault basement will be light, never more than a few persons at any one time; that to enforce this requirement would injure the security of the propety, consisting of cash and securities held in safekeeping on the premises; it is proposed to build only one enclosed stairway, leading to the street and in lieu of second stairway leading to the street, to provide an open stairway leading to 1st floor of bank near the main entrance; that a 2nd stairway enclosure, leading to the street would be impractical for security reasons; that the proposed open stairway will permit any disturbance in the basement to be heard on the main banking floor and permits immediate observation and access by attendants on the 1st floor to the basement; that this type of stairway has been heretofore approved for banks in the City of New York.

Resolved, that the decision of the borough superintendent, dated November 13, 1945, on amendment to N.B. Applic. 110-45, Objection 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exits shall be arranged and maintained substantially as indicated on plans filed with this appeal marked "Received December 7, 1945", (3 sheets); that the building shall be occupied as proposed and shall not be increased in height or area and shall conform in all other respects with all laws, rules and regulations applicable thereto.

278-45-A

APPLICANT—Henry Bender and Gertrude Foley, owners.
SUBJECT—Application for consideration—Amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (1st and 2nd floors); (Block 4958, Lots 55 and 18), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Robert E. Fausel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (278-45-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 135-25 Northern boulevard, north side, 212 ft. 3 in. west of Farrington street (1st and 2nd floors); (Block 4958, Lots 55 and 18), Flushing, Borough of Queens, was granted by the Board on May 15, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 15, 1945, by adding thereto:

". . . that in the event the owner wishes to discontinue the use, variance for which was herein granted, that nothing in this resolution shall be deemed to interfere with the discontinuance of such use and the restoration of the building to a use, conforming with all laws, rules and regulations relative thereto (Alt. Applic 360-45)"

418-45-A

APPPLICANT—Samuel Paul and Associates, for Catherine Woods, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (previously granted on condition).
PREMISES AFFECTED—104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 35), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Samuel Paul and Catherine E. Woods.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal reopened and resolution emended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (418-45-A)

WHEREAS, this appeal from from a decision of the borough superintendent, affecting premises 104-19 to 104-21 165th street, east side, 165.44 ft. south of South road (Block 10164, Lots 34 and 35), Jamaica, Borough of Queens, was granted by the Board on July 27, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 27, 1945, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 891-45, be and hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 3, *on condition* that the building shall not be increased in height or exceed the height indicated on plans filed with this appeal; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the approval of the Departments of Health and Hospitals, as they may have jurisdiction, and as to Objection 4, that the existing primary means of exit as shown on plans filed with this appeal marked 'Received July 5, 1945, 4 sheets' may be accepted, provided the stairs and halls shall be protected with a sprinkler system complying with the requirements therefor, and connected

with the street water supply of sufficient size as required; that all doors leading to such halls shall be close fitting and self-closing; that such portable fire fighting appliances shall be installed throughout the balance of the premises as the fire commissioner shall direct."

298-39-A

APPLICANT—Vermilya-Brown Company, for The Corporation of the Brick Presbyterian Church in the City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and decision of the fire commissioner and a decision of the borough superintendent (previously granted on condition).

PREMISES AFFECTED—62-70 East 92nd street, south side, 108 ft. west of Park avenue (4th and 5th floors); (Block 1503, Lots 43 and 44), Borough of Manhattan.

APPEARANCES—
For Applicant: Eugene Cotter.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

598-45-A

APPLICANT—American Contracting Co., Inc., for Estate of Charles M. Merritt (Nellie G. Merritt, administratrix).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—132-138 Mulberry street, east side, 84 ft. north of Hester street (6th floor), (Block 237, Lots 1, 2, 3 and 5), Borough of Manhattan.

APPEARANCES—
For Applicant: Robert E. Fausel.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

416-45-A

APPLICANT—J. M. Berlinger, for Harlem Savings Bank, owner.

SUBJECT—Appeal reopened October 9, 1945, re Appeal from a decision of the borough superintendent (previously denied).

PREMISES AFFECTED—40-48 Burnside avenue, southeast corner of Grand avenue (2nd floor); (Block 2870, Lot 26), Borough of The Bronx.

APPEARANCES—
For Applicant: J. M. Berlinger and D. C. Zost.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., for an inspection by a committee of the Board.

461-45-A

APPLICANT—Joseph Linde, for Frank Cantasano, Inc., owner.

SUBJECT—Appeal reopened and restored to calendar October 2, 1945—re Appeal from an order and a decision of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—442 Pearl street, north side, 243 ft. 10⅝ in. east of Park Row (Block 118, Lot 8), Borough of Manhattan.

APPEARANCES—
For Applicant: Joseph Linde.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., at request of applicant.

671-45-A

APPLICANT—Joseph Levy, Jr., for Brooklyn Jewish Center, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—916-918 Lincoln place (910-912 displayed) south side, 360 ft. east of New York avenue (Block 1263, Lots 20 and 21), Borough of Brooklyn.

APPEARANCES—
For Applicant: Joseph Levy, Jr.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., for applicant to amend his plans.

721-45-A

APPLICANT—The Park Avenue Operating Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—33 West 51st street, north side, 494 ft. west of 5th avenue (Block 1267, Lot 17), Borough of Manhattan.

APPEARANCES—
For Applicant: Floyd D. Frost and R. A. Haddon.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., for further consideration.

727-45-A

APPLICANT—William Higginson and Son, for Kinsey Distilling Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—19-37 Pearl street, 145-165 Plymouth street, 20-40 Jay street and 22-44 John street (entire block); (Block 19, Lot 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: F. McKeown.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 15, 1946 at 2 P.M., at request of applicant's representative.

731-45-A

APPLICANT—Lama and Proskauer, for Bay 69th Street, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—6905 5th avenue, east side, 40 ft. 7⅞ in. south of Bay Ridge avenue (Block 5874, Lot 12), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 8, 1946 at 2 P.M., for applicant to submit revised plans.

742-45-A

APPLICANT—Kops Brothers, Inc., lessee, for Kops Realty Corp., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1002-02 Rockaway boulevard, southwest corner of 101st street (basement);

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(Block 9539, Lot 1), Ozone Park, Borough of Queens.

APPEARANCES—
For Applicant: William E. Smith.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., for applicant to file plan.

751-45-A

APPLICANT—Sylvia Fleischman, owner (A. and L. Upholstery Shop, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1618-1620 Broadway, west side, 50 ft. south of Macon street and 15-17 Hopkinson avenue (rear); (Block 1499, Lot 4), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Zirn and Louis Gaumisky.
For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., for further consideration and inspection by Fire Department representative.

757-45-A

APPLICANT—Sidney L. Strauss, for 861 East 162nd Street Realty Corp., owner (Victory Baptist Church, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—861 East 162nd street, north side, 100 ft. east of Prospect avenue (basement and 1st floors); (Block 2690, Lot 96), Borough of The Bronx.

APPEARANCES—
For Applicant: Reuben Steinberg.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., at request of applicant.

758-45-A

APPLICANT—Sidney L. Strauss, for First A.M.E. Zion Church, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—468-480 Tompkins avenue and 52-72 McDonough street, southwest corner (1st and 2nd floors); (Block 1854, Lot 25), Borough of Brooklyn.

APPEARANCES—
For Applicant: Reuben Steinberg.
For Administration: Peter Maher, Fire Dep't.

ACTION OF BOARD—Laid over to January 22, 1946 at 2 P.M., at request of applicant.

775-45-A

APPLICANT—John J. McNamara, for B.K.R. Holding Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—97-05 Queens boulevard and 97-01 to 97-07 64th road, northwest corner and 97-22 to 97-28 64th avenue (Block 2091, Lots 1, 4, 16 and 18), Rego Park, Borough of Queens.

APPEARANCES—
For Applicant: John J. McNamara.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal placed on the reserve calendar.

ZONING APPLICATIONS.

50-41-BZ

APPLICANT—John C. Wandell, for Board of Transportation, City of New York, and Salvatore Scala, owners. (Salvatore Scala, lessee of Lot 31).

SUBJECT—Application for consideration—reopening and extension of time to complete (expired 8/1/45) re Application (decision of the borough superintendent) previously granted under section 7h of the zoning resolution, permitting partly in residence use and partly in business use districts, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of 31), Borough of Brooklyn.

APPEARANCES—
For Applicant: John C. Wandell.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (50-41-BZ)

WHEREAS, this application under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a business building (public market) having entrance and show windows more than twenty-five ft. from the business corner, affecting premises 292-293 President street, north side, 50 ft. west of Smith (Block 435, Lot 38), Borough of Brooklyn, was denied by the Board on July 22, 1941; and

WHEREAS, the applicant requested a reopening and restoration to the calendar, based on a new proposal, under section 7h of the zoning resolution, to permit partly in a residence use district and partly in a business use district, for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 310-320 Smith street and 291-295 President street, northwest corner (Block 435, Lot 36 and part of Lot 31), Borough of Brooklyn; and

WHEREAS, this case was reopened by vote of the Board on April 11, 1944 and restored to the calendar, subject to usual procedure; and

WHEREAS, on May 1, 1945, the Board granted this application under section 7h of the zoning resolution, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted May 1, 1945, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended, this portion of the resolution shall read:

"* * * that in view of statement by applicant that all plans have been filed, that all permits required shall be obtained and all work completed within six months from the date of this *amended* resolution; and that other than as *amended* herein, the resolution adopted by the Board May 1, 1945, shall be complied with in all respects; and that a certificate of occupancy shall be obtained."

474-41-BZ

APPLICANT—Colonial Beacon Oil Company, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of an accessory building on a gasoline service station.

PREMISES AFFECTED—96-02 Corona avenue and 49-01 Junction boulevard, southeast corner (Block 999, Lot 1), Corona, Borough of Queens.

APPEARANCES—
For Applicant: Joseph B. Lynch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (474-41-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of an accessory building on a gasoline service station, affecting premises 96-02 Corona avenue and 49-01 Junction boulevard, southeast corner (Block 999, Lot 1), Corona, Borough of Queens, was granted by the Board on December 2, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on December 15, 1942, December 21, 1943 and December 12, 1944; and

WHEREAS, the applicant requested a further extension of time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 2, 1941, as amended through December 12, 1944, only so far as it has reference to obtaining permits and completion of work, so as amended, this portion of the resolution shall read:

"In view of statement by applicant that all plans have been filed with the borough superintendent, that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of December 2, 1941, shall be complied with (N.B. Applic. 7867-40)."

493-41-BZ

APPLICANT—Colonial Beacon Oil Company, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete (expired 11/28/45) re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business district, the erection and maintenance of an accessory building on an existing gasoline service station.
PREMISES AFFECTED—2322-2326 First avenue and 401 East 119th street, northeast corner (Block 1807, Lot 1), Borough of Manhattan.
APPEARANCES—
For Applicant: Joseph B. Lynch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy. 4
Negative 0

THE RESOLUTION (493-41-BZ)

WHEREAS, this application under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station, affecting premises 2322-2326 First avenue and 401 East 119th street, northeast corner (Block 1807, Lot 1), Borough of Manhattan, was granted by the Board on September 30, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on October 27, 1942, November 9, 1943 and November 28, 1944; and

WHEREAS, the applicant requested a further extension of the time for such similar purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 30, 1941, as amended through November 28, 1944, only so far as it has reference to completion of the work, so as amended, this portion of the resolution shall read:

"That in view of statement by applicant that all plans have been approved by the borough superintendent, that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution and that other than as herein *amended,* the conditions of the resolution of September 30, 1941, shall be complied with."

574-41-BZ

APPLICANT—Nathan A. Goldenthal, for John Eckert, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two years, the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—31-17 46th street, east side, 99 ft. 7¼ in. south of 31st (Jamaica) avenue (Block 725, Lots 21 to 24-A, inclusive) Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Frederick Schank.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and permit extended.
THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (574-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, permitting in a residence use district for a term of two years, the parking and storage of more than five motor vehicles, affecting premises 31-17 46th street, east side, 99 ft. 7¼ in. south of 31st (Jamaica) avenue (Block 725, Lots 21, 22, 23, 24 and 24a, inclusive), Long Island City, Borough of Queens, was granted by the Board on January 20, 1942, on certain conditions; and

WHEREAS, time to obtain permits and complete the work, was extended on January 19, 1943 and permit extended on January 18, 1944; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted January 20, 1942, as amended by resolutions adopted through June 18, 1944, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

". . . *granted* under section 7h for a term of two years from the date of this *amended* resolution, to permit the parking and storage of more than five motor vehicles, *on condition* . . . that other than as *amended* herein, the resolution adopted by the Board January 20, 1942, shall be complied with in all respects; and that a new certificate of occupancy shall be obtained (Misc. Applic. 3460-41)."

619-41-BZ

APPLICANT—Colonial Beacon Oil Company, for Irving Rosenblum, owner.
SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration of an existing gasoline service station and erection of a new accessory building thereon.
PREMISES AFFECTED—218-02 Hillside avenue and 88-01 218th street, southeast corner (Block 10678, Lot 1), Queens Village, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Joseph B. Lynch.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0
THE RESOLUTION (619-41-BZ)

WHEREAS, Colonial Beacon Oil Company, for Irving Rosenblum, owner, filed October 27, 1941, an application under section 7c of the zoning resolution, to permit in a business use district, the alteration of an existing gasoline service station and the erection of a new accessory building thereon, affecting premises 218-02 Hillside avenue and 88-01 218th street, southeast corner (Block 10678, Lot 1), Queens Village, Borough of Queens; and

WHEREAS, this application was granted by the Board December 16, 1941, on certain conditions, time extended on December 15, 1942, December 21, 1943 and December 12, 1944 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted December 16, 1941, as amended by resolutions adopted through December 12, 1944, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"... that in view of statement by applicant that plans have been approved, that all permits required shall be obtained and all work completed within one year from the date of this *amended* resolution and that a certificate of occupancy shall be obtained (N.B. 3066-41)."

37-41-BZ

APPLICANT—Henry Nordheim, for Ardea Realty Corporation, owner.
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition under section 7h of the zoning resolution, for a term of two years (which has expired by limitation 10/7/43), permitting in a business use district, the parking and storage of not more than five motor vehicles.
PREMISES AFFECTED—3349-3359 Webster avenue, west side, 176.98 ft. south of Gun Hill road (Block 3355, Lot 126), Borough of The Bronx.
APPEARANCES—
For Applicant: Henry Nordheim.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on February 19, 1946 at 10 A.M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

107-42-BZ

APPLICANT—Lama and Proskauer, for Socony-Vacuum Oil Company, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—previously withdrawn—re Application (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of an accessory building on a plot now occupied as a gasoline service station (the vehicular entrance to the gasoline service station is located within 200 ft. of an entrance to a public playground).
PREMISES AFFECTED—401-413 Dahill road, and 2-12 Cortelyou road, southeast corner (Block 5384, Lot 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened and restored to the calendar, subject to usual procedure.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

743-42-BZ

APPLICANT—Kitzler and Nurick, for Estate of D. J. Leary (Arthur Leary, executor) and John Teague, owners. (John Teague, lessee).
SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two years (expired by limitation 2/8/45), the parking and storage of more than five motor vehicles.
PREMISES AFFECTED—51-59 Maujer street and 451-457 Lorimer street, northwest corner (Block 2785, Lots 32, 35 and 36), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Application reopened, restored to the calendar and set for hearing on February 19, 1946 at 10 A.M.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

MATERIAL AND APPLIANCE SUBMITTED FOR APPROVAL

347-39-SM

APPLICANT—Lone Star Cement Corporation, owner.
SUBJECT—Application for consideration—re Approval of Lone Star Portland Cement, Types 1 and 2 and "Incor" High Early Strength Portland Cement, Approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application reopened and restored to the calendar.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

1205-39-SA

APPLICANT—Gudmund Silvertsen, owner.
SUBJECT—Application for consideration—reopening and approval of additional model—re Bake-O-Heat Oil Burner (previously approved).
APPEARANCES—
For Applicant: Gudmund Silvertsen.
ACTION OF BOARD—Application reopened and restored to the calendar.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

Adjourned: 4:45 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retardng wthin the meaning of Section C26-254.0, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of a transmitted heat is measured shall be protected from external air and weather conditons.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood joisted floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eights (7/8) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eights (7/8) inch wood sheathing, one-half (½) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eights (7/8) inch wood sheathing, two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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